

THE JAMMU AND KASHMIR LIVESTOCK IMPROVEMENT ACT,1996

Act No. XXIII of 1996

[dated 11th of January,1996]

An Act to provide for the improvement of livestock.

Preamble – Whereas it is expedient to provide for the improvement of th livestock in the Jammu and Kashmir state. It is hereby enacted as follows:-

1. Short Title

This Act may be called as 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 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” means 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.

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 license granted under section 5.

5. Grant, refusal to grant or revocation of a license

- (1) A license 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 license.
- (3) The livestock Officer, may refuse to grant ,or may revoke, a license, 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 license after giving 30 days notice to the license 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 license under sub-section (3) or (4).

6. Duration of license

A license 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.

7. Grant of duplicate copies of license

The livestock officer may, when he is satisfied that a license granted under section 5 has been lost or destroyed, issue to the holder a duplicate of the license on the application 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 license.

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.

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 the reasonable assistance for the purpose of such Inspection.
- (2) It shall be the duty of every person holding a license issued to him under section 5 for keeping a bull to produce such license on demand by –
- (i) the livestock officer or any other officer of the 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 license or in contravention of the terms of a license issued to him under this Act; or
- (b) does not produce the bull or bulls as required by section 10 (1); or
- (c) does not render reasonable assistance in according the inspection;
- (d) does not produce the license as required by section 10(2); or
- (e) obstructs the castration of bulls declared unfit for breeding purposes; or
- (f) in any other matter contravenes this Act or any rules or orders made under this Act.

12. Cognizance

- (1) Information as to the commission of an offences under this Act may be given to the officers of the Animal Husbandry Department and Revenue Department who shall convey the same to the Livestock officer.

- (2) No court shall take cognizance of any offence under this Act, except on a Complaint presented by a Livestock Officer in that behalf.

13. 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.

14. 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.