



GOVERNMENT OF ASSAM
ANIMAL HUSBANDRY & VETERINARY DEPARTMENT
DISPUR, GUWAHATI-6
ORDER

No.VFV.33/2006/pt/128

Dated, Dispur, the 22nd January, 2014.

Read : Prayer petition submitted by Mrs. Meher Banu Begum, for M/S Pioneer Livestock, Hatsingimari, in the District of Dhubri Assam regarding interstate cattle transportation business, order dated 16-8-2010 of Hon'ble Gauhati High Court in W.P.(C) No.315/2010 and also the views of Judicial Department, Govt. of Assam in file No.VFV.33/2006/pt dated 12-11-2012.

Finding: Whereas Hon'ble Gauhati High Court in WP (C) No.315/2010.-Mrs Meher Banu Begum-Vs-the state of Assam and Ors passed order dated 16-8-2010 that the petitioner intends to restart the interstate transportation of Cattle business, She may do so, provided she fulfills all the requirements under the law.

Whereas the views of Judicial Department, Govt. of Assam on the issue is It appears that Assam Motor Vehicle Rules 2003 has been framed by the State Govt. in exercise of delegated power under the Motor Vehicles Act 1958 and is applicable within the State only. While the Transport of Animal Rules 1978 is a Central Rule framed under the prevention of Cruelty to Animals Act, 1960. Chapter-IV Rules 46 to 56 of 1978 Rules and Amendment Rule, 2009 governs transportation of cattle etc. by rail or road. Thus, it appears to cover inter-state transportation. It being a special law would prevail over the Assam Motor Vehicles Rules, a general law applicable for transportation, within the state only. Hence, in interstate transportation, compliance of provision of 2003 Rules can-not be insisted upon. Being so, State machinery may be refrained from doing so.

Order : The Govt. of Assam is pleased to allow Mrs Meher Banu Begum for M/S Pioneer Livestock to re-start their inter-state Cattle etc. transportation business for Agriculture Development purpose under strict adherence of the Transport of Animal Rules, 1978 and Amendment Rule, 2009.

Sd/- B. Baruah, ACS

Joint Secretary to the Govt. of Assam,
A.H. & Veterinary Department, Dispur, Ghy-6.


Dated, Dispur, the 22nd January, 2014.

Memo No.VFV.33/2006/pt/128 -A

Copy to :

1. The Commissioner & Secy. A.H.& Vety. to the Govt. of West Bengal/ Bihar/Uttarpradesh/ Jharkhand/Madhyapradesh/Rajasthan/Delhi/Hariyana/Panjab/Maghalaya for information and necessary action.
2. P.S. to Commissioner & Secy. to the Govt. of Assam, A.H. & Veterinary Deptt., Dispur, Guwahati-6.
3. The Director, A.H. & Veterinary, Assam, Chenikuthi, Guwahati-3
4. The Deputy Commissioner, Dhubri/Kokrajhar/Goalpara District for information and necessary action.
5. The concerned State District Magistrate, West Bengal/ Bihar/ Uttarpradesh/ Jharkhand/ Madhyapradesh/Rajasthan/Delhi/Hariyana/Panjab and Maghalaya for information and necessary action.
6. The Superintendent of Police, Dhubri/Kokrajhar/Goalpara for information and necessary action.
7. The concerned State District Superintendent of Police West Bengal/ Bihar/ Uttarpradesh/ Jharkhand/ Madhyapradesh/Rajasthan/Delhi/Hariyana/Panjab and Maghalaya District for information and necessary action.
8. The District Transport Officer, Dhubri/Kokrajhar District for information and necessary action.
9. The District A.H. & Veterinary Officer, Dhubri/Kokrajhar District for information and necessary action. He is requested to depute Registered VAS for the purpose if required.
10. The S.D.O.(Civil), South Salmara, Mancachar, Hatsingimari.
11. R.P. Check Post Chagolia/Boxirhat/Sri Rampur for information and necessary action.
12. Mrs. Meher Banu Begum, Parther M/s. Pioneer Livestock, Hatsingimari, Dhubri for information
13. The Director NIC, Dispur, Guwahati-6 for information & necessary action. He is requested to upload the above order in WWW.Govt. of Assam NIC.in.

By order etc.,


Joint Secretary to the Govt. of Assam,
A.H. & Veterinary Department, Dispur, Ghy-6.
Veterinary Department
Assam, Dispur, Guwahati-6