

THE AZAD JAMMU AND KASHMIR GOATS
(RESTRICTION), ACT, 1962
(Act I of 1962)

(Passed under Government Order No. 122/62 Dated 15-2-1962)

Whereas it is expedient in the public interest to restrict the

number of goats in the Jammu and Kashmir State ;

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It is hereby enacted as follows :-

Short title, extent and commencement :- (1) This Act may be called the Azad Jammu and Kashmir Goats (Restriction) Act, 1962.

(2) It extends to the whole of the Azad Jammu and Kashmir Territory.

(3) It shall come into force at once.

Definitions:- In this Act, unless there is anything repugnant in the subject or context:-

(a) "Azad Jammu and Kashmir Territory" has the same meaning as in the Azad Jammu and Kashmir Basic Democracies Act, 1960 ;

(b) "Government" means the Azad Government of the State of Jammu and Kashmir ;

(c) "Prescribed" means prescribed by rules made under this Act;

(d) "Slaughter-house" means any building, premises or place used in connection with the business of killing or slaughtering animals intended for human consumption, and shall include a public slaughter-house maintained by a local authority and a private slaughter-house duly licensed for that purpose under any law for the time being in force.

Restriction on grazing, etc. of goats :- Government may by notification, declare that in any specified area, hereinafter referred to as local area, it shall be unlawful :-

(a) After twelve months of the publication of the notification, to graze or pasture goats on any land ; and

(b) after eighteen months of the publication of the notification,
to keep goats :

Provided that Government may in any area permit the keeping of goats subject to such conditions as may be prescribed.

Power to regulate movement of goats :- Government may, in such manner as may be prescribed, regulate the leading, driving, conducting or conveying of goats in any local area.

Power to regulate slaughter of goats :- Government may, in such manner as may be prescribed, regulate the slaughter of goats including the proportion of the goats to the sheep that may be slaughtered in a slaughter-house in any day.

Penalty :- Any person who contravenes the provisions of Section 3 or Section 4 or Section 5 or any rules made under this Act, if such rules so provide, shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and in addition thereto the goat concerned in the offence shall be forfeited to Government.

Offence to be cognizable and bailable :- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), as in force in the Azad Jammu and Kashmir Territory, an offence punishable under this Act shall be cognizable and bailable within the meaning of the said Code.

Powers of certain officers to arrest the offenders :- (1) Any Officer specially empowered by Government in this behalf may, without order from a Magistrate and without a warrant, arrest any person committing an offence under this Act or the rules made thereunder and may seize the goat concerned in the offence.

(2) The officer making an arrest under sub-section (1) shall, without unnecessary delay and subject to the provisions of this Act as to release on bond, take or send the person arrested and such goat to the nearest police station.

Person arrested and goat seized to be released on bond:- (1) Any officer making an arrest under sub-section (1) of Section 8 shall release such person on his executing a bond to appear,

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when so required, before the officer in-charge of the nearest police station.

(2) Where any officer, as aforesaid, has seized any goat, he shall release it to the person from whose possession it was seized or to the owner thereof on his executing a bond for producing it before the officer in-charge, of the nearest police station.

Power to try the offence summarily:- An offence under this Act shall be summarily triable and in such proceedings the provisions for summary trial prescribed in the Code of Criminal Procedure, 1898 (Act V of 1898), as in force in the Azad Jammu and Kashmir Territory, shall apply.

Protection of action taken under the Act:- No suit shall lie against any officer for any thing done by him in good faith under this Act.

Power to make rules:- (1) Government may, after previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-

- (a) Procedure for application of this Act to any focal area ;
- (b) conditions and procedure for permission to keep goats in a local area ;
- (c) regulation of the leading, driving, conducting or conveying of goats in or through a local area ;
- (d) regulation of the proportion of goats and sheep slaughtered in a slaughter-house ; and
- (e) maintenance of records and submission of returns relating to slaughter of goats and sheep.