



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ९, अंक ५९]

मंगळवार, डिसेंबर १२, २०२३/अग्रहायण २१, शके १९४५ [पृष्ठे १६, किंमत : रुपये २७.००

असाधारण क्रमांक १०७

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Bovine Breeding (Regulation) Bill, 2023 (L.A. Bill No. L of 2023), introduced in the Maharashtra Legislative Assembly on the 11th December 2023, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,

Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. L OF 2023.

A BILL

to provide for the improvement of bovines by regulating bovine breeding activities such as use of bovine breeding bulls for production of semen, processing, storage, sale and distribution of bovine semen, artificial insemination along with assisted reproductive technologies in bovines and for all matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the improvement of bovines by regulating bovine breeding activities such as use of bovine breeding bulls for production of semen, processing, storage, sale and distribution of bovine semen, artificial insemination along with assisted reproductive technologies in bovines and for all matters connected therewith or incidental thereto; it

is hereby enacted in the Seventy-fourth Year of the Republic of India, as follows:—

CHAPTER I

PRELIMINARY.

- Short title and commencement. 1. (1) This Act may be called the Maharashtra Bovine Breeding (Regulation) Act, 2023.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.
- Definitions. 2. In this Act, unless the context otherwise requires,—
- (a) “artificial insemination” or “AI” means the process of depositing disease free bovine semen artificially in the uterus of a mature bovine female with intention of making it conceived;
- (b) “artificial insemination service provider” or “AI service provider” means a person, who provides the bovine breeding services through registered artificial insemination technicians;
- (c) “artificial insemination technician” or “AI technician” means a veterinarian or a trained artificial insemination worker, who possesses requisite qualifications, skill and experience to perform artificial insemination in bovines, as may be prescribed;
- (d) “assisted reproductive technology” or “ART” means the techniques utilized for bovine breed improvement and treatment of infertility in bovines which includes artificial insemination involved in embryo transplant, oocyte pickup, *in-vitro* maturation and fertilization of bovine oocytes, embryo manipulation, freezing, storage and deposition of embryo in female genital tract, cloning, intra cytoplasm sperm injection and synchronization of oestrus;
- (e) “assisted reproductive technology expert” or “ART expert” means a registered veterinarian, who possesses requisite qualifications, skill and experience in assisted reproductive technology for providing the assisted reproductive technology services, as may be prescribed;
- (f) “assisted reproductive technology service provider” or “ART service provider” means a person, who provides assisted reproductive technology services through registered assisted reproductive technology experts;
- (g) “Authority” means the Maharashtra Bovine Breeding Regulatory Authority established under section 12;
- (h) “bovine” means a cow, cow-bull, cow-heifer, buffalo, buffalo-bull and buffalo-heifer;
- (i) “bovine breeding activities” means breeding activities in bovines that include the use of bovine bulls, production, storage, transportation and use of frozen semen, embryos and oocytes or use of reproductive organs;
- (j) “certified bull” means a bovine bull certified by the Authority, which is kept for semen production for a particular bovine breed and meets the prescribed standards;
- (k) “embryo transplant or *in-vitro* fertilization laboratory” or “ET or IVF laboratory” means any premises, where a facility is set up for

collection, processing, storage and transplant of bovine germplasm or embryos and the use of bovine semen for fertilization of oocytes by either *in-vivo* or *in-vitro* method including the deposition of bovine embryos in female genital tract of recipient bovine female;

(l) "Government" means the Government of Maharashtra;

(m) "person" shall include any company or association of persons or body of individuals, whether incorporated or not;

(n) "premises" means any land, premises, yard, building, vessel, vehicle or any other location used for bovine breeding activity;

(o) "prescribed" means prescribed by rules made by the Government under this Act;

(p) "regulations" means the regulations made by the Authority under this Act;

(q) "research institute" means an institute run by a person, with intent to use live animals or semen or embryos or oocytes or reproductive organs in research, tests or experiments for scientific investigation or in a systematic search for facts;

(r) "semen" means the semen of cow bull or buffalo bull in any form;

(s) "semen bank" means any premises where the bovine semen is stored for trading or distribution;

(t) "semen station" means an approved premises, where a facility is set up for collection, processing, storage and distribution of bovine semen for artificial insemination;

(u) "State" means the State of Maharashtra;

(v) "veterinarian" means a registered veterinary practitioner defined in the Indian Veterinary Council Act, 1984.

52 of
1984.

CHAPTER II

REGULATION AND REGISTRATION.

3. (1) Save as otherwise provided in this Act, no person shall undertake any activity of production, storage, transportation, sale or use of the bovine semen, embryos, ova or oocytes in the State, unless such person is having registration certificate therefor under this Act. Regulation of bovine breeding activities.

(2) The person holding registration certificate under this Act shall maintain the prescribed standards relating to bovine breeding activities, laid down by the State Government or Central Government, from time to time.

(3) No person shall make advertisement or publicity misrepresenting the facts about the types and nature of services for which he has been granted the registration certificate.

4. (1) On and from the date of commencement of this Act,—

(a) no person shall establish and operate a semen station or embryo transplant or *in-vitro* fertilization laboratory;

(b) no person shall establish and operate artificial insemination training institute (AITI); or

(c) no assisted reproductive technology (ART) service provider shall provide assisted reproductive technology services,

Registration of semen station, ET or IVF laboratory, AITI, ART service provider with Authority.

for bovine breeding activities in the State, unless such person is having registration certificate therefor from the Authority under this Act.

(2) On and from the date of commencement of this Act, no person, shall engage in the assisted reproductive technology services as assisted reproductive technology expert in the State, unless he,—

(a) possesses such qualification and experience, and has undergone the requisite training, as may be prescribed, and

(b) is having registration certificate issued by the Authority, under this Act.

(3) Every existing,—

(a) semen station, embryo transfer or *in-vitro* fertilization laboratory,

(b) artificial insemination training institute,

(c) assisted reproductive technology expert, and

(d) assisted reproductive technology service provider,

shall apply to the Authority for issue of registration certificate within the period of six months from the date of commencement of this Act.

Registration of
semen bank,
AI service
provider and
AI technician
with District
Deputy
Commissioner,
Animal
Husbandry.

5. (1) On and from the date of commencement of this Act,—

(a) no person shall establish and operate a semen bank; or

(b) no person of artificial insemination service provider shall provide artificial insemination services ;

for bovine breeding activities in the State, unless such person is having registration certificate of the District Deputy Commissioner, Animal Husbandry under this Act.

(2) On and from the date of commencement of this Act, no person shall engage in artificial insemination services as artificial insemination (AI) technician in the State unless he,—

(a) possesses such qualification and experience, and has undergone the requisite training, as may be prescribed, and

(b) is having registration certificate issued by the concerned District Deputy Commissioner, Animal Husbandry, under this Act.

(3) Every existing,—

(a) semen bank,

(b) artificial insemination service provider, or

(c) artificial insemination technician,

shall apply to the concerned District Deputy Commissioner, Animal Husbandry for issue of registration certificate within six months from the date of commencement of this Act.

Procedure for
registration.

6. (1) Every application for registration,—

(a) under section 4, shall be made to the Authority, or

(b) under section 5, shall be made to the concerned District Deputy Commissioner, Animal Husbandry,

in such form and in such manner alongwith such documents and such fees, as may be prescribed.

(2) On receipt of an application under sub-section (1), the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, after making such inquiry as it deems necessary, either issue or refuse to issue the registration certificate:

Provided that, the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, shall before refusing to issue the registration certificate, give the applicant a reasonable opportunity of being heard.

(3) The registration certificate shall be in such form and subject to such terms and conditions, as may be prescribed and shall be valid for a period of five years from the date of issue of the registration certificate.

7. (1) Every application for renewal of the registration certificate under this Act shall be made before three months of the date of expiry of the period of such registration certificate: Renewal.

Provided that, the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, may allow such application after the aforesaid period, if the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, is satisfied that the applicant was prevented by sufficient cause from applying for renewal in time.

(2) The provisions of issue of registration certificate under this Act shall, *mutatis mutandis*, apply for renewal of registration certificate.

8. (1) On and from the date of commencement of this Act, any person having registration certificate for semen station, may apply to the Authority for certification of a bull for carrying out the semen production. Certification of bull.

(2) The Authority may certify the bull and shall issue certificate in such form and in such manner and subject to such terms and conditions, as may be prescribed. The Authority may refuse to certify the bull after recording the reasons in writing therefor.

(3) The Authority shall generate a unique identification number for each certified bull and it shall be mandatory for the person having registration certificate of semen station to tag this unique identification number to the certified bull securely and permanently at all times.

(4) On and from the date of commencement of this Act, no person having registration certificate of semen station shall carry out semen production from any bovine bull other than those certified by the Authority.

9. If a registration certificate issued under this Act is defaced, lost or destroyed, the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, upon satisfaction, grant a duplicate certificate to the applicant on payment of such fee, as may be prescribed. Issue of duplicate registration certificate.

10. If the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, is satisfied either on a reference made to it, in this behalf or on enquiry report or otherwise that,— Revocation of registration certificate.

(a) the registration certificate granted by it under this Act has been obtained by misrepresentation or fraud;

(b) the holder of the registration certificate has failed to comply with the conditions subject to which the certificate has been granted; or

(c) has contravened any of the provisions of this Act or rules made thereunder,

then, without prejudice to any other proceedings to which the holder of the certificate may be liable under this Act, the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be, after giving the holder of the registration certificate an opportunity of being heard shall,—

(i) revoke the registration certificate after recording reasons in writing for such revocation; or

(ii) suspend the registration certificate till the holder of the certificate complies with all the required conditions to the satisfaction of the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be; or

(iii) impose such other conditions to be complied with, by the holder of registration certificate.

Appeal. **11.** (1) Any person aggrieved by an order passed by the Authority under sections 6, 7, 8 and 10 may file an appeal before the Secretary of the Animal Husbandry and Dairy Development Department within a period of thirty days from the date of receipt of order.

(2) Any person aggrieved by an order passed by the District Deputy Commissioner, Animal Husbandry under sections 6, 7 and 10 may file an appeal before the concerned Regional Joint Commissioner, Animal Husbandry within a period of thirty days from the date of receipt of order.

(3) The Appellate Authorities may entertain any appeal after the expiry of the period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) On receipt of an appeal under sub-section (1) or (2), the Appellate Authorities shall, after giving a reasonable opportunity of being heard to the appellant, dispose off appeal within a period of three months.

(5) The order of the Appellate Authorities shall be final.

CHAPTER III

MAHARASHTRA BOVINE BREEDING REGULATORY AUTHORITY.

Establishment of Maharashtra Bovine Breeding Regulatory Authority.

12. (1) On and from the date of commencement of this Act, there shall be established, for the purposes of this Act, an Authority to be known as "the Maharashtra Bovine Breeding Regulatory Authority" to exercise the powers conferred upon and to perform the functions assigned to it, under this Act.

(2) The Authority shall consist of the following members, namely:—

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| (a) | Commissioner, Animal Husbandry, Commissionerate of Animal Husbandry, Maharashtra State, Pune, | Chairperson; |
| (b) | Chief Executive Officer, Maharashtra Livestock Development Board, Nagpur, | <i>ex officio</i> Member; |
| (c) | Deputy or Joint Secretary, (Animal Husbandry), Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, | <i>ex officio</i> Member; |
| (d) | Chairman, Board of Studies, Animal Reproduction, Gynaecology and Obstetrics (ARGO), Maharashtra Animal and Fisheries Science University, Nagpur, | <i>ex officio</i> Member; |
| (e) | Deputy Commissioner or Joint Commissioner, Animal Husbandry (Livestock), Commissionerate of Animal Husbandry, Maharashtra State, Pune, | <i>ex officio</i> Member; |
| (f) | Deputy Commissioner, Animal Husbandry, Commissionerate of Animal Husbandry, Maharashtra State, Pune, | Member-Secretary. |

(3) The headquarter of the Authority shall be at Pune, Maharashtra.

(4) The Authority shall have jurisdiction all over the State of Maharashtra in respect of bovine breeding activities.

13. (1) The Authority shall meet at least once in three months at such time, as the Chairperson may decide and shall observe such procedure to transact its business at such meetings, as may be prescribed by regulations. Meetings of Authority.

(2) The meetings of the Authority shall be convened and presided over by the Chairperson. In absence of the Chairperson, the meeting shall be presided over by the Chief Executive Officer, Maharashtra Livestock Development Board, Nagpur.

14. The State Government may, for the purpose of enabling the Authority, to efficiently discharge its functions under this Act, provide such number of officers and other employees as may be considered necessary. Appointment of officers and other employees.

CHAPTER IV

FUNCTIONS AND POWERS OF AUTHORITY.

15. The Authority shall perform the following functions, namely:— Functions of Authority.

(a) to regulate the production of bovine semen, bovine embryos, ova or oocytes in the State;

(b) to regulate the storage, transportation, sale and use of bovine semen, bovine embryos, ova or oocytes in the State;

(c) to register and renew the registration of the semen stations, embryo transplant or *in-vitro* fertilization laboratory, assisted reproductive technology experts, assisted reproductive technology service providers, as per the provisions of this Act;

(d) to register the artificial insemination training institutes with prior permission of the Government;

(e) to certify the bulls to be used for semen production which meet the prescribed standards;

(f) to advice the Government on any matters concerned with bovine breeding activities;

(g) to undertake surveys and conduct studies of bovine breeding activities to ascertain the status, potential problems and solutions thereon;

(h) to make regulations for performing the functions of the Authority, under the provisions of this Act;

(i) to perform such other functions and activities concerning bovine breeding, as per the bovine breeding policy of the Government, as may be prescribed;

(j) to perform such other functions as may be prescribed by the Government.

16. The Authority shall have the following powers, namely:— Powers of Authority.

(a) to inspect the premises where bovine breeding activities are carried out;

(b) to appoint expert with veterinary qualifications and experience as it may considers necessary for the efficient discharge of its functions;

(c) to call information from the persons engaged in the bovine breeding activities;

(d) to give directions requiring any person in charge of any premises, where any bovine breeding activity is carried out and who in its opinion, is contravening any of the provisions of this Act and the rules made thereunder, to furnish such information, as it may deems fit;

(e) to give directions to any person, officer or other authority, for the purposes of this Act and such person, officer or other authority, as the case may be, shall be bound to comply with such directions;

(f) such other powers as may be prescribed by the Government.

Power to inspect, search and seizure.

17. (1) The Authority or any officer or member of team of experts authorised in this behalf, for the purpose of inspection and enquiry, may,-

(a) enter, inspect and cause or conduct search of any premises in which it has reason to believe that any bovine breeding activities in contravention of the provisions of this Act and rules made thereunder are carried out;

(b) collect samples of semen, blood or any other material used in semen production or artificial insemination services or assisted reproductive technology services, from the premises and have such samples analysed by a recognized laboratory and shall also seize any bulls therefrom which are not duly certified for semen production or make such other enquiry as may be required, take statements of the holder of the registration certificate and other persons working in such premises and to check the records thereof.

(2) The provisions of the Code of Criminal Procedure, 1973 relating to search and seizure shall, so far as may be, apply to searches and seizures made under sub-section (1). 2 of 1974.

CHAPTER V

OFFENCES AND PENALTIES.

Power to make application to courts for restraining apprehended bovine breeding activities in contravention of this Act.

18. (1) Where it is apprehended by the Authority that, any person engaged in the bovine breeding activities in contravention of the provisions of this Act or rules made thereunder and has refused to either comply with the notice served upon him or to pay the fine imposed upon him, for such contravention, the Authority or any officer authorized by it, may file a complaint in the Court of Metropolitan Magistrate or Judicial Magistrate First Class, as the case may be, for restraining the said person from carrying out the said activities.

(2) On receipt of an application under sub-section (1), the court may pass an order restraining any such person, to carry out the said activity or give such directions or pass such order as it may deem fit.

Penalties.

19. (1) Any person having a registration certificate under sections 4 and 5 under this Act has failed to maintain the prescribed standards relating to bovine breeding activities laid down by the State Government and the Central Government, from time to time, shall on conviction be punished with fine which may extend to fifty thousand rupees.

(2) Whoever carries out any of the bovine breeding activities without holding a registration certificate or carry on production activity of frozen semen from other than the certified bulls or contravenes any of the provisions of this Act, shall on conviction, be punished with fine which may extend to one lakh rupees.

(3) Any person resorts to any sort of advertisement or publicity misrepresenting the facts about the type and nature of services for which he has been granted the registration certificate, shall on conviction, be punished with a simple imprisonment for a term which may extend to six months or with fine which may extend to two lakh rupees, or with both.

20. (1) Where an offence under this Act has been committed by a company, every person, who, at the time when the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Offences by companies.

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means a body corporate and includes a firm or other association of persons or body of individuals, whether incorporated or not; and

(b) “director” in relation to a firm, means a partner in the firm, and in relation to any association of persons or body of individuals, means any member controlling the affairs thereof.

21. (1) Any offence of contravention of any of the provisions of this Act, punishable under the Act, may, on an application by the accused person, either before or after the institution of any prosecution, be compounded by the Authority or the member or the officer appointed by the Authority, as the case may be, for a sum of not less than fifty per cent., of the maximum fine provided for such offence, in such manner, as may be prescribed.

Compounding of offences.

(2) Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of three years from the date of commission of a similar offence,—

(a) which was earlier compounded; or

(b) for which such person was earlier convicted.

(3) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

Cognizance of offences.

22. (1) No court shall take cognizance of any offence punishable under this Act, except on a complaint is made by the District Deputy Commissioner, Animal Husbandry or Authority or any officer authorized by the Authority or District Deputy Commissioner in this behalf.

(2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the First Class shall try any offence punishable under this Act.

Bar of jurisdiction.

23. No civil court shall have any jurisdiction in any matter, in respect of which the Government or any other person or Authority is empowered by this Act to take cognizance, and dispose it off, and the manner in which the Government or such person or Authority may exercise any power, vested in it or to him by or under this Act.

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT.

Authority fund.

24. (1) There shall be a fund of the Authority to be called "the Maharashtra Bovine Breeding Regulatory Authority Fund" to which shall be credited all moneys received by the Authority, including grants made by the Government, fees received, donations, gifts and bequests made to it by any person or institution.

(2) All funds of the Authority shall be kept in a Scheduled Bank and shall be operated by the person, as may be authorized by the Authority in this behalf, in writing.

Accounts and audit.

25. (1) The Authority shall keep accounts in such form and in such manner as may be prescribed.

(2) The accounts of the Authority shall be audited by Chief Auditor, Local Fund or by any other auditor appointed by the Authority with the approval of the State Government.

(3) The State Government may, if it thinks necessary, appoint a special auditor to audit the accounts of the Authority.

(4) The auditor or the special auditor, as the case may be, shall submit his report to the Authority and shall forward a copy thereof to the State Government.

(5) The cost of the audit under sub-section (2) or (3), if any, shall be borne by the Authority.

Annual report.

26. (1) The Authority shall prepare, in such form and by such date, as may be prescribed, for each financial year, an annual report, giving a full account of its activities during the previous financial year; and submit a copy to the Government within one month from the prescribed date.

(2) Upon receipt of the annual report, the Government may take such action thereon as it may consider necessary.

(3) A copy of the report submitted to the Government, together with a report of the action taken thereon by the Government under sub-section (2), shall be laid before each House of the State Legislature.

CHAPTER VII

MISCELLANEOUS.

27. Any bovine semen or embryo production facility set up by research institute or the university for the purpose of research and training shall be exempted from the obligation of holding a registration certificate under this Act :

Exemptions.

Provided that, such research institute or the university shall not use for supply or sell the semen or embryo to any artificial insemination technician or artificial insemination service provider or assisted reproductive technology service provider, for the purpose of mass bovine inseminations or embryo transplant.

28. The Government may, from time to time, in the public interest and for better and effective implementation of the Act, give such directions to Authority as deemed necessary; and the Authority shall comply with such directions.

Power to give directions.

29. (1) Every person who holds a registration certificate under this Act shall maintain such books, accounts and records relating to his business in such form and in such manner, as may be prescribed.

Maintenance of records and submission of returns.

(2) Every person who holds a registration certificate under this Act shall submit to the Authority, half yearly returns, in duplicate, in such forms and in such manner, as may be prescribed.

30. Any document purporting to be a report duly issued by a recognized laboratory may be used as evidence of the facts stated therein in any proceedings under this Act.

Report of recognized laboratory.

31. All local authorities shall render such help and assistance and furnish such information to the Authority, as it may require for discharge of its functions and shall make available for inspection and examination of such records or documents, as may be necessary.

Local authorities to assist.

32. All members and officers of the Authority and officers when acting or purporting to act in pursuance of any of the provisions of this Act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

All members and officials of Authority to be public servants.

45 of
1860.

33. No suit, prosecution or other legal proceedings shall lie against the Authority or District Deputy Commissioner, Animal Husbandry or any member or officer of the Authority or any person authorised by the Authority or District Deputy Commissioner, Animal Husbandry in respect of anything which is done, or intended to be done in good faith under this Act or the rules or orders made thereunder.

Protection of action taken in good faith.

34. (1) The State Government may, by notification in the *Official Gazette*, and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule

should not be made, and notify such decision in the *Official Gazette*, the rule shall, from the date of such notification, 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 or omitted to be done under that rule.

Power to
make
regulations.

35. The Authority may, with the previous approval of the State Government, make regulations, from time to time, by notification published in the *Official Gazette*, not inconsistent with the provisions of this Act and rules made thereunder, for all or any of the matters provided under this Act, by regulations.

Power to
remove
difficulties.

36. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty :

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

STATEMENT OF OBJECTS AND REASONS

Breeding of cattle and buffaloes with use of bovine liquid semen for artificial insemination has been in practice in the State since the early years of 1940's decade. Thereafter, due to improvement in the technology, the frozen semen is being used since early years of decade of 1980 and same is still prevalent. The artificial breeding of cattle and buffaloes has aimed at carrying out breed improvement as well as crossbreeding for improving the production potential of the progeny, increase in milk production and increase in power of bulls or bullocks along with increased endurance and adaptability for climatic changes and also for increased capability for disease resistance.

2. As per the policy adopted by the State, crossbreeding of non-descript cows and up-gradated non-descript buffaloes for increasing milk production potential in the progeny has been systematically carried out in the State of Maharashtra since the early years of the decade of 1970's. However, there is no adequate regulation for controlling the quality of bovine semen used for breeding through artificial insemination, in the State. Transportation and use of low-quality semen from other States into the State of Maharashtra, haphazard and indiscriminating use of semen straws by artificial insemination technicians is an issue of great concern for deteriorating the quality of breeding and also the progeny born out of such breeding. Therefore, strict check on the quality of the semen, disease free status of the bulls used for production of semen, etc. is the need of time and it can only be brought in reality through the suitable legislation. The Government, therefore, considers it expedient to enact a law for regulation of the bovine breeding activities in the State.

3. The salient features of the Bill are as under:—

(a) regulation of bovine breeding activities;

(b) registration of semen station, embryo transplant, *in-vitro* fertilization laboratory, artificial insemination training institute, assisted reproductive technology services with Authority;

(c) registration of semen bank, artificial insemination service provider, artificial insemination technician with District Deputy Commissioner, Animal Husbandry;

(d) certification of Bull;

(e) establishment of the Maharashtra Bovine Breeding Regulatory Authority;

(f) power to inspect, search and seizure by the Authority;

(g) penalties for violation of provisions of the Act;

4. The Bill seeks to achieve the above objectives.

Nagpur,

Dated the 7th December 2023.

RADHAKRISHNA VIKHE-PATIL,

Minister for Animal Husbandry.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposals for delegation of legislative power, namely :—

Clause 1(2).—Under this clause, power is taken to the State Government to appoint, by notification in *Official Gazette*, the date on which the Act shall come into force.

Clause 4(2).—Under this clause, power is taken to the State Government to prescribe the qualification and experience and requisite training to the assisted reproductive technology expert for engaging in assisted reproductive technology services.

Clause 5(2)(a).—Under this clause, power is taken to the State Government to prescribe the qualification, experience and training to provide artificial insemination (AI) technician service.

Clause 6.—Under this clause, power is taken to the State Government,-

(i) under sub-clause (1), to prescribe the form, manner, documents and fees required for making application for registration under sections 4 and 5;

(ii) under sub-clause (3), to prescribe the form and terms and conditions of registration certificate.

Clause 8(2).—Under this clause, power is taken to the State Government to prescribe the form, manner and terms and conditions to certify the bull by the Authority.

Clause 9.—Under this clause, power is taken to the State Government to prescribe the fee for grant of a duplicate certificate by the Authority or District Deputy Commissioner, Animal Husbandry, as the case may be.

Clause 13(1).—Under this clause, power is taken to the Authority to prescribe by regulation, the procedure to transact its business in the meetings;

Clause 15.—Under this clause, power is taken to the State Government,-

(i) under sub-clause (i) to prescribe bovine breeding policy;

(ii) under sub-clause (j), to prescribe the other functions of the Authority.

Clause 16(f).—Under this clause, power is taken to the State Government to prescribe other powers of the Authority.

Clause 21(1).—Under this clause, power is taken to the State Government to prescribe the manner of compounding of offences by the Authority or member or officers appointed by the Authority in that behalf.

Clause 25(1).—Under this clause, power is taken to the State Government to prescribe the forms and manner to keep the accounts of the Authority.

Clause 26(1).—Under this clause, power is taken to the State Government to prescribe the form and date within which the Authority shall prepare and submit its annual report.

Clause 29.—Under this clause, power is taken to the State Government,—

(i) under sub-clause (1), to prescribe the form and manner in which, the person who holds a registration certificate shall maintain books, accounts and records relating to his business;

(ii) under sub-clause (2), to prescribe the form and manner in which, the person who holds a registration certificate shall submit half yearly returns to the Authority.

Clause 34 (1).—Under this clause, power is taken to the State Government to make rules, by notification in *Official Gazette*, to carry out the purposes of this Act.

Clause 35.—Under this clause, power is taken to the Authority to make regulations, by notification in *Official Gazette*, to carry out the purposes this Act.

Clause 36(1).—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette*, for removing any difficulty which may arise in giving effect to the provisions of this Act.

2. The above-mentioned proposals for delegation of legislative powers are of normal character.

FINANCIAL MEMORANDUM

Clause 12 of the Bill provides for establishment of the Maharashtra Bovine Breeding Regulatory Authority. Clause 14 of the Bill provides for appointment of Officers and other employees to discharge efficiently the functions of the Authority.

Thus, the Bill would involve approximately non-recurring expenditure of rupees three crore five lakh sixty two thousand and recurring expenditure of rupees seventy three lakh per year from the Consolidated Fund of the State on its enactment as an Act of the State Legislature.