

राजस्थान

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विशेषांक

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राजस्थान विधान मण्डल के अधिनियम

LAW DEPARTMENT

NOTIFICATION

Jaipur, June 15, 1963

No. F 7 (20)-L/62.-The following Act of the Rajasthan State legislature received the assent of the Governor on the 11th day of June, 1963, and is published for general information :-

THE RAJASTHAN STATE CATTLE FAIRS ACT, 1963.

(Act No. 14 of 1963)

[Received the assent of the Governor on the 11th day
of 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 Officer-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 I

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 II

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.

GOVERNMENT OF RAJASTHAN
AGRICULTURE (CELL IV) DEPARTMENT
RAJASTHAN STATE CATTLE FAIRS RULES, 1963.

(Amended upto November, 1992)

Copy of notification No. F.12(238)Agr/IV/62 dated Jaipur, 20th November, 1963 from Secretary to the Government, Agriculture IV Department, Rajasthan, Jaipur to this Directorate.

(Amended upto November, 1992)

In exercise of the powers conferred by section 10 of the Rajasthan State Cattle Fairs Act, 1963, read with section 3,4,6,7,15 and 19 thereof, the State Government hereby makes the following rules, namely :-

THE RAJASTHAN STATE CATTLE FAIRS RULES

1. Short title and commencement: (1) These rules may be called the Rajasthan State Cattle Fairs Rules, 1963.

(2) They shall come into force upon their publication in the Official Gazette.

2. Definitions: In these rules, unless the context otherwise requires :-

a) "Act" means the Rajasthan state cattle fairs Act, 1963

(Rajasthan Act 14 of 1963);

b) "Cattle" means all or any of the animals specified in schedule II to the Act.

c) "Fair Committee" in relation to any State Cattle fair means the Fair Committee constituted under Section 5;

d) "Fair-tax" means a tax levied under section 6;

e) "Form" means a form appended to these rules;

f) "Rawana Office" means the office established by the Officer-in-charge, in the fair area, for the receipt of fair-tax, tolls and other fees payable under the Act;

g) "Out-post" means an out post established under rule 5;

h) "Red Chithi" means on entry pass, on a red paper given by the Incharge of the out post to the person bringing cattle within the fair area;

i) "Section" means a section of the Act;

j) "White Chithi" means a printed form of bill of sale, on a white paper, supplied by a person authorised in this behalf by the Officer-in-charge.

3. Management and control: (1) The management and control of the State Cattle Fair shall vest in the Officer-in-charge.

(2) The Officer-in-charge shall make or cause to be made necessary arrangement for:-

(a) Sanitation and control of diseases in the fair areas

(b) removal and sale of dead bodies of animals lying in the fair area, if their owners cannot be traced.

4. Constitution of Fair Committee: (1) "To assist the Officer-in-charge in the performance of his duties, the State Government shall appoint, for each State Cattle Fair, a Fair Committee consisting of such members of nominated official members (including the Chairman and the Vice-Chairman) not exceeding thirteen and non official members, not exceeding eight (including the pramukh, pradhans, M.L.A.) of the concerning areas as the State Government may determine."

Notification No.F.12(238)Agr/IV/62 dated 28th June, 1965.

(2) The Collector of the District concerned shall be the ex-officio Chairman of the Fair Committee, the Deputy Director of Animal Husbandry of the region concerned shall be its ex-officio, Vice Chairman and the Officer-in-charge shall be its ex-officio secretary.

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

(3) The Committee shall have power to appoint sub-committees to perform any of the functions given to the committee or for any of the following purposes:-

- (1) Water and Light. (2) Health and Sanitation, (3) Exhibition
 - (4) Cultural shows.
-

Notification No.F.12(238)Agr/IV/62 dated 28th June, 1965.

5. Establishment of out-posts: The Officer-in-charge shall establish such number of out-posts on or in the vicinity of the limits of the fair area as he shall from time to time determine as being most suitable for intercepting import traffic and for facilitating collection of fair-tax in accordance with these rules; and shall also appoint suitable persons to be in charge of each of such out-posts.

6. Import of cattle through prescribed routes : No person shall bring or take out cattle into or out of the fair area except through the route or routes fixed for the purpose by the Officer-in-charge.

7. Entry pass without obtaining Red chitthi forbidden: No person shall bring any cattle within the fair area, during the fair period, without obtaining a red Chitthi in Form I from the out-post.

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

8. Purchase without obtaining white chithi forbidden : No person shall purchase cattle in the fair area, during the fair period, without obtaining a white chithi in Form II duly executed by the authorized vender evidencing such sale. The vender shall charge eighty paise per chitthi as his commission and twenty paise for Revenue stamp.

9. Payment of fair tax : (1) Fair tax payable by any person in respect of any cattle purchased by him, in the fair area.

* added by Agriculture IV Department Notification No. F.12(238)Agri./IV/62, dated 28th June, 1965.

during the fair period, shall be paid by him in the Rawana office; and along with such payment, he shall present the white chithi obtained by him from the vender.

(2) The cashier at the Rawana office shall deliver a receipt in Form III , to the payer acknowledging payment of such tax.

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

10. Levy payment of tools : Toll shall be levied and charged once for the entire periodat the following rates on the vehicles entering the fair area for business purposes :-

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

- | | |
|----------------------|-----------------------|
| (a) Carts | Rupees one per cart. |
| (b) Tongs | Rupees two per tonga. |
| (c) Truck | Rupees ten per Truck. |
| #(d) Passenger buses | Rupees ten per bus. |

added by Agriculture IV Department Notification No. F.12 (238)Agri./IV/62, dated 28th June, 1965.

11. Fixation of rents of sites : The Officer-in-charge shall fix rent of sites in the fair area, for the fair period, in the following manner, namely :-

(a) For sites of shops or stalls, the rent shall be fixed on the basis of the highest bid offered therefore at the public auction conducted by the Officer-in-charge, but in no case shall the rent be lower than the reserved rent of Rs. 5/- for every 10 square feet of land.

(b) For sites for keeping fodder, fuel or earthen pots, the rent shall be at the rate of Rs.1.50 for every Sq.ft. of land.

(c) For sites occupied by carts containing chillies and sugarcanes etc. for sale, the rent shall be fixed at the rate of Rs. 10/- per cart.

(d) For sites for recreation or entertainment where such recreation or entertainment is provided on payment, the rent shall be fixed at the rate of Rs.5/- for every 10 Sq.ft. of land.

(e) For sites for other purposes, the Officer-in-charge shall fix the rent in consultation with the "Fair Committee".

Substituted by Notification no. [No. F.10(3) Agri_6/78] dated 3rd November 1992.

12. Distress and sale : (1) Simultaneously with the issue of bill under sub-section (1) of section 15, for the amount due or about to become due against any person, or on the failure of such person pay such amount on presentation to him of such bill demanding immediate payment thereof, the Officer-in-charge may issue a warrant of distress in form IV addressed to any one of his sub-ordinates (hereinafter called the serving officer).

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

(2) If the person against whom the amount is claimed, hereinafter called the debtor, fails, on the presentation to him of a bill referred to in sub-rule (1), to pay forthwith the sum stated

therein, the serving officer shall, in pursuance of the side warrant of distress, seize animals or to her movable property in the possession of the debtor or such number of animals or part of movable property as may, in his opinion, be sufficient to cover the amount recoverable under the distress warrant.

Substituted vide Agriculture IV Department, Notification No. F.12(238)Agr/IV/62 dated 28th June, 1965

(3) On seizing any animals or movable property under sub-rule (2) The Serving Officer shall make an inventory of such animals ro property and shall give a notice in writing in Form V to the debtor and shall submit a copy of the same to Officer-in-charge.

Notification No.F.6(2)Agr/IV/71 dated 4th September, 1978.

(4) In default of any order to the contrary by the Officer-in-charge, the serving Officer-shall, after expiration of 24 hours from the seizure of animals or movable property, sell the distrained animals or other property in public auction and on realizing the proceeds, any over the amount to the Officer-in-charge and such amount shall first be applied first in payment of cost of the said distress (including expenses incurred for the maintenance of Livestock distrained) and then in satisfaction of the amount recoverable under the Act, and the surplus, if any, shall be returned to the debtor.

-X-X-X-X-

F O R M – IV

(See rule 12 (1))

Office of the Officer-in-charge..... State Cattle Fair

FORM OF WARRANT

I hereby direct you to distrain animals of other movable property in the possession of..... according to the provisions of rule 12 of the Rajasthan State Cattle Fairs, 1963.

To _____

Signed and Sealed.

F O R M - V

(See rule 12 (3))

FORM OF INVENTORY AND NOTICE

(State particulars of property seized)

Witness 1.

Witness 2.

Take notice that I have this day seized in the presence of the above witnesses, animals/movable property contained in the above inventory for the sum of Rs. being the amount recoverable from you under a warrant of distress issued by the Officer-in-charge and that unless you pay the amount thereof within 24 hours from the date and time of distress or obtain an order from the Officer-in-charge to the contrary, the same will be sold pursuant to the provisions of the Rajasthan State Cattle Fairs Rules, 1963, Dated the _____ day of _____ 19 _____

To _____

Serving Officer