

অসম



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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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No. 711 Dispur, Monday, 18th November, 2002, 27th Kartika, 1924 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT ::: LEGISLATIVE BRANCH

NOTIFICATION

The 16th November, 2002

No. LGL.49/2002/6.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XV OF 2002

(Received the assent of the Governor on 13th November, 2002)

THE CATTLE TRESPASS (ASSAM AMENDMENT) ACT, 2002.

AN

ACT

further to amend the Cattle Trespass Act, 1871,
in its application to the State of Assam ;

Preamble

Whereas it is expedient further to amend
the Cattle Trespass Act, 1871, hereinafter referred **Act I of 1871.**
to as the principal Act, in its application to the
State of Assam, in the manner hereinafter
appearing ;

It is hereby enacted in the Fifty-third Year
of the Republic of India as follows :-

Short title,
extent and
commencement

1. (1) This Act may be called the Cattle Trespass
(Assam Amendment) Act, 2002.

(2) It shall extend to the whole of Assam.

(3) It shall come into force at once.

Substitution
of
section 26.

2. In the principal Act, for section 26, the
following section shall be substituted,
namely :-

“26. Penalty for damage caused to land
or crops or public roads or for injury
caused to any person by cattle or for cattle
on public roads. -

(1) Any owner or keeper or attendant of cattle
who through neglect or criminal motive
or otherwise damages or causes or permits
to be damaged any land or any crop or
produce of land or any public road or
anything or causes injury to any person or
persons by allowing such cattle to trespass
thereon, or lets loose any cattle to stray
on any public road and thereby causes
obstruction to traffic shall, on conviction
before a judicial magistrate, be punishable
with fine which shall not be less than five
hundred rupees but which may extend to
one thousand rupees and in default of
payment of fine, simple imprisonment for

a term not exceeding one month for the first offence and for the subsequent offences, fine not less than one thousand rupees but which may extend to two thousand rupees or to simple imprisonment for a term which may extend to three months.

- (2) While convicting such person under sub-section (1), the magistrate may order him to pay the person whose land, or crop or produce of land or anything has been damaged or the person who is injured, such compensation depending upon the value of the loss or expenses so incurred for the medical treatment, as may be considered reasonable and in default of payment, the cattle in respect of which the offence has been committed shall be forfeited and sold on auction in order to compensate the person so aggrieved."

Insertion of
section 26A.

3. In the principal Act, after section 26, the following new section 26A shall be inserted namely :-

"26A. Cognizance of offence.- No Court shall take cognizance of any offence punishable under section 26 except on a report in writing of the facts constituting such offence made by the person aggrieved by such offence or by person who is a public servant as defined in section 21 of the Indian Penal Code, 1860. Act 45 of 1860

S. K. SINHA,
GOVERNOR OF ASSAM

K. D. PHUKAN,
Secy. to the Govt. of Assam,
Legislative Department.