The Jammu and Kashmir Livestock Improvements Act, 1940

Act 23 of 1940

Keyword(s):
Livestock, Livestock Officer, Keeper, Improvement, Premium Bull, Licence
### LIVESTOCK IMPROVEMENT ACT, 1996 (1940 A.D.)

**THE JAMMU AND KASHMIR LIVESTOCK IMPROVEMENT ACT, 1996 (1940 A.D.)**

**ACT NO. XXIII OF 1996**

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Amendments made (after 1956 edition) by Act No.—

1. XL of 1966.
2. XI of 1974.
3. XV of 1981.
THE JAMMU AND KASHMIR LIVESTOCK IMPROVEMENT ACT, 1996 (1940 A.D.)

ACT NO. XXIII OF 1996

[Received assent of His Highness the Maharaja Bahadur on 5th January, 1940/22nd Poh, 1996, and published in the Government Gazette dated 11th Phagan, 1996.]

An Act to provide for the improvement of livestock

Preamble.—Whereas it is expedient to provide for the improvement of the livestock in the Jammu and Kashmir State. It is hereby enacted as follows:—

1. Short title.—This Act may be called the Jammu and Kashmir Livestock Improvement Act, 1996.

Extent.—It shall extend to such places in the Jammu and Kashmir State as may from time to time be notified in the Jammu and Kashmir Government Gazette by the Government in this behalf.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(a) “livestock” includes bull, bullock, cow, heifer, calf and buffalo;

(b) “Livestock officer” means an officer or person appointed or invested with powers under section 3;

(c) “prescribed” means prescribed by rules made under this Act;

(d) “keeper” means the person who keeps any livestock as owner or hirer or as an approved agent under section 9;

(e) “improvement” includes castration of males unfit for breeding work and distribution or utilization of improved male livestock for breeding purpose and impregnation of female livestock by the technique of artificial insemination.

(f) “premium bulls” means bulls issued by the Government for breeding purposes;

(g) "licence" means a licence granted under section 5.

3. Livestock officer.—The Government may, by general or special order published in the Jammu and Kashmir Government Gazette, invest an officer or officers of the Animal Husbandry Department with powers to function as Livestock officer or officers.

4. Prohibition for keeping a bull for breeding purposes.—No keeper will keep a bull for breeding purposes except under and in accordance with terms, conditions and restrictions of a licence granted under section 5.

5. Grant, refusal to grant or revocation of a licence.—(1) A licence for the keeping of a bull for breeding purposes shall be granted in the prescribed form by the Livestock officer.

(2) No fee shall be levied for the grant of such licence.

(3) The Livestock officer may refuse to grant, or may revoke, a licence, if in the opinion of such officer, the bull is,—

   (i) of defective or inferior conformation and likely to beget defective or inferior progeny; or

   (ii) permanently affected with any contagious or infectious disease; or

   (iii) permanently incapacitated rendering the bull unsuitable for breeding purposes.

(4) The Livestock officer may revoke a licence after giving 30 days notice to the licence holder if in the opinion of such officer, the terms and conditions under which it was issued have not been complied with or fulfilled.

(5) No person shall be entitled to any compensation for the revocation of a licence under sub-clause (3) or (4).

6. Duration of licence.—A licence granted under section 5 shall remain in force—

   (i) for the period specified therein; or
   (ii) until it is revoked under this Act; or
   (iii) until the bull dies or is castrated.

1. Substituted by Act XI of 1974, S. 2, for the words "Civil Veterinary Department."
7. **Grant of duplicate copies of licence.**—The Livestock officer may, when he is satisfied that a licence granted under section 5 has been lost or destroyed, issue to the holder a duplicate of the licence on the applicant paying a fee of fifty paisa, and thereupon all the provisions of this Act shall apply to the duplicate as if it were the original licence.

8. **Castration.**—(1) If the Livestock officer is satisfied that a bull whether in possession of a keeper or not is unfit for breeding purposes, he shall pass a provisional order for its castration and notify such order in the locality in the prescribed manner.

   (2) The keeper or owner of such bull may within 30 days of such notification appear before the Livestock officer to show cause against such order and the Livestock officer may withdraw either make the order absolute or suspend it.

   (3) If no cause is shown against the order within 30 days of such notification, the order shall be made absolute and carried into effect.

9. **Premium bulls.**—(a) Government may direct that bulls be issued by the *Animal Husbandry Department* to approved agents in any locality either free of charge, or on premium, or on hire, for breeding purposes.

   (b) Such bulls shall be kept, maintained and used for covering purposes by the agents in accordance with the rules made under this Act.

   2[(c) Government may, by general or special order, direct that reproduction of livestock may be carried only through artificial insemination techniques or through natural service by the male livestock maintained for the purpose by the Animal Husbandry Department or by the approved agents.]

10. **Inspection of bulls.**—(1) Every keeper, shall, when so required by the Livestock officer or any other officer of the *Animal Husbandry Department,* produce any bull in his possession for the inspection of such officer at such reasonable time and place as may be notified by such officer and shall render all reasonable assistance for the purpose of such inspection.

   (2) It shall be the duty of every person holding a licence issued to him under section 5 for keeping a bull to produce such licence on demand by—

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1. See foot-note 1 under section 3.
2. Clause (c) insisted by Act XI of 1974, S. 4.
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(i) the Livestock officer or any other officer of the 1[Animal Husbandry Department] at the place where the bull is for the time being kept; or

(ii) the keeper of a cow before such cow is covered by such bull.

11. Penalty.—Any person who—

(a) keeps a bull for covering purposes without licence or in contravention of the terms of a licence issued to him under this Act, or

(b) does not produce the bull or bulls as required by section 1C (1); or

(c) does not render reasonable assistance in conducting the inspection; or

(d) does not produce the licence as required by section 10(2); or

(e) obstructs the castration of bulls declared unfit for breeding purposes; or

(f) in any other manner contravenes this Act or any rules or orders made under this Act; shall be served with a notice by the Livestock officer to comply with the requirements of this Act or rules or orders as the case may be and if the keeper, in spite of such notice fails so to comply within 30 days from the date of the receipt of such notice he shall be deemed to have committed an offence under this Act and shall be punishable on conviction before a 2[Judicial Magistrate] with a fine which may extend to 3[five hundred rupees] for each such offence.

12. Cognizance.—(a) Information as to commission of an offence under this Act may be given to the officers of the 1[Animal Husbandry Department] and Revenue Department who shall convey the same to the Livestock officer.

(b) No Court shall take cognizance of any offence under this Act, except on a complaint presented by a Livestock officer in that behalf.

13. Assistance from other departments.—All village officials and all officers of the departments of Revenue, Agriculture and Cooperative shall, when called upon to do, render all reasonable assistance to the Livestock officer in carrying out the provisions of this Act.

1. See foot-note 1 under section 3.
2. Substituted by Act XL of 1966 for "Magistrate".
14. Livestock officer a public servant.—Every Livestock officer shall be deemed to be a public servant within the meaning of section 21 of the Ranbir Penal Code.

15. Protection.—No suit or prosecution or other legal process shall lie against the Livestock officer for anything done or intended to be done in good faith, under this Act or the rules made thereunder.

15-A. Power to apply the provisions of the Act to other livestock.—The Government may, by notification in the Government Gazette, direct that the provisions of this Act shall also apply to such other livestock, as may be specified in the notification, in the same manner as they apply to bulls and cows, and thereupon any reference to bulls and cows in the provisions of this Act shall be construed as including a reference to the livestock notified under this Act.

16. Power to frame rules.—(a) The Government may make rules for carrying into effect the provisions of this Act.

(b) All rules made under this Act shall be subject to the condition of previous publication in the Government Gazette.

Form of Licence of Approved Private Stud Bulls Issued under section 5 of Livestock Improvement Act, 1996


A. Description

<table>
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<th>Breed</th>
<th>Age</th>
<th>Marks of identification</th>
<th>Colour</th>
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1. Periodical inspection of the bull by the Veterinary Assistant Surgeon or the Livestock Officer.

B. Conditions

2. Continuance in good condition of the bull for breeding purposes.

This Licence is good to—of—19——

Note:—The keeper shall be responsible that the bull is not permitted to cover a cow, if during the period intervening between two consecutive inspections the bull does not maintain the standard of health necessary for breeding purpose.

Dated

LIVESTOCK OFFICER,

[ANIMAL HUSBANDRY DEPARTMENT.] JAMMU AND KASHMIR GOVERNMENT.

3. See footnote 1 under section 3.
Notice under section 4 of Livestock Improvement Act, 1996

Breed, age, colour, mark of identification.—A bull of the marginally noted description has been found to be unfit for being used for breeding. It is notified for the information of the public that this bull will be castrated on ........................................ at ...........................................

LIVESTOCK OFFICER,

1[Animal Husbandry Department,]


OFFICE OF THE LIVESTOCK OFFICER

Notice under section 4 of the Livestock Improvement Act, 1996 served on ....................................

1. In terms of section 4 of the Livestock Improvement Act, 1996 every bull used for breeding purposes has to be covered with a licence.

2. Your, bull (description given below) is reported to have attained the prescribed age.

3. You are, therefore, hereby desired to secure a licence for this bull within 30 days from the receipt of the notice.

4. In case you do not comply with the requirements of the Act—

(i) the bull will be castrated under section 8 if found unsuitable for breeding purposes; or

(ii) the bull will be permitted to continue breeding if found suitable and you will be liable to action under section 11.

Description of the bull:

Breed.
Colour.
Age (approximately).
Mark of identification.

LIVESTOCK OFFICER,

1[Animal Husbandry Department,]

Jammu and Kashmir Government,

Dated:

1. See footnote 1 under section 3.