

The Punjab Livestock Improvement Act, 1953

HARYANA

India

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Act 47 of 1954

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The Punjab Livestock Improvement Act, 1953 Punjab Act No. 47 of 1954 Statement of Objects and Reasons. - The improvement of cattle is a vital problem of national importance. In spite of the existence of a large number of cattle in this State, there is actual shortage of bullocks of good draught capacity and with potentialities for production of a high order. The result is that the cattle are mostly in unthrifty condition with poor productive capacity, stunted growth, late maturity and long calving intervals. This state of affairs has resulted mainly through their promiscuous and indiscriminate breeding. The problem can be tackled successfully by arranging for (1) the castration of scrub bulls, and (2) the breeding of cattle with improved farm-bred or other 'approved' bulls possessing potentialities for production of a very high order, locating them and utilising the same in a planned and systematic manner so that their kind may be progressively multiplied. There does not, however, exist at present any legislation to check promiscuous breeding of low grade scrub bulls and the present Bill is designed to achieve this object. Published vide Punjab Government Gazette (Extra), 1953. Received the assent of the Governor of Punjab on the 3rd November, 1953 and was first published in the Punjab Government Gazette (Extraordinary) of the 9th November, 1953 An Act to provide for the improvement of livestock in the State of Punjab. It is hereby enacted as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Punjab Livestock Improvement Act, 1953. (2) It shall extend to the whole of the State of [Haryana] [Substituted by Haryana Adaptation Laws Order, 1968.]. (3) It shall come into force, in any specified area, on such date as the State Government may by notification appoint; and different dates may be appointed for different areas.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) 'approved bull' means a bull certified as such under section 6 of this Act as fit for breeding purposes in a local area; (b) 'bull' means an uncastrated male calf above such age as the State Government may prescribe for any local area; (c) 'cow' includes

a heifer;(d)'Director' means the Director of Veterinary Services, Punjab;(e)'Livestock Officer' means the Director and includes any other officer authorised by him to exercise all or any of the powers of a Livestock Officer under the Act;(f)'prescribed' means prescribed by rules made under this Act;(g)a person is said to 'keep a bull' if he owns the bull or has the bull in his possession or custody, for the time being;(h)a bull is said to 'castrated' if it is rendered incapable of propagating its species; and(i)'local area' means the whole or a part of the area to which this Act applies, and in which an approved bull is, in the opinion of the Director, fit for breeding purposes.

3. Prohibition to keep a bull unmarked.

- In any area to which this Act applies, no person shall keep a bull except under and in accordance with the provisions of this Act.

4. Intimation about unmarked bulls.

- Every person, who, in any local area, keeps any bull which is not branded with a distinguishing mark as provided under this Act, shall give intimation of such possession to the Livestock Officer within such period as may be prescribed.

5. Submission of bulls for inspection.

- On receipt of the intimation under section 4, or on his own motion the Livestock Officer may, by order, require any person keeping a bull to present the bull for inspection at any reasonable time and at a place specified in the order and thereupon it shall be the duty of the person keeping the bull to produce it for inspection accordingly and render all reasonable assistance in connection with such inspection.

6. Certification of bulls as approved.

- After such inspection of a bull, the Livestock Officer, if satisfied that the bull is suitable for being used for breeding purposes in the local area, shall certify the bull as "approved" and cause it to be branded with a mark prescribed for the purpose.

7. Marking of castrated bulls.

(1)If, after inspection, the Livestock Officer is satisfied that a bull is unsuitable for breeding purposes in a local area he shall cause it to be effectively castrated or specify by order a period during which such castration shall be effected.(2)Such castration shall be performed or caused be performed by the Livestock Officer unless the owner or the other person keeping the bull desires to make his own arrangements for complying with the order and if the bull is not castrated within the time allowed by the Livestock Officer, then without prejudice to any action that may be taken under section 14, the Livestock Officer shall get the bull castrated.(3)The Livestock Officer shall cause every bull so castrated to be branded with the prescribed mark.

8. Castration of bulls without owners.

(1) If after such enquiry as the Livestock Officer may deem fit to make, he finds that any uncastrated bull is not owned or possessed by a known person, he shall cause the bull to be seized and inspected. (2) If on such inspection, he finds the bull not fit for being certified as 'approved' he shall have it castrated and branded with the appropriate mark and if he finds such bull fit for breeding purposes, he shall mark it as an approved bull.

9. Officers competent to inspect or mark bulls, and to enter premises.

(1) For the purposes of this Act, a Livestock Officer or any other officer or person authorised by him in this behalf shall have power at all reasonable times :- (a) to inspect any bull; (b) to brand any bull with a prescribed mark; (c) subject to such conditions and restrictions, if any, as may be prescribed, to enter any premises or other place where he has reason to believe that a bull is kept. (2) If the Livestock Officer, at any time on inspection of an approved bull, finds that the bull has become unfit as an approved bull he may take action as for an unapproved bull, in accordance with section 7.

10. Marking to be made free of charge.

- Every castration or marking required to be done or made under this Act by a Livestock Officer shall be done or made free of charge.

11. Service of notice and order.

- Any notice or order which is to be given or served on any person under the provisions of this Act may be given or served on the owner or keeper of a bull primarily liable to comply with such notice or order and in case of doubt or when he is unknown, it may be given or served on the person last known as owner or keeper thereof, and any seizure or inspection under section 8, shall be deemed to have been done after compliance with the notice aforesaid.

12. Maintenance of registers.

- The Livestock Officer shall maintain in the prescribed form a register giving particulars of inspections, names of owners or keepers of bulls, castrations and markings made, and bulls approved under this Act, and such other particulars as may be prescribed.

13. Penalty for unauthorised markings.

- If any person without lawful authority brands or causes to be branded any bull with any mark prescribed under this Act or with any mark resembling such prescribed mark, he shall on conviction be punishable with imprisonment which may extend to three months or with a fine which may extend to five hundred rupees or both.

14. Penalty for other offences.

- Whoever -(a) keeps a bull in contravention of this Act or of any rule or other made thereunder, or (b) neglects or fails to produce a bull for inspection when required to do so under the provisions of this Act, or obstructs any officer or person in the discharge of his functions under this Act or rules made thereunder, or (c) neglects or fails to comply with any order under this Act or rules thereunder, shall on conviction be punishable with fine which may extend to fifty rupees and in the case of a second or any subsequent offence with fine which may extend to one hundred rupees.

15. Cognizance of offence.

- No Magistrate or Court shall take cognizance of any offence under this Act except upon a complaint made by a Livestock Officer or any person authorized by him in this behalf.

16. Bar of Proceedings.

(1) No suit, prosecution or other proceedings shall lie against an officer or servant of the State Government for anything which is in good faith done or intended to be done under or in pursuance of this Act. (2) No suit, or other legal proceedings shall lie against the State Government or against any of its officers for any damage caused or likely to be caused by anything in good faith done or intended to be done under or in pursuance of this Act.

17. Power to make rules.

(1) The State Government may make rules to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for -(a) all matters required to be prescribed under this Act; (b) the powers and duties to be exercised and performed by officers or persons acting under this Act and the procedure to be adopted by them in so acting; and (c) the approved age of a bull for purposes of breeding, in any local area. (3) All rules shall be subject to the condition of previous publication.