

Live-Stock Importation Act, 1898

UNION OF INDIA

India

Live-Stock Importation Act, 1898

Act 9 of 1898

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1. [Amended by The Live-Stock Importation (Amendment) Act, 2001 (Act 28 of 2001) on 1 January 2001]

Live-Stock Importation Act, 1898(Act No. 9 of 1898)Object and Reasons The importation into one of the sea ports of British India of a cargo of horses from Australia, which proved to be infected with the tick disease - a disease very fatal to cattle and capable of being conveyed by other animals, such as horses, themselves immune from it - led to an examination of the existing legal powers of the Government to prevent the importation of live-stock liable to be affected by infectious or contagious disorders. As these powers were found to be defective it has been decided, in consultation with the Governments of Madras, Bombay and Bengal, to take the necessary powers. Instead of amending the Indian Ports Act (10 of 1889), it is thought preferable to proceed by way of self-contained Act. The provisions of the Bill are general in character, and empower the Governor-General in Council to regulate, restrict or prohibit the importation into British India by land or sea of any live-stock which may be liable to be affected by infectious or contagious disorders. The Bill confers necessary powers on officers of Customs at every port, and enables Local Governments to make rules for detention, inspection, disinfection or destruction of such stock, and for the guidance of officers appointed under the rules. It is not intended to interfere with the inland trade, except so far as to prevent the removal of live-stock, the importation of which has been prohibited, from one part of British India to another." - Gazette of India, 1898, Part V, page 282.[12th August, 1898.]An Act to make better provision for the regulation of the importation of live-stock [and live-stock products] [Added by Live-stock Importation (Amendment) Act, 2001 (28 of 2001)].WHEREAS it is expedient to make better provision for the regulation of the importation of live-stock [and live-stock products] [Added by Live-stock Importation (Amendment) Act, 2001 (28 of 2001)] which is liable to be affected by infectious or contagious disorders ;It is hereby enacted as follows : -

1. Short title and local extent.

(1) This Act may be called the Live-stock importation Act, 1898, (2) [It extends to the whole of India

[* * *] [Subs.by Act 40 of 1953, s.2.].[* * * * *] [The word " and" and sub-section (3) rep.by Act 10 of 1914]

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context. -(a)the expression "infectious or contagious disorders" includes tick-pest, anthrax, glanders, farcy, scabies and any other disease or disorder which may be specified by the [Central Government] [Substituted for word "Governor-General in Council" by A.O., 1937] by notification in the [Official Gazette] [Substituted for word "Gazette of India" by A.O., 1937]; and(b)"live-stock" includes horses, kine, camels, sheep and any other animal which may be specified by the [Central Government] [Substituted for word "Governor-General in Council" by A.O., 1937] by notification in the [Official Gazette] [Substituted for word "Gazette of India" by A.O., 1937];(c)["import" means the bringing or taking, by sea, land or air, into the territories to which this Act extends.] [Inserted by Act 40 of 1950, s.3.](d)["live-stock products" include meat and meat products of all kinds including fresh, chilled and frozen meat, tissue, organs of poultry, pig, sheep, goat; egg and egg powder, milk and milk products; bovine, ovine and caprine, embryos, ova, semen; pet food products of animal origin and any other animal product which may be specified by the Central Government by notification in the Official Gazette.] [Inserted by Live-stock Importation (Amendment) Act,2001 (28 of 2001)]

3. Power to regulate importation of live-stock.

(1)The Central Government may, by notification in the Official Gazette, regulate, restrict or prohibit, in such manner and to such extent as it may think fit, [the import] [Substituted by Act 40 of 1953, s.4, for " the bringing or taking, by sea or land"] into [the territories to which this Act extends] [Substituted by Act 48 of 1952, s.3 and Sch.II, for " the territories for the time being comprised within Part A States and Part C States"] or any specified place therein, of any live-stock which may be liable to be affected by infectious or contagious disorders, and of any fodder, dung, stable-litter, clothing, harness or fittings appertaining to live-stock or that may have been in contact therewith.(2)[A notification issued under sub-section (1) or under section 3A shall operate as if it has been issued under section 11 of the Customs Act, 1962 (52 of 1962) and the officers of the customs at every port, airport, Inland Container Depot and Land Customs Station shall have the same powers in respect of any live-stock or live-stock product or thing with regard to the importation of which such a notification has been issued and the vessel, aircraft, vehicle and other mode of conveyance containing the same, as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to customs and the vessel, aircraft, vehicle and other mode of conveyance containing the same; and the enactments for the time being in force relating to customs or any such article or vessel, aircraft, vehicle and other mode of conveyance shall apply accordingly] [Substituted by Live-stock Importation (Amendment) Act,2001 (28 of 2001)]

3A. [Power to regulate Importation of live-stock products. [Added by Live-stock Importation (Amendment) Act,2001 (28 of 2001)]

- The Central Government may, by notification in the Official Gazette, regulate, restrict or prohibit in such manner and to such extent as it may think fit, the import into the territories to which this Act extends, of any live-stock product, which may be liable to affect human or animal health.]

4. Power for State Government to make rules.

(1)The State Government may, [* * * *] [The words "subject to the control of the Governor-General in Council" were omitted by the A.O. 1937.] make rules for the detention, inspection, disinfection or destruction of imported livestock, and of fodder, dung, stable-litter, clothing, harness or fittings appertaining to imported live-stock or that may have been in contact therewith, and for regulating th powers and duties of the officers whom it may appoint in this behalf.(2)In making any rule under this section the State Government may direct that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

For the Live-stock (Import) Quarantine Rules, 1944, see (1) Bom. Govt. Gaz., 1944, Pt. IV-A, p. 27; (2) Fort St. Geo. Gaz., dt. 18-7-1944, Pt. I (R.S.), p. 2; (3) Cal. Gaz., 22-9-1944, Notifin. No. 3711 Vety; (4) 1952 Trav.-Cochin Gaz., 12-2-1952, Pt. 1, p. 135. For Manipur Live-stock (Import) Quarantine Rules, 1961, see Manipur Gaz., 11-1-1962, Extra., for Kerala Live-stock (Import) Quarantine Rules, 1962, see Ker. Gaz., 25-9-1962, Pt. I (No. 38); for Madras Live-stock (Import) Quarantine Rules, 1962, see Fort St. Geo. Gazette, 6-3-1963, Pt. V, p. 272; for Assam Live-stock (Import) Rules, 1963, see Assam Gaz., 1-5-1963, Pt. II-A, p. 1253; and for Bengal Live-stock (Import) Quarantine Rules, 1964, see Cal. Gaz., 31-10-1964, Pt. I, Extra., p. 3183.

5. Protection to persons acting under Act.

- No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.