

**MAHARASHTRA MOUNICIPALITES (CATTEL-POUNDS)
RULRS, 1967**

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**MAHARASHTRA MOUNICIPALITES (CATTEL-POUNDS)
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MAHARASHTRA MOUNICIPALITES (CATTEL-POUNDS) RULRS, 1967

1. Short title and commencement :-

(1) These rules may be called the Maharashtra Municipalities (Cattle-Pounds) Rules, 1970.

(2) They shall come into force with effect from the 2nd day of November, 1970.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Maharashtra Municipalities Act, 1965;

- (b) "Form" means a Form appended to these rules;
- (c) "Pound-keeper" means a person appointed under sub-section (1) of Section 283;
- (d) "Schedule" means a Schedule appended to these rules;
- (e) "Section" means section of the Act;
- (f) Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Register of seizures :-

The pound-keeper shall maintain a register of seizures in Form 'A'.

4. Other registers and returns :-

The pound-keeper shall maintain an account of cattle-pound receipts and expenditure in Form 'B'.

5. Maintenance of account of advances :-

Every pound-keeper shall be given by the Council an advance not exceeding rupees twenty to meet expenses chargeable under subsection (2) of Section 289 for impounded cattle. The pound-keeper shall keep an account of such advances in a register in Form 'C'. Such advances shall be adjusted yearly. When a pound-keeper hands over charge of his office to his successor, he and his successor shall jointly report to the Chief Officer about their having respectively delivered over and received charge of the money received as an advance.

6. Pound-fees :-

(1) The pound-fees chargeable under sub-section (1) of Section 289 for each head of cattle shall be as prescribed in the first Schedule.

(2) The pound-keeper shall exhibit a list of pound-fees and the expenses chargeable under Section 289 in a conspicuous part of the pound.

7. Levy of pound fees and charging of the other expenses :-

(1) For every cattle impounded, the pound-keeper shall-

(a) levy pound-fee at the rate for the time being prescribed in the First Schedule¹ and

(b) charge expenses at the rates fixed by the Council under

subsection (2) of Section 289.

(2) A receipt for every payment of the pound-fee and the expenses chargeable under Section 289 shall be given by the pound-keeper. For this purpose every pound-keeper shall be given a receipt book in such form as may be determined by the Council, with pages numbered in consecutive order and bearing the seal and signature of the Chief Officer and containing a foil and counter-foil of blank receipts.

8. Remittance of pound fees :-

All pound-fees collected by the pound-keeper shall be remitted to the Chief Officer with a duplicate memorandum in Form 'D' showing the amount so remitted within twenty-four hours. The Chief Officer after crediting the amount received shall return one copy of the memorandum duly receipted to the pound-keeper and retain the duplicate as a copy of the receipt.

9. Procedure of cattle is not claimed within ten days :-

If within ten days after any cattle has been impounded, no person appearing to be the owner of such cattle claims the cattle or the owner or his agent claims the cattle, but refuses or fails to pay the pound-fee and the expenses chargeable' under Section 289, the pound-keeper shall, as soon as the period is over, report the fact to the Chief Officer in Form'E'.

10. Notice of Auction Sale :-

(1) The Chief Officer on receipt of a report from the pound-keeper under Rule 9 to the effect that no person appearing to be the owner of the impounded cattle has claimed the cattle or that the owner or his agent had claimed the cattle but refused or failed to pay the pound-fee and the expenses chargeable under Section 289 within ten days after it was impounded, shall cause a notice in Form 'F' to be put up on the municipal notice-board and on a conspicuous part of the pound and also at conspicuous places in the town in which the pound is situated, stating-

- (a) the number and description of cattle,
- (b) the place where it was seized,
- (c) the place where it was impounded,
- (d) the date, time and place of the auction sale to be held and the conditions subject to which it shall be held.

(2) The Chief Officer shall also cause proclamation of the same to be made by beat of drum in the town.

11. Holding of Auction and Disposal of sale proceeds :-

(1) The auction sale shall be held on the date and at the time and place specified in the notice under Rule 10. At the auction sale the Chief Officer shall fix a minimum price for sale, such price being not less

(2) The pound-fee and the expenses chargeable under Section 289 shall be deducted from the proceeds of the sale and the surplus shall be disposed of in the manner laid down in sub-section (4) of Section 288.

12. Auction Sale when not to be held :-

If at any time before the auction sale begins the person appearing to be the owner of the cattle pays to the Chief Officer the pound-fee and the expenses chargeable under Section 289 and the amount of deposit by way of security under sub-section (1) of Section 287 in respect of such cattle the auction sale shall not be held and the cattle shall be delivered over to him.

13. Register of Cattle received for Auction :-

The Chief Officer shall keep a register in Form G of cases of cattle received by the pound-keeper for holding auction under Section 288.

14. Disposal of unsold cattle :-

If the cattle is not sold at auction under sub-section (1) or (2) of Section 288, it shall be disposed of in such other manner, as in the opinion of the Chief Officer, would be advantageous to Council; and any amount recovered by way of such disposal shall be set off against the pound-fees and the expenses chargeable under Section 289. The difference between the full amount chargeable and the actual amount so received shall be written off as irrecoverable in the manner laid down in Section 167.

15. Disposal of dead cattle in the pounds :-

(1) If the cattle dies after it is impounded and is not claimed by the owner, it shall be disposed off in such manner as the Chief Officer may consider to be advantageous to the Council.

(2) The pound-fee and the expenses chargeable under Section 289 shall be deducted from any amount received by such disposal and

the surplus if any shall be disposed of in the manner laid down in sub-section (4) of Section 288:

Provided that if the proceeds from the disposal are less than the amount of fee and the expenses chargeable under Section 289, the difference in amount due on account of the said fee and expenses shall be written off as irrecoverable in the manner laid down in Section 167.

16. Declaration of Ownership of and Security Deposit for Impounded Cattle :-

(1) Every pound-keeper shall before releasing any impounded cattle required-

(a) The owner of such cattle or his agent to make a declaration of ownership of such cattle in Form 'H', and

(b) Such owner or his agent to deposit by way of security for each head of cattle specified in column 1 of the Second Schedule an amount specified in column 2 of that Schedule.

(2) Every pound-keeper who shall be provided with receipt book by the Council, shall, on payment of the security deposit, give a receipt to the owner or his agent in token of having received the deposit for the cattle released by him.

(3) If any cattle belonging to an owner who has paid security deposit under sub-rule (1) are impounded within a period of six months from the date on which the deposit is made, and if the seizer is not adjudged illegal, half the amount of deposit shall stand forfeited to the Council; and for any such subsequent seizure within the said period of six months, the remaining amount shall stand forfeited to the Council.

17. Inspection of Registers and Accounts :-

The Chief Officer or any other officer of the Council authorised by him in this behalf shall inspect the registers and the accounts maintained by the pound-keeper and shall also check the cash balance with him atleast once in every three months and shall sign token of such inspection.

SCHEDULE 1

FIRST SCHEDULE

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FIRST SCHEDULE.

(See Rule 6)

Cattle.		Pound/fee per head of Cattle per day.	
1		2	
		Rs.P.	
Elephant.	...	8.00	
Camel or buffalo.		5.00	
Horse, mare, gelding, pony colt, filly, mule, bull, bullock, cow or heifer.	...	2.00	
Calf, ass or pig.	...	1.00	
Ram, ewe, sheep, lamb, goat or kid.		0.50	

SCHEDULE 2

SCHEDULE 2

SECOND SCHEDULE

(See Rule 16)

Cattle.		Amount of security Deposit per head of Cattle .
1		2
		Rs.P.
Elephant.	...	100
Camel or buffalo.	...	30
Horse, mare, gelding, pony colt, filly, mule, bull, bullock, cow or heifer.		15
Calf, ass or pig.	...	10
Ram, ewe, sheep, lamb, goat or kid.	...	3

[Under Section 284(2),287, 288(2) and (3), 289(1) read with Section 321(2)]

List of Notifications.

	Name of	No. of Notification	Date of Notification
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Serial No.	Department	No. of Notification.	Date of Notification.
1	2	3	4
1	U.D.P.H.. and H.D.	UMR. 1065/12871-UNI-IV	2nd September 1970.
Serial No.	Name of Department	No. of Notification.	Date of Notification.
2	U.D.P.H.. and H.D.	AMR 1071/44360-N	10th August 1972.
3	U.D.P.H.. and H.D.	AMR. 1076/443 60-UD-13	22nd June, 1976.
4	U.D.P.H.. and H.D.	AMR. 1076/375 UD-9	18th February 1977.

List of Notifications.

Serial No.	Publication in Maharashtra Government Gazette.			
	Part.	Date.	Page Nos.	Remarks.
1	5	6	7	8
1	I-A Extraordinary.	nd eptember 1970.	93 to 98	Main Rules.
2	I-A Extraordinary.	10th August 1972.	80	Amendment.
3	I-A Extraordinary.	1st July 1970.	23	Amendment.
4	I-A Extraordinary.	24th February 1977.	5	Amendment.