



## The Nagaland Livestock and Poultry Contagious Disease Act, 1980

Act 4 of 1981

**Keyword(s):**

**Animal, Contagious Disease, Infected Area, An Infective Animal, Inoculation, Owner, Veterinary Officer**

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# THE NAGALAND LIVESTOCK AND POULTRY CONTAGIOUS DISEASE ACT, 1980

(NAGALAND ACT NO. 4 OF 1981)

*(Received the assent of the Governor on the 10th April, 1978 and published in the Nagaland Gazette dated the 30th October, 1981)*

to provide for the Prevention of spread of Contagious diseases of Livestock inclusive of Poultry, Birds in the State of Nagaland. It is hereby enacted in the thirty first year of the Republic of India as follows :—

## Short title existent and Commencement

1. (i) This Act may be called the Nagaland Livestock and Poultry Contagious Diseases Act 1980.
- (ii) This Act except section 3 to 8 extend to the whole State of Nagaland and shall come into force at once. Section 3 to 8 shall extend to such areas and come into force on such dates as the State Government may by notification, direct.

## Definition

2. In this Act unless there is anything repugnant in this subject on context.
  - (i) "Animal" means any domesticated animal or bird or any animal or bird kept in confinement, the young one of these species of both sexes and such other domesticated animals as may be prescribed.
  - (ii) "Contagious disease" means a disease specified in the schedule to this Act and any other disease which the State Government may, by notification in the official Gazette, declare to be a Contagious disease.
  - (iii) "Infected area" means an area in respect of which a notification under section 10 is in force.
  - (iv) "An Infective Animal" used with reference to an animal means infected by contagious disease or having recently been in contact with or proximity to an animal so effected.
  - (v) "Inoculation" means Inoculation with any protective serum or vaccine or with both.

- (vi) "Owner" in relation to any animal or bird include a person having charge of such animal and bird.
- (vii) "Prescribed" means prescribed by regulation or rules made under this Act.
- (viii) "Veterinary officer" means any officer of the Civil Veterinary Assistant Surgeon.

**Seasons and route for importation of animal**

- 3. (i) When section 3 to 8 have been extended to any area the State Government may, by notification, appoint season or seasons during which and the route for routes by which animal may be imported into such area and no person shall import into the State otherwise, than during season and by the route so appointed.

**Quarantine Stations**

- (ii) The State Government may establish quarantine stations for the inspection and detention of such animal along the routes appointed under subsection (1).

**Vaccination and marking of animal**

- 4. (i) All animal on arrival at Quarantine Station shall, if necessary, will be vaccinated against such Contagious disease as may be notified in this behalf unless the Veterinary officer of the station is satisfied that, they have been vaccinated against such disease within 6 months immediately preceeding as prescribed; and be marked in the prescribed manner.

**Period detention of animal at quarantine**

- (ii) The period of detention of animal at quarantine station for the purpose of inspection and vaccination shall be such, as may be prescribed.

**Assistant veterinary officer for inspection of animal**

- (iii) Every person incharge of animal shall give reasonable assistance to the Veterinary officer of the station and his subordinates for the inspection, vaccination and marking of such cattle.

**Feeding and upkeep at detained animals**

- 5. (i) All animals detained in a quarantine station shall remain under the care of the person in-charge who shall be responsible for their feeding and upkeep.

- (ii) The State Government shall make appropriate arrangement for the supply of animal feed, grassing and water and may recover the charges incurred, by the levy of fees as may be prescribed.
- (iii) Every person incharge of animal, during the period of their detention, take reasonable precaution against their straying from the limits of the quarantine station or from the place allotted for their halt.

**Liability to pay vaccine and making fees**

- 6. (i) The person incharge will pay all dues in respect of detention of animal in a quarantine station including such fees, as may be prescribed for vaccination and marking.
- (ii) If such dues are not paid, the Veterinary officer of the Station may seize as many animals as will in his opinion, suffice to defray the dues levable under sub-section one (1) and such incidental charges in connection with the seizure and sale and forthwith report the fact to the Deputy Commissioner or such other officer, as may have been appointed by the Deputy Commissioner in his behalf.
- (iii) The Deputy Commissioner or other officer so appointed may, if satisfied that such dues have not been paid, issue such notice or proclamation as may be prescribed and cause the animal so seized or as many as will, in his opinion suffice, to defray the dues and incidental charges to be sold by auction and proceeds of the sale applied to the payment of the amount due under sub-section (1) the charge in connection with the seizure, custody, feeding and unkeep of the animal and proceeding of the same.
- (iv) The balance of the purchase money, if any, shall be delivered to the person who was incharge of the animal when they were seized or their owner, together with an account showing :
  - (a) the number of animal seized and sold,
  - (b) the time during they have been in custody.
  - (c) the proceeds of sale and

(d) the manner in which those proceeds have been disposed off.

**Permit of release of Animal**

7. The Veterinary officer of a quarantine station shall at the time of release of animal from the station grant, in such form as may be prescribed, a permit to the person in their charge, and such person shall, while incharge of animal, produce it whenever so required by such officers as may be prescribed. If such person fails to produce permit the officers aforesaid shall give him reasonable facility to produce the same within a given time.

**Prohibition of beyond quarantine station**

8. No person importing animal into any area during a season and by route appointed for such area under section 3 shall pass beyond a quarantine station unless he holds a permit under section 7 in respect of the animal under his charge.

**Report to contagious disease**

9. Every owner or person incharge or having control of animal and every Veterinary practitioner attending any animal in the course of his veterinary practice or otherwise, who has reason to believe that such animal is infective, shall forthwith report and any other person who have reason to believe that an animal is infective, may, report the fact to the Veterinary officer within the area of which such animal is for the time being kept.

**Power to notify infected areas**

10. The State Government or such officer as it may authorised in this behalf may, in the manner prescribed, declare any local area in which any cattle is effected by or exposed to any contagious disease, specified in such notification to be an infected area.

**Prohibition of movement of animal etc. into or out of the infected areas**

11. (i) Save in accordance with the conditions of a licence granted by Veterinary officer. (a) no person shall remove any animal, alive or any animal (including its exereta) or any part of animal or any fodder, bedding, harness or other things used in connection with an animal and (b) no person doing or having charge or control of any

animal, shall, allow such animal to proceed, from any place within an infected area to any place outside such area or from any place outside the infected area to any place within such area.

- (ii) Nothing in sub-section (1) shall prevent the carriage by railway or by any mechanically propelled of a type approved by the State Government of any animal or thing referred to in that if such animal or thing at any stage during its carriage by railway or such vehicle through an infected area is unloaded therein it shall not be removed therefrom save in accordance with the provisions of sub-section (1).

#### **Prohibition to market fairs etc. in infected area**

12. No person shall organise, promote or hold in any infected area any animal market, animal fair, animal exhibition or concentration of animals whether for show or trade, without the permission in writing of the State Government or such officer as the State Government may authorise in this behalf.

#### **Inoculation of animals**

13. (i) On the issue of notification under section 10 a Veterinary officer appointed for the infected area may inoculate every healthy animal of the species affected by or exposed to the concentration of animals whether for show or trade, with-purpose of inoculating any such animal, the Veterinary officer may, by notice in writing, call upon the owner of the animal to produce it for inoculation at the time and place specified in such notice and such owner shall give that officer reasonable facility and assistance in carrying out the inoculation.

#### **Compulsory segregation and treatment of the animals in infected area**

14. If Veterinary officer, after due examination of an animal and such enquiry, as may be necessary, is of opinion that such animal is infective, he may by order in writing direct the owner of such animal.
- (a) to keep it where it is for the time being, or remove it, or allow it to be removed to such place of isolation or segregation as may be specified in the order.

- (b) to subject it to such treatment as may be specified in the order, and such owner shall comply with such order.

### **Compulsory inoculation of animal**

15. (i) The State Government may, in the manner prescribed notify any local area as a compulsory inoculation area in respect of rinderpest or any other contagious disease specified in the schedule.
- (ii) A Veterinary officer may inoculate any animal of the species specified in the notification under sub-section (1).
- (iii) For the purpose of inoculation of any such animal a Veterinary officer may by writing, call upon the owner of the animal to produce it for inoculation at the time and place specified in such notice and such owner shall give that officer reasonable facility and assistance in carrying out the inoculation.

### **Marketing of animal**

16. For the purpose of identification, the veterinary officer may mark the animal inoculated by branding or tattooing with letters, number or both.

### **Certificate of inoculation**

17. When the inoculation has been carried out under section 13, 14 and 15, the Veterinary officer shall, if requested by the owner of the inoculated animals, issue a certificate in the prescribed form showing that the animal has been inoculated against the disease shown in such certificate.

### **No fee to be charge of inoculation**

18. Except as provided in sub-section (1) of the section 6 the fee to be charged shall be recoverable for inoculation carried out in accordance and with the provision to this Act.

### **No compliance with section 3 or 14 or 15 to be reported to police**

19. If the owner of an animal in respect of which a notice has been issued under sub-section (2) of section 13 section 14 or sub section (3) of section 15 fails to observe a direction issued by the Veterinary officer concerned, shall report the default to the nearest Police station or such other Police officer, as may be deputed by him in this behalf shall there

upon seize the animal and detain it for production before the Veterinary officer reporting default.

**The recovery of expenses of detention**

20. The expenses of detention and production before the Veterinary officer incurred under section 19, shall be recoverable at such rate, as may be prescribed from the owner of the animal. If he fails to pay the amount due, it may without prejudice to any other mode of recovery be owner's animal as may be sufficient to realise such amount.

**Manner of the disposal of the per case of infective animal**

21. (a) On the issue of a notification under section 10 the owner of animal, which has died or is believed to have died of any contagious disease, shall bury such animal at least six feet below the surface of the ground or deal with it in such manner as may be prescribed.
- (ii) A Veterinary officer, when he has reason to believe that any animal had died of any contagious disease, issue a notice to the owner to bury such animal in the manner provided under sub-section (1).
- (iii) No person shall disinter or otherwise remove the carcass of any animal buried in compliance with the provision of sub-section (1) or (2)

**Penalty**

22. Whoever contravene of the provision of this Act, or of any rule or order made thereunder, shall on conviction be punishable with fine not exceeding fifty rupees, or in default with simple imprisonment for a term not exceeding one month or in the case of second or subsequent conviction to fine of five hundred rupees or with imprisonment up to six months or with both fine and imprisonment.

**Bar of legal proceeding**

23. No suit for prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done in pursuance of this Act,

**Power to make rules**

24. (i) The State Government may make rules for carrying out the purposes of this Act,



- (ii) In particular and without prejudice to the generality of the foregoing provisions, the State Government may make rules :—
- (a) prescribing the manner in which an area may be declared to be an infected area or a compulsory inoculation area.
  - (b) prescribing the form of notice issued under sub-section (2) of section 13, section 14 and sub-section (3) of section 15.
  - (c) Prescribing the form of certificate granted under section 16.
  - (d) Providing for the custody of animals detained under this Act and for their feeding and watering while under detention and prescribing the charges, to be levied for feeding and watering such animals and their production by for the police before Veterinary officer.
  - (e) Regulating the sale of animals liable to be sold under section 20.
  - (f) providing for the dissolving where infective animals are kept infected area,
  - (g) prescribing the manner of disposal of infective animals under section 21.
  - (h) prescribing the fee for vaccination and marking under section 6.
- (iii) Every rule under this section shall be laid, as soon as may be, after it is made, before the Nagaland Legislative Assembly while it is session for a total period of fourteen days, which may be comprised in one session or in two successive sessions an if before the expiry of the session in which it is so laid or the session immediately following the Nagaland Legislative Assembly agree in making any modification in the rule or the Nagaland Legislative Assembly agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## **SCHEDULE**

1. Anthrax
2. Black Quarter
3. Bovine contagious Pleuropneumonia
4. Contagious Abortion
5. Heamorrhagic Septicaemia
6. Riorderpest
7. Rabies
8. Foot and Mouth Diseases
9. Swine Fever
10. Ranikhet Disease
11. Marek's Disease
12. Fowl Cholera