

RAJASTHAN STATE CATTLE FAIRS ACT, 1963

14 of 1963

[11th June, 1963]

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Control of State Cattle Fairs
4. No other fair to be held in the fair area
5. Appointment of a Fair committee
6. Levy of fair tax
7. Power to impose tolls and fees
8. Exclusion of jurisdiction of Local authorities
9. Allotment of sites
10. Power to make rules
11. Power to make regulations
12. Outbreak of fire
13. Power to remove unauthorised construction
14. Ejectment of allottees
15. Summary proceedings against person about to leave the fair area
16. Penalties
17. Cognizance of offences
18. Composition of offences
19. Power to amend Schedule 1
20. Act to over-ride other laws

SCHEDULE 1 :- SCHEDULE

SCHEDULE 2 :- SCHEDULE

RAJASTHAN STATE CATTLE FAIRS ACT, 1963

14 of 1963

[11th June, 1963]

An Act to provide for the management and control of State Cattle Fairs. Be it enacted by the Rajasthan State Legislature in the Fourteenth Year of the Republic of India as follows:-

1. Short title, extent and commencement :-

(1) This Act may be called the Rajasthan State Cattle Fairs Act,

1963. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force at once.

2. Definitions :-

In this Act, unless the context requires otherwise- (i) "State Cattle Fair" means a fair mentioned in Schedule I; (ii) 'fair area' means the area of a State Cattle Fair defined by the State Government; (iii) 'fair period' means the period mentioned against a fair in Schedule I' (iv) 'Officer-in-charge' means any Officer appointed by the State Government to perform the duties of an Officer-in-charge in respect of all or any of the State Cattle Fairs.

3. Control of State Cattle Fairs :-

The management and control of the State Cattle Fairs shall vest in the State Government and shall be made and exercised in accordance with the provisions of this Act and rules made thereunder.

4. No other fair to be held in the fair area :-

No cattle fair other than the State Cattle Fair shall be held within a radius of twenty miles of the fair area within three months next preceeding and two months next succeeding the fair period: provided that where the State Government is of opinion that it is necessary or expedient in the public interest to do so, the State Government may exempt any cattle fair from the operation of this Act.

5. Appointment of a Fair committee :-

The State Government shall appoint in the prescribed manner a Fair Committee to assist the Officer-in-charge in the performance of his duties.

6. Levy of fair tax :-

Every person shall, in respect of any cattle purchased by him in the fair area during the fair period, pay to the State Government in the prescribed manner a fair tax at the rates given in Schedule II.

7. Power to impose tolls and fees :-

The State Government may impose within the fair area during the fair period the following levies in the prescribed manner, namely:-
(i) tolls on vehicles entering such area for business purposes, and #
(ii) octroi on goods brought for sale within such area. # octroi on goods brought for sale within such area omitted by law (a)
department Notification No. F.7 (4) L/68 Dated 13th September 1968.

8. Exclusion of jurisdiction of Local authorities :-

No local authority shall impose or levy any tax or fee in the fair area during the fair period.

9. Allotment of sites :-

(1) The Officer-in-charge may allot sites in the fair area for the fair period to any person or class of persons for any purpose and may fix rents for the sites in the prescribed manner. (2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the Officer-in-charge may allot sites for the following:- (i) religious societies of the persuasion, if any, with which the State Cattle Fair is connected; (ii) social and other societies and organisations; (iii) officials of the State Government or local authorities. (iv) market places and shops; (v) urinals, latrines and rubbish heaps; (vi) bathing places; (vii) recreation and entertainment; (viii) agricultural, industrial and other exhibitions and demonstrations; and (ix) for other purposes of the State Cattle Fair.

10. Power to make rules :-

(1) The State Government may make rules generally for carrying out the purposes of this Act and in particular for providing for - (i) establishment of a State Cattle Fair Fund; (ii) expenditure to be defrayed from such Fund and for utilising the surplus; (iii) sanitation and control of diseases in the fair area; (iv) appointment of the Fair Committees under section 5; (v) manner of imposition, assessment and collection of taxes and fees levied by this Act including the manner or recovery thereof by distress and sale; (vi) manner of allotment of sites and of fixing rents under section 9; (vii) proceedings and terms of compromise under section 18; and (viii) any other purpose for which rules are required to be or may be made. (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.

11. Power to make regulations :-

Subject to the rules made under section 10, the Officer-in-charge may make regulations to provide generally against the outbreak or spread of fire and particularly for the following purposes, namely:- (i) safety of buildings and structures put up in the fair area; (ii) prescribing conditions on which huts and other structures may be constructed including limits to the height of such huts or structures and the area on which they are to be built and distance between them; (iii) providing for the supply of water; (iv) restricting the use of fire for cooking or for any other purpose.

12. Outbreak of fire :-

In the event of an outbreak of fire, the Officer-in-charge may order the demolition of any structure, if in his judgment its demolition is necessary or expedient for preventing the fire from spreading, and no suit or other proceeding shall be instituted for an act done or purporting to be done in good faith under this section.

13. Power to remove unauthorised construction :-

The Office-in-charge may remove any unauthorised construction and the cost of such removal may be recovered from any person making the construction, as arrears of land revenue.

14. Ejectment of allottees :-

The Officer-in-charge may order the ejectment from the site allotted to any person who contravenes any provision of the Act or any rule or regulation made under this Act.

15. Summary proceedings against person about to leave the fair area :-

(1) If the officer-in-charge shall at any time have reason to believe that any person, from whom any sum recoverable under the provisions of this Act is due, or is about to become due, is about to remove himself from the fair area, the Officer-in-charge may cause a bill for the sum due or about to become due to be presented to such person and demand immediate payment thereof. (2) If, on presentation of such bill, the said person does not forthwith pay the sum due, or about to become due by him, the amount shall be leviable by distress and sale in the prescribed manner of animals or other movable property in the possession of such person.

16. Penalties :-

Any person who (a) holds, collect, or otherwise takes part in, any

fair in contravention of section 4; (b) uses as a latrine, urinal or rubbish dump any place not allotted for the purpose; (c) does not pay or evades the payment of any fee or tax payable under this act or rules made thereunder; or (d) contravenes any of the provisions of this Act or any rules or regulations made thereunder; shall be punishable, on conviction, with a fine which may extend shall be punishable, on conviction, with a fine which may extend to Rs. 500/- and where the offence is a continuing one, with a further fine which may extend to Rs. 25/- for every day, after the date of first conviction, during which such offence continues.

17. Cognizance of offences :-

(1) No court shall take cognizance of any offence under this Act except on a complaint made in writing by the Officer-in-charge. (2) Any offence under this Act may be tried in summary way.

18. Composition of offences :-

The Officer-in-charge may compromise with any person who in the opinion of the Officer-in-charge has committed an offence punishable under this Act or any rules or regulations made thereunder and on such compromise no proceedings shall be taken against such person in respect of such offence. Provided that the State Government may by rules regulate the proceedings of such compromise and the terms thereof.

19. Power to amend Schedule 1 :-

The State Government may, by notification in the Official Gazette, amend Schedule I by way of any addition or omission therein.

20. Act to over-ride other laws :-

The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

SCHEDULE 1

SCHEDULE

Name of the State Cattle Fair	Place	Period (Vikram era)
1	2	3
1. Tejaji Cattle Fair	Parbatsar City (Distt. Nagaur).	Savan Shukla 15 to Bhadra krishna 15
2. Shri Jaswant Exhibition and Cattle Fair.	Bharatpur (Distt. Bharatpur)	Ashwin Shukla 5 to Ashwin Shukla 14.
3. Ram Devaji Cattle Fair	Nagaur (Distt. Nagaur).	Magha Shukla 1 to Magha Shukla 15

4. Mallinath ji Cattle Fair	Tilwara (Distt. Barmer).	Chaitra Krishan 11 to Chaitra Shukla 11
5. Merta Cattle Fair	Merta City (Distt. Nagaur).	Chaitra Shukla 1 to Chaitra Shukla 15
6. Mela Kartik Chandra Bhaga, Jhalrapatan,	Jhalrapatan (Distt. Jhalawar).	Kartik Shukla 11 to Mangsir Krishna 5.
7. Mela Baisakh Gau-matisagar, Jhalrapatan	Jhalrapatan (Distt. Jhalawar)	Baisakh Shukla 13 to Jyaistha Krishna 5.
8. Shiv Ratri Cattle Fair	Karauli (Distt. Karauli)	Phalgun Krishna 7 to Phalgun Krishna 14
9. Gogameri Cattle Fair.	Gogameri (Distt. Hanumangarh).	Savan Shukla 15 to Bhadon Shukla 15.
10. Pushkar Cattle Fair	Pushkar (Distt. Ajmer).	Kartik Shukla 8 to Mangsir Krishna 2.

SCHEDULE 2

SCHEDULE

1.	Bullocks	Rupees five per head.
2.	He buffaloes	Rupees two and fifty naye Paise per head.
3.	Horses	Rupees six per head.
4.	Mules	Rupees two and fifty naye Paise per head.
5.	Donkeys	Rupees two per head.
6.	Sheep and Goat	Fifty naye Paise per head.
7.	Camels	Rupees eight per head.