

THE KHYBER PAKHTUNKHWA ZOONOTIC DISEASE CONTROL ACT, 2024.

(KHYBER PAKHTUNKHWA ACT NO. XVIII OF 2024)

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THE KHYBER PAKHTUNKHWA ZOO NOTIC DISEASE CONTROL ACT, 2024.

(KHYBER PAKHTUNKHWA ACT NO. XVIII OF 2024)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 08th November, 2024).

AN
ACT

to regulate and control the zoonotic disease
in livestock sector in the Province of Khyber Pakhtunkhwa.

WHEREAS, it is expedient to regulate and control the zoonotic diseases in livestock sector in the Province of Khyber Pakhtunkhwa and to ensure safety to protect and improve the health of animals and human beings and for matters connected therewith or

incidental thereto;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as

follows:

CHAPTER-I

PRELIMINARY

1. Short title, extent and commencement.---(1)This Act may be called the

Khyber Pakhtunkhwa Zoonotic Disease Control Act, 2024.

(2) It shall extend to whole of the Province of Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. Definitions.---In this Act, unless the context otherwise requires, the following

expressions shall have the meanings hereby respectively assigned to them, that is to say,-

(a) "animal" means a bullock, bull, cow, buffalo, buffalo bull, camel, goat, sheep of any age and poultry or any other animal as the Department may specify by notification;

(b) "animal quarantine area" means an area, declared or established under section 17 of this Act, in which sick animals may be kept for rest and recovery, for specific period and to

prevent the spread of zoonotic diseases;

(c) "carcass" means a de-skinned body of an animal or a part of de-skinned body of an animal;

(d) "Centre" means the Zoonotic Disease Surveillance Centre, established under section 3 of this Act;

(e) "Chairman" means a Chairman of the Committee;

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“Committee” means the Zoonotic Diseases Control Committee, constituted under section 4 of this Act;

“Department” means the Livestock, Fisheries and Cooperative Department of Government;

“Directorate General” means the Directorate General, (Extension), Livestock and Dairy Development, Khyber Pakhtunkhwa;

“Director” means the Director, Veterinary Public Health of the Directorate General;

“Director General” means the Director General of the Directorate General;

“disease” means the pathological condition of a part, organ or system of an animal, resulting from various causes, such as infection due to genetic defect or environment;

“Government” means Government of the Khyber Pakhtunkhwa;

“infected area” means an area, declared as infected area under section 14 of this Act;

“laboratory” means a room or building, equipped for scientific experiments, research, analysis and disease diagnostic purposes;

“level of quarantine risk” means the probability of-

(i) a disease being introduced and spread in the Province;

(ii) a disease or pest causing harm to human beings, animals, plants, environment or economic activities; and

(iii) extent of the harm;

“livestock” means any breed or population of domesticated animals, kept for domestic, private or commercial purposes, to produce food, labor and animal by-product;

“local authority” means a local government, as defined in the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act. No. XXVIII of 2013), or a Cantonment Board, established under the Cantonment Act, 1924 (Act No. II of 1924);

“notifiable zoonotic diseases” means zoonotic diseases, notified under clause (a) of sub-section (2) of section 3 of this Act;

“poultry” means a domesticated or farmed fowl, such as chickens, quail, pheasant, ducks, peafowl, pigeon, turkey and ostrich or any other bird, as Government may, by notification, specify as poultry;

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“prescribed” means prescribed by rules;

“Province” means Province of the Khyber Pakhtunkhwa;

“rules” mean rules made under this Act;

“surveillance zone” means a prescribed area, around an infected premises, with specified radius and natural boundaries, within which restrictions are placed during a disease outbreak;

“Schedule” means a Schedule appended to this Act;

“Veterinary Officer” means an officer of the Directorate General, designated under section 8 of this Act;

“Veterinarian” means a person, possessing a Degree of Doctor of Veterinary Medicine or its equivalent qualification, from a recognized University, and registered with the Pakistan Veterinary Medical Council;

“Veterinary Institute” means any entity, established by the Department, for the general provision of veterinary services for public that includes civil veterinary hospitals, civil veterinary dispensaries or civil veterinary centers; and

“zoonotic disease” means a disease as specified in Schedule-I, that can be transmitted from animals and poultry to human beings directly, indirectly, through milk and meat or more specifically, a disease that normally exists in animals but can infect human beings.

CHAPTER -II ADMINISTRATION

3. Establishment of Centre.---(1) Soon after the commencement of this Act, Government shall, by notification in the official Gazette, establish a Centre, to be known as Zoonotic Disease Surveillance Center.

(2) The Center shall-

(a)

(b)

develop Standard Operating Procedure for coordinated response and strategy with the help of Health Department of Government and other stakeholders, for the prevention and control of zoonotic diseases as specified in Schedule-I;

receive, collect and analyze information about zoonotic disease from the district offices of the Directorate General;

issue directive and guidelines to its sub-offices, veterinary services providers, farmers and other relevant entities in the affected and infected areas and coordinate response with other stakeholders;

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(d)

(e)

share the incidence or outbreak data with the health hub for integrated disease surveillance and response constituted under the

International Health Regulations, 2005; and

in case of outbreak of any of the notifiable zoonotic disease, to Government to declare veterinary public health emergency by notification in the official Gazette and initiate subsequent

response in the Province.

4. Constitution of Committee.---(1) Soon after the commencement of this Act, Government may, by notification in the official Gazette, constitute a Committee to be known as Zoonotic Diseases Control Committee, for the purpose to administer and manage the affairs of Centre.

(2) The Committee shall consist of-

(a)

(b)

(c)

(d)

(e)

(f)

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(k)

Director General of the Directorate General;

Director, Animal Health and Production of the Directorate General;

Director (Veterinary Research Institute), Livestock and Dairy Development, Khyber Pakhtunkhwa;

Director Livestock, Research and
Development of the Directorate General,
(Research), Khyber Pakhtunkhwa;

a representative of the Department, not
below the rank of BPS-18;

a representative of the Directorate General,
Health Services, not below the rank of
BPS-18;

a representative of the Office of Chief
Conservator of Wildlife, not below the rank
of BPS-18;

a representative of the Agriculture
Department, not below the rank of BPS-18;

an Epidemiologist of the Directorate
General;

a Professor (Veterinarian), of the Faculty of
Animal Husbandry and Veterinary Sciences,
Agriculture University, Peshawar;

a representative of the farmers, to be
nominated by the Department;

Chairperson

Vice
Chairperson

Member

Member

Member

Member

Member

Member

Member

Member

Member

(i) a representative of the business community Member from the Chamber of Commerce and Industry, Khyber Pakhtunkhwa; and

(m) Director of the Directorate General. Member-cum-Secretary.

(3) The Chairperson may co-opt any person, as he may deem fit, and such member shall have no right to cast vote.

(4) The members at clause (k) shall be nominated by the Department for a term of three years.

(5) The members at clauses (f), (g), (h), (j), (k) and (1) shall be given such honorarium as determined by the Committee.

5. Meetings of the Committee.---(1) The Committee shall meet twice in a year on such dates, time and place, as determined by the Chairperson from time to time.

(2) The meeting of the Committee shall be presided over by the Chairperson or in his absence by the Vice Chairperson.

(3) The quorum for the meeting of the Committee shall be two third of its total members.

6. Powers and functions of the Committee.---The powers and functions of the Committee may include but not limited to-

(a) development of standard operating procedures in consultation of Health Department of Government, for the inspection, sampling and testing of animals food, origin and by-products within the Province for the purpose of interprovincial trade;

(b) the establishment of zoonotic disease surveillance offices at a designated location with the approval of Government;

(c) substantiate and reinforce collaboration and coordination zoonotic disease surveillance and data sharing under the one health approach amongst the relevant departments;

(d) formulate procedures for the detection, identification, verification and notification of the occurrence of notifiable zoonotic diseases in animals as specified in Schedule-I;

(e) declare status of the zoonotic diseases;

(f) propose, adopt and ensure measures and procedures for the prevention and control of zoonotic diseases;

(g) perform any other functions as may be necessary to prevent the origin or spread of zoonotic diseases through any other means; and

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(h) formulate procedures for the registration and accreditation of Government and private veterinary diagnostic laboratories or research laboratories involving the use of animals for experimentation.

7. Powers and functions of the Secretary of Committee.---The Secretary of the Committee shall-

(a)

(b)

(d)

(e)

(f)

be responsible for the efficient implementation and enforcement of decisions made by the Committee;

arrange availability of all necessary equipment, devices, machines and instruments for the Veterinary Officers and Veterinary Institutions to assist in surveillance, prevention and control of zoonotic diseases and inspection or investigation services provided by the Department;

monitor and oversee the activities of Veterinary Officers designated under this Act;

issue, renew or revoke the registration certificate and license to a business entity;

have the authority to delegate any responsibility to the Veterinary Officers if needed for the purpose of this Act;

be a focal person and responsible for responding to the state of emergency in case of zoonotic disease outbreak in the Province; and

(g) perform any other functions as assigned by the Director General under this Act.

CHAPTER III

ZOO NOTIC DISEASE CONTROL

8. Veterinary Officer.---The Department may designate, from amongst the

veterinarian working in the Directorate General, such member of Veterinary Officers as it may deem fit and may define the area or Veterinary Institute, within which the Veterinary Officer shall exercise and perform their powers and duties under this Act:

Explanation: For the purpose of this section, the Director shall also deem to be a Veterinary Officer.

9. Powers and functions of the Veterinary Officer.---(1) The Veterinary Officer shall-

(a)

enter in to such area, land, premises or buildings with the assistance of local police, which are suspected of being contaminated with a zoonotic disease for the inspection or sample collection as he may consider necessary;

(b) take samples from an animal food, origin byproduct or article, where he has a reasonable apprehension of the spread of notifiable zoonotic disease under this Act and submit samples to the laboratory for analysis;

(c) prepare a statement describing any object seized under this Act, and provide a copy thereof to the person, from whom it is seized;

(d) prohibit the removal or transport, from the areas of any infected animal, food, origin, by-product, article or anything else capable of spreading the notifiable zoonotic disease;

(e) instruct, in writing, the owner of land, premises or building in the vicinity, to take within a specified period necessary measures to eradicate, contain or restrict the spread of zoonotic disease;

(f) examine or inspect the slaughtering animals, carcasses, meat and premises where such activities are carried out under this Act, if suspected for zoonotic diseases;

(g) stop, search, inspect and seize any vehicle carrying an animal, food having or manage animal origin and byproduct in violation of this Act;

(h) order or causing the arrest of any person, seize or causing the seizure of any carcass, food, origin and by-product, if the Veterinary Officer suspect the spread of zoonotic disease;

(i) send a report in writing, without unnecessary delay, to the nearest police station, stating the facts, constituting an offence, for which such person has been or to be arrested;

Gj) dispose of or cause to be disposed on the direction of the Director General, the seized animal carcass, food, origin and by-product after the report of laboratory or reference laboratory;

(k) cause to seal the premises being used for illegal slaughtering of animals, sale and storage point, secure evidence of the offence and report about illegal use of the premises to the relevant local authority; and

() demand the production of identity card, registration certificate, license or any other relevant documents from the owner or in-charge of an entity.

(2) Whoever violates the provisions at clauses (d), (e) and (1) of sub-section (1), the Director or the Veterinary Officer, as the case may be, may impose such fine as mentioned in Column No. 3 of Schedule-II.

10. Establishment of the zoonotic diseases analytical and_ reference laboratories.---(1)The Department may, by notification in the official Gazette, establish or declare such laboratories a zoonotic disease analytical laboratories as it may deem

necessary.

(2) The Department may also designate reference laboratories for the purpose of second opinion of a sample:

Provided that in case of conflict of opinion between analytical laboratory and reference laboratory, the opinion of the later shall prevail.

11. Reporting of zoonotic diseases.---(1) An owner or an individual, who keeps any animal, shall report immediately to the nearest livestock office, veterinarian, Veterinary Officer or Veterinary Institute about the animals, -

- (a) having signs of illness of unusual nature; or
- (b) died of an illness of unusual nature.

(2) An owner or individual, who keeps any animal, shall take all precautions and measures, essential for the control and prevention of zoonotic diseases, as may be prescribed.

(3) Any veterinarian and para-veterinarian shall report the incidences of the zoonotic disease to the concerned Veterinary Officer, in such time and manner as may be prescribed.

(4) The in-charge of analytical laboratory or reference laboratory, whenever detect any organism or pathogen, associated with notifiable zoonotic disease, shall notify to the concerned Veterinary Officer or Veterinary Institute in such time and manner as may be prescribed.

(5) Any Veterinary Officer, responsible for an assigned Veterinary Institute or area, shall receive and collect the notifiable zoonotic disease incidence or outbreak report from any farmers, Veterinarian or analytical laboratory or reference laboratory and after confirmation shall within twenty four hours, share the report with the Center.

(6) Whoever violates any provision of this section, the Director or the Veterinary Officer, as the case may be, may impose such fine as provided in Column No. 3 of Schedule-II.

12. _ Assistance to the Director and Veterinary Officer.---(1) In performance of duties under this Act, the Director and Veterinary Officer shall be assisted and facilitated by the local police and local authority as and when required.

(2) The owner or in-charge of an entity and persons present shall provide all reasonable assistance and information to the Director or, as the case may be, Veterinary Officer where performing his duties under this Act.

(3) Whoever violates the provisions of this section, the Director or the Veterinary Officer, as the case may be, may impose such fine as provided in Column No. 3 of Schedule-II.

13. Zoonotic disease prevention and control.---(1) The owner or keeper of an animals shall not act in a manner that contributes to-

- (a) the transmission or spread of a zoonotic disease among the animals; or

(b) the transmission of zoonotic disease from animals to the human beings or vice versa; or

(c) obstructing the prevention, control or eradication of a zoonotic disease.

(2) An owner, who is informed by a Veterinary Officer or a Veterinarian that the animal is or may be affected or infected by a zoonotic disease shall comply with the instructions.

(3) When an animal is diagnosed or suspected of being infected with a zoonotic disease, an animal owner or keeper shall-

(a) as far as possible, keep such animal separate from other non-infected animals;

(b) restrict the movement of suspected animal outside the infected area;

(c) not sell or offer for sale suspected animal, their food or by-products;

(d) take all necessary biosafety and biosecurity measures to minimize chances of transmission to other animals and human beings; and

(e) cull the suspected animal, on the instruction of the Veterinary Officer.

(4) Every person, responsible for an animal, shall take necessary preventive measures, including-

(a) ensure treatment, sera or compulsory vaccination;

(b) take appropriate disinfection and decontamination measures; and

(c) isolate the animal and avoid containment of the areas.

(5) Other such measures, required for preventing the zoonotic diseases in animals, transmission or spread of zoonotic diseases between the animals and transmission of diseases from animals to human beings shall be notified by the Director General from time to time, on the recommendation of the Committee.

(6) No person shall slaughter, destroy or dispose of an infected or suspected diseased animal, except with the permission and in accordance with the instructions of a Veterinary Officer.

(7) Whoever violates the provisions of sub-sections (3), (4) and (6), the Director or the Veterinary Officer, as the case may be, may impose such fine as may be provided in Column No. 3 of Schedule-IL.

14. Declaration of infected area.---(1) Where the Director or Veterinary Officer suspects that a zoonotic disease exists in a building or premises and believes that it may spread in animals or human beings or other things, entering the area's hall become affected or contaminated by it, the Director or Veterinary Officer, as the case may be,

with prior approval of the Director General declare in writing, the said place as infected area:

Provided that the Director or Veterinary Officer may, with the prior approval of Director General, amend or revoke a declaration subsequently made under sub-section (1).

(2) The Director or the Veterinary Officer as the case may be, may by order, take any necessary measures to eliminate the zoonotic disease from the infected area, including movement from and into the infected area, seizure or removal of animals from the area.

(3) An infected area, declared under sub-section (1), shall cease to be an infected area when the Director or, as the case may be, the Veterinary Officer reports, in writing, that-

(a) the zoonotic disease, mentioned in the declaration, has been eradicated; or

(b) is not harmful to the public and animal health anymore.

(4) The Director or, as the case may be, the Veterinary Officer shall submit a report to the Director General regarding any declaration made under sub-sections (1) and (3).

15. Declaration of surveillance zone.---(1) To prevent the spread of a zoonotic disease, the Director may declare a surveillance zone, around an area declared as an infected area under section 14 of this Act.

(2) The order, made under sub-section (1), shall-

(a) identify the zoonotic disease infected area, to which the order relates; and

(b) specify the area of surveillance zone.

(3) The surveillance zone shall be regularly monitored for the occurrence of a zoonotic disease that is or is likely to exists within the infected areas, in the manner as may be prescribed.

(4) The Director shall take measures to prevent the transmission of zoonotic disease that is or is likely present within the infected area, in the prescribed manner.

16. Powers to regulate inter Provincial trade of livestock.---The Department may, by notification, specify the season or seasons, during which and the route or routes by which animals may be transported into Province and no person shall transport animals into the Province otherwise than during the season and by the route, as so specified:

Provided that whoever violates the provision of this section, the Director or the Veterinary Officer, as the case may be, may impose such fine, as provided in Column No. 3 of Schedule-II.

17. Animal quarantine area.---(1) Soon after the commencement of this Act, the Department may, by notification, establish or declare area to be known as the animal quarantine area for the inspection and detention of such animals under section 14 along the routes specified under section 16 of this Act.

(2) The Department may specify duration of confinement of animals at the animal quarantine area center for vaccination, treatment, diagnostic test, disinfection, isolation and marking of animals if necessary and issue a permit or license for the release of animals from the animal quarantine area.

(3) The Department may fix fee for the procedures carried out on animals confined. The in-charge of the animals quarantine area shall be responsible for the feeding and proper look after of such animals and shall also be responsible for the collection of fee thereof.

(4) The Veterinary Officer or in-charge of the animal quarantine area may, after inspecting and assessing the level of risk,-

(a) allow the animals to enter into the Province in compliance with the provisions of this Act. The Veterinary Officer or the in-charge of the animal quarantine area issue an entry pass to the person in possession of the animals;

(b) allow animals to enter into the Province, subject to a specific treatment, vaccination or other procedure;

(c) confine the animals;

(d) put the animals in isolation;

(e) order culling and dispose of the said animal; and

(f) return the animals to the owner, if satisfied that animal are free from zoonotic disease.

(5) Whoever violates any provision of this section, the Director or the Veterinary Officer, as the case may be, may impose such fine as provided in Column No. 3 of Schedule-II.

18. Powers to control the holding of animals markets, fairs and exhibitions.---

(1) Government may, by notification, prohibit or regulate the outbreak or spread of any zoonotic disease, in such a manner and to such extent as it may think fit, the holding of animals, markets, animals fairs, animal exhibitions or other concentrations of animals in any specified areas.

(2) Government may prohibit-

(a) the use and sale of infected animals of their milk, meat and by product;

(b) the transportation of infected animals; or

(c) the sale use or transport of carcasses, feeding utensils etc of the

infected utensils.

(2) Whoever, violates any provision of this section, the Director or the Veterinary Officer, as the case may be, may impose such fine as provided in Column No. 3 of Schedule-II.

19. | Appeal.---(1) Any person, aggrieved from the order of Director or Veterinary Officer, passed under the provisions of this Act, may within thirty days, prefer an appeal to the Director General.

(2) The Director General shall decide the appeal within sixty days after providing an opportunity of hearing to both the parties.

20. Obstruction and false statements.---No person shall stop, obstruct, hinder or make any false or misleading statement, either verbally or in writing, to the Veterinary Officer or to the Director, as the case may be, when the Veterinary Officer or the Director is performing his duties or functions under this Act.

21. Penalty.---Any person who violates sections 9, 11, 13, 16,17 and 18of this Act,-

(a) where the violation has been committed for the first time, shall be liable to such fine, as mentioned in Column No. 3 of Schedule-II, to be imposed by the Director or as the case may be, the Veterinary Officer; and

(b) where the violation has been committed for the second time by the same person, shall be liable to such penalty as mentioned in Column No. 4 of Schedule-II, to be imposed by the Court of Magistrate First Class.

22. Offence to be non-cognizable and bailable.---(1) The offence committed under this Act shall be non-cognizable unless upon a complaint made by the Veterinary Officer or the Director, as the case may be, under this Act.

(2) An offence punishable under this Act is bailable.

23. Summary Trial.---An offence under this Act shall be tried summarily by a Court of Magistrate First Class in accordance with the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898).

24. Seizure and disposal.---(1) The Director or as the case may be, the Veterinary Officer may, on reasonable grounds with the assistance of local police seizes or detains an animal food, origin or byproducts under this Act.

(2) The products seized under sub-section (1), shall be disposed of on the expense of the owner in such a manner, as may be prescribed.

25. Forfeiture.---Any animal carcass, food, origin or byproduct seized or detained under this Act, in addition to whatever penalty has been imposed, be forfeited to Government and shall be disposed of through burial incineration or any other manner, as may be prescribed.

26. Indemnity.---No suit, prosecution or other legal proceedings shall lie against any officer for anything done or intended to be done in pursuance of any provision of this Act or order made thereunder.

27. Overriding effect.---Notwithstanding anything to the contrary contained in any other law, for the time being in force, the provisions of this Act shall have an overriding effect.

28. Power to make rules.---Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

29. Repeal and saving.---(1) The Dourine Act, 1910 (Act No. V of 1910), and the Glanders and Farcy Act, 1899 (Act No. XIII of 1899), in its application to the extent of the Province of Khyber Pakhtunkhwa, are hereby repealed.

(2) Notwithstanding the repeal in sub-section (1), anything done, action taken, rules made and notification or order issued under the aforesaid Acts, shall, so far as it is not inconsistent with the provisions of this Act, be deemed to have been done, taken, made or issued under this Act and shall have effect accordingly.

(3) Any document, referring to the repealed Acts, shall be construed as referring to the corresponding provisions of this Act.

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SCHEDULE-I

[see section 3 (2) (a), (e) and 6 (d)]

1. Anthrax.
2. Animal influenza.
3. Avian influenza.
4. Bovine tuberculosis.
5. Brucellosis.
6. Campylobacteriosis.
7. Taeniasis.

8. Hydatid disease.
9. Leptospirosis.
10. Listeriosis.

11. Lyme disease.

12. Q fever.

13. Rabies.

14. Salmonellosis.
15. Covid 19.

16. Monkey Pox.

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SCHEDULE-II

[see sections 9 (2),11 (6), 12 (2), 13 (7), 16, 17 (5), 18 (3) and 21]

S Offence. Fine through Subsequent Offence.
No. ticketing (in
rupees). Fine/imprisonment.

1 |2 3 4

1. | Violation of section 9 | Not less than rupees | Fine not less than rupees 5,000/-
(d), (e) and (1) of this | 500/- and not more | and not more than _ rupees
Act. than rupees 5,000/- 10,000/-and imprisonment up to

two months.

2. | Violation of section | Not less than rupees | Fine not less than rupees 10,000/-

11 of this Act.

1000/- and not more
than rupees 8,000/-

and not more than rupees
20,000/-and imprisonment up to
two months.

3. Violation of section
12 (3), of this Act.

Not less than rupees
500/- and not more
than rupees 3,000/-

Fine not less than rupees 3,000/-
and not more than rupees 6,000/-
and imprisonment up to one
month.

4. Violation of section
13 (3), (4) and (6) of

Not less than rupees
500/- and not more

Fine not less than rupees 10,000/-
and not more than rupees

this Act. than rupees 5,000/- | 20,000/-and imprisonment up to
two months.

5. | Violation of section | Not less than rupees | Fine not less than rupees 10,000/-

16 and 17 of this Act.

700/- and not more
than rupees 6,000/-

and not more than rupees
20,000/-and imprisonment up to
three months.

6. Violation of section
18 (1), and (2) of this
Act.

Not less than rupees
1500/- and not more
than rupees 10,000/-

Fine not less than rupees 10,000/-
and not more than _ rupees
20,000/-and imprisonment up to
six months.