

GUJARAT CATTLE (IMPORT CONTROL) ORDER, 1982

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GUJARAT CATTLE (IMPORT CONTROL) ORDER, 1982

Whereas, the Government of Gujarat is of the opinion that it is necessary and expedient so to do for maintaining the supply of cattle in the State; Now, therefore, in exercise of the powers conferred by clause (f) of sub-sec. (2) of Sec. 4 of The Bombay Essential Commodities and Cattle (Control) Act, 1958 (Bom. LXII of 1958) and all other powers enabling it in this behalf, the Government of Gujarat hereby makes the following Order, namely:-

1. Short title, extent and commencement :-

(1) This Order may be called the Gujarat Cattle (Import Control) Order, 1982.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

2. Definitions :-

In this Order, unless the context otherwise requires,-

(a) "form" means a form appended to this Order;

(b) "import" means to bring into the State of Gujarat otherwise than across the customs frontier.

3. Restrictions on import of cattle :-

(1) No person shall import cattle except under and in accordance with the terms and conditions of a permit issued to him under this clause.

(2) ¹ [Where any person desires to import any cattle, he shall make an application for the same to the Mamlatdar or Mahalkari of the taluka in which the cattle is to be imported and the Mamlatdar or Mahalkari may, after taking into consideration the availability of fodder and water in the taluka for the cattle existing therein either issue or refuse to issue an import permit to such person.]

(3) For the Issue of an import permit there shall be charged a fee of Rs. 20/- per each cattle permitted to be imported.

1. Subs by Notfn. dt. 16.6.1990.

4. Appeal :-

(1) ¹ [Any person aggrieved by an order of the Mamlatdar or Mahalkari refusing to issue a permit may, within 30 days of the date of the receipts by him of such order, appeal to the Collector : Provided that the Collector may admit an appeal after the expiry of the said period of 30 days, if the appellant satisfies it that he had sufficient cause for not preferring the appeal within such period.]

(2) No order affecting the aggrieved person shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

1. Subs by Notfn. dt. 16.6.1990.

5. Power to prevent unauthorised entries :-

Any Police Officer not below the rank of a Police Sub-Inspector or any other officer authorised by the State Government in this behalf may prevent entry of cattle into the State without an import permit under this Order and for that purpose, use such force as may be necessary.

6. Power of entry, search, seizure, etc. :-

Any Revenue Officer not below the rank of a Deputy Mamlatdar or any Police Officer not below the rank of Police Sub-Inspector or any other officer authorised by the State Government in this behalf may, with a view to securing compliance with this Order, and to satisfying himself that this Order has been complied with,-

(a) enter and search any premises, vehicle, vessel or any other conveyance with such assistance as may be necessary;

(b) ask any person any necessary question;

(c) examine any books or documents; and

(d) search and, so far as may be necessary, seize-

(i) any cattle in respect of which he has reasons to believe that contravention of this order has been, is being or is about to be committed;

(ii) any vehicle, vessel or other conveyance used in importing such cattle if he has reason to believe that such vehicle, vessel or other conveyance is liable to be forfeited under the provisions of the Act;

(iii) any books of accounts and documents which, in his opinion, would be useful for or relevant to any proceeding under the Act; and,

(iv) direct by an order in writing any person who owns or is in possession of any cattle in respect of which he has reasons to believe that a contravention of the provisions of this order has been or is about to be committed not to remove or dispose of in any manner such cattle and vehicle, vessel or other conveyance used in carrying such cattle without further directions from the Officer making such order:

Provided that provisions of Sec. 100 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) relating to search and seizure shall apply to search and seizure under this clause.

7. Information regarding import to be supplied to authorised officer :-

Any person, who imports cattle, shall, on demand by an officer authorised by the Collector, show the import permit, if any, issued to him under clause 3 and also furnish information in Form 'A'.