

## **RAJASTHAN GAUSHALA ACT, 1960**

**24 of 1960**

**[09th July, 1960]**

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## **RAJASTHAN GAUSHALA ACT, 1960**

**24 of 1960**

**[09th July, 1960]**

An Act to provide for better management, control and development of Gaushalas in the state of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Eleventh Year of the Republic of India as follows:-

### **1. Short title, extent and commencement :-**

(1) This Act may be called the Rajasthan Gaushala Act, 1960. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

## **2. Definitions :-**

In this Act, unless the subject or context otherwise requires,- (a) "Cattle" includes any domestic animal of the bovine species; (b) "Director "means the Director of Animal Husbandry, Rajasthan, and includes any officer appointed by the State Government to perform the functions of the Director under this Act; (c) "Federation"" means the Federation referred to in section 3; (d) "Gaushala" means a charitable institution established for the purpose of keeping, breeding, rearing and maintaining cattle or for the purpose of reception, protection and treatment of infirm, aged or diseased cattle and includes a Pinjarpole or a Gosadan where such cattle are kept; (e) "Gaushala Development Officer "means the officer appointed as such by the State Government; (f) "Registrar" means the Registrar of Gaushalas appointed under section 4, and includes an Assistant Registrar while performing the functions of the Registrar under this Act; The Rajasthan Gaushala Act, 1960 (g) "Regulation" means a regulation made by the Director under section 14; (h) "Trustee" means a person or a body of persons, by whatever designation known, in whom the administration of a Gaushala is vested and includes any person who is liable as if he were a trustee.

## **3. Establishment of the Federation :-**

(1) As soon as may be possible, but not later than one year, after this Act comes into force, there shall be established in the State of Rajasthan a Federation to be called "the Rajasthan State Gaushala Federation". (2) The Federation shall consist of the prescribed number of members elected by the trustees of the Gaushalas of the State in the prescribed manner at a meeting specially held for the purpose. (3) Until the establishment of the Federation under this Section, the Rajasthan Pinjarapole Gaushala a federation Jaipur which has been registered under the Societies Registration Act, 1860 (Central Act XXI of 1860), as adapted to Rajasthan, shall be the Federation for the purposes of this Act .

## **4. Office of the Registrar and his staff :-**

(1) The Gaushala Development Officer shall, by virtue of his office, be the Registrar of Gaushalas. (2) Whenever necessary, the State Government may appoint an Assistant Registrar and such other staff on such salary, allowances and other conditions of service as it may determine.

## **5. Trustees to apply for registration of and to furnish**

**particulars relating to Gaushalas :-**

(1) The trustee of every Gaushala shall, in the case of - (a) a Gaushala established before the commencement of this Act, within three months of such commencement, and (b) a Gaushala established after the commencement of this Act, within three months of such establishment, (2) The Registrar may, for reasons to be recorded in writing, extend the period for submitting such application and furnishing such statement. (3) Upon receipt of an application under sub section (1) the Registrar shall make such inquiry as he may deem necessary and may, if satisfied as to the correctness of the particulars furnished and the genuineness of the application, register the Gaushala in the register maintained under section 6 and issue a certificate of registration in the prescribed form.

**6. Register of Gaushalas :-**

The Registrar shall maintain a register of Gaushalas in such form and containing such particulars as may be prescribed,

**7. Register of Registrar to hold inquiry :-**

1] The Registrar may at any time, either of his own motion or on the application of any person claiming to have an interest in the Gaushala or when required to do so by the Director or by the Federation, hold an inquiry to ascertain- {a} if the Gaushala is a Gaushala to which this Act applies; {b} the details of the property appertaining to such Gaushala; {c} the name and address of the trustee of such Gaushala; {d} the mode of succession of the office of the trustee of such Gaushala; {e} the income and expenditure of such Gaushala. [2] In every inquiry under this section the Registrar shall cause notice of such inquiry to be served on the trustee of the Gaushala and permit him to appear in person or through an agent duly authorized in writing. [3] On the conclusion of the inquiry the Registrar may pass such order as he may deem fit as to the matters to which inquiry relates.

**8. Trustee to furnish annual statement of changes in the particulars of Gaushala :-**

1] After the registration of a Gaushala under section 5, the trustee thereof shall submit to the Registrar a statement every year in the month of June in the prescribed form and manner, showing changes in the particulars of the Gaushala which may have occurred during the preceding financial year. (2) The Registrar may, for reasons to be recorded, extend the period for the

submission of the annual statement. (3) The Registrar may, after such inquiry as he may deem fit, incorporate the changes in the register of Gaushalas.

#### **9. Maintenance of accounts and their audit :-**

(1) The accounts of every Gaushala which has been registered under section 5 shall be properly maintained and balanced each year. The accounts shall be audited annually by a person or persons approved by the State Government in this behalf. The auditor shall furnish copies of his audit note to the trustee of the Gaushala and to the Registrar within four months of the end of the accounting year or within such further time as the Registrar may, for reasons to be recorded in writing, grant. (2) Every auditor acting under sub-section (1) shall have access to the accounts and to all books, vouchers and other documents and records in the possession or under the control of the trustee. (3) Within six months of the end of the year for which the accounts are balanced, or within such further time as the Registrar may, for reasons to be recorded in writing, grant, the trustee of every Gaushala shall furnish to the Registrar a statement of the accounts in such form and containing such particulars as may be prescribed.

#### **10. Inspection of Gaushalas :-**

The Registrar or any person authorised by him in this behalf may enter into and inspect any Gaushala or any place appertaining to such Gaushala for the purpose of satisfying himself that the provisions of this Act and the rules or the regulations made thereunder are duly complied with.

#### **11. Penalties :-**

(1) If the trustee of a Gaushala fails or neglects to submit to the Registrar an application or a statement as required by section 5 or section 8 or submits an application or statement or furnishes particulars which he knows or has reasons to believe to be false in any material particulars, such trustee shall, on conviction, be punishable with fine not exceeding one hundred rupees. (2) If the trustee of a Gaushala fails or neglects to keep accounts or to furnish a statement of accounts as required under section 9 or furnishes a statement which he knows or has reasons to believe to be false in any material particulars, such trustee shall, on conviction, be punishable with fine not exceeding five hundred rupees. (3) If any person contravenes any other provision of this Act or any rule or any regulation made thereunder or fails to

comply with any order made in pursuance of such provision, rule or regulation he shall, if no other penalty is provided elsewhere in this Act for such contravention, on conviction, be punishable with fine not exceeding fifty rupees. (4) The court may, while passing an order of conviction and sentence under sub- section (1), (2) or (3), specify a period within which the person convicted shall comply with the provisions of this Act or the rules or regulations made thereunder which may be found to have been contravened by him. If the person fails to comply with the order of the court within the specified period the court may also impose a fine not exceeding twenty rupees for every day of the period during which the default continues after the expiry of the period so specified: Provided that, if such person satisfies the court that there was good and sufficient reason for his failure to comply with the order of the court within the period so specified, the court may, if it thinks fit, extend the period and may remite the whole or any part of the fine.

#### **12. Cognizance of offences :-**

(1) No prosecution under this Act shall be instituted except on the complaint of the Registrar. (2) No court inferior to that of a Magistrate of the Second Class shall try any offence under this Act.

#### **13. Power to make rules :-**

(1) The State Government may make rules generally for the purpose of carrying into effect the provisions of this Act and in particular for prescribing all matters which may be, or are required to be, prescribed. (2) All rules made under this Act shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and, if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rule should not be made, such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

#### **14. Power to make regulations :-**

(1) The Director may make regulations for the following matters, namely:- (a) the manner in which a Gaushala shall be managed,

reorganised and developed; (b) skilled technical management of breeding work and segregation of such work from other activities of the Gaushala and the transfer of such work from urban to rural areas; (c) transport of breeding bulls from a Gaushala to any other place for breeding purposes; (d) veterinary treatment and inspection of cattle at Gaushalas; (e) setting aside of cattle, both male and female, for breeding purposes. (2) Regulations made under this section shall be subject to the condition of previous publication and shall come into operation after they have been approved by the State Government.

**15. Bar of application of the charitable and Religious Trusts Act, 1920 :-**

The provisions of the Charitable and Religious Trusts Act, 1920 (Central Act XIV of 1920) shall not apply to any Gaushala registered under this Act.

**16. Power to exempt :-**

The State Government may, by notification in the Official Gazette, exempt any Gaushala or class of Gaushalas under special circumstances from all or any of the provisions of this Act.