

GOVERNMENT OF KERALA

THE KERALA LIVESTOCK IMPROVEMENT RULES, 1963
RULES

1. *Short Title.*—These rules may be called the Kerala Livestock Improvement Rules, 1963.

2. *Definitions.*—In these rules, unless the context otherwise requires,

- (a) 'Act' means the Kerala Livestock Improvement Act, 1961;
- (b) 'Form' means a Form appended to these rules; and
- (c) 'Government' means the Government of the State of Kerala.

3. *Authority competent for issuing certificate of Castration.*—An officer person authorised by the Director, by general or special order, to grant or licences under section 4 of the Act shall be competent to certify under sub-section (1) of section 4 that the bull has been effectively castrated by closed method of castration using burdizzo Castrator.

4. *Certificate of Castration.*—The certificate of castration to be issued under section 4 (1) of the Act shall be in Form I.

5. *Prescribed Age.*—A bull shall be deemed to have attained the prescribed age for the purposes of the Act and these rules, if, in the opinion of the licensing officer, it is 18 months old, or has shed the two centrals or has cut the permanent central incisor teeth.

6. *Application for Licence.*—An application for a licence under section 4 of the Act shall be made separately in respect of each bull three months before it attains the prescribed age. The application shall be in writing and shall contain the following particulars, namely:—

- (a) The name and address of the person keeping the bull,
- (b) The place at which the bull is kept, and
- (c) The breed, age, colour and other identification marks, if any, of the bull.

7. *Inspection and grant of licence.*—On receipt of an application under rule 6, the Licensing Officer shall inspect the bull as soon as possible and shall grant a licence in Form II unless in his opinion the bull appears to be —

- (a) defective or inferior confirmation and therefore in his opinion likely to be get defective or inferior progeny, or
- (b) suffering from an incurable, contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or
- (c) unsuitable to be introduced in the District or part of the District depending on the breeding policy in force in the area.

8. *Issue of Licence without application.*—If, in the course of his inspection, the Licensing Officer finds a bull which, in his opinion, is suitable for breeding, and in respect of which an application for licence has not, however, been made, he may issue a licence in Form II in respect of such bull.

9. *Period of Licence.*—The period for which a licence may be granted at a time shall not exceed three years.

10. *Identification of unsuitable bulls.*—For the purposes of identification, a bull castrated under section 4 (1), 8 or 12 of the Act, shall be branded towards the upper border of the middle of the left side of neck by branding with hot iron or by chemical branding with the letter 'C' not smaller than 1½ inches by 1½ inches in size or tattooed on the inner side of the left ear with the same mark not less than ½ inch by ½ inch in size. If the Castration is done by the Licensing Officer, the Licensing Officer shall himself get the animal branded or tattooed. If the owner of a bull or other person keeping a bull makes his own arrangements for its castration under Section 8 of the Act, it shall be the duty of such owner or other person to have the bull branded or tattooed in the manner stated above. In case a bull previously licensed and marked with the letter 'L' is subsequently considered unsuitable for breeding purposes and castrated, it shall be marked with the letter 'R' on the right side cheek and when this is done, the mark 'L' shall be deemed to have been cancelled.

11. *Marking of licensed bulls.*—A bull in respect of which a licence has been granted shall be tattooed inside the left ear, with the letter 'L' not less than $\frac{1}{4}$ inch by $\frac{1}{4}$ inch in size or branded on the left cheek with the same mark of a size not less than $1\frac{1}{2}$ inches by $1\frac{1}{2}$ inches.

12. *Renewal of licence.*—A licence granted in respect of a bull shall cease to be in force on the expiry of the period for which it is granted unless renewed by a Licensing Officer. In the absence of such a renewal the bull shall be liable to be dealt with as an unlicensed bull. The holder of a licence desiring to renew the licence, shall submit it to the Licensing Officer concerned with an application in writing for its renewal at least one month before the date of expiry of the licence. On receipt of such an application, the Licensing Officer may by an endorsement on the licence renew it for a further period not exceeding three years having regard to the provisions of Section 5 (1) of the Act. The Licensing Officer may at his discretion, for good and sufficient reason, condone delays in the submission of application for renewal of licence.

13. *Transfer of licence.*—The holder of a licence may, with the previous consent of the Licensing Officer, transfer the licence to any person who shall have become the keeper of the bull. On such a transfer, the Licensing Officer shall make an endorsement on the licence stating the name of the person to whom the licence is transferred.

14. *Notice of revocation of licence.*—The notice of revocation of a licence given under Section 5 of the Act shall be in Form III.

15. *Issue of duplicate licence.*—When a licence granted in respect of a bull is lost or destroyed, the Licensing Officer may grant a duplicate of the original licence after satisfying himself that the original has been destroyed or lost, and thereupon all the provisions of the Act and of these Rules in respect of the licence shall be applicable to the duplicate as if it were the original. A fee of one rupee shall be payable for the issue of a duplicate licence under this rule.

16. *Castration.*—

(i) The order of the Licensing Officer under Section 7 of the Act requiring a person keeping a bull to submit it for inspection shall be in Form IV.

(ii) The order of the Licensing Officer under Section 8 (1) of the Act requiring a person keeping a bull to have it castrated shall be in Form V.

(iii) The direction of the Licensing Officer under Section 12 (1) of the Act for the castration of a bull shall be in Form VI.

(iv) The direction of the Licensing Officer under Section 12 (2) (a) of the Act for the castration of a bull shall be in Form VII.

(v) If a Licensing Officer is not satisfied with the castration of a bull, he may order the castration to be performed again in a manner approved by the Director.

17. *Period within which ownership of a seized bull should be proved.*—The period within which a person may appear before the Licensing Officer under Section 12 (2) (c) of the Act to prove that a bull seized under clause (a) of that sub-section is owned by him shall be one month from the date of seizure.

18. *Custody of the bull during detention.*—The Licensing Officer may send the bull seized under Section 12 (2) (a) of the Act to a pound established under the provisions of the Kerala Cattle Trespass Act, 1961 for the area and upon such impounding, the provisions of the said Act and the Rules issued thereunder shall apply to it as if it were an impounded cattle till it is released to the owner under the orders of the Licensing Officer or sold by public auction.

19. *Minimum period of detention before sale in auction.*—A bull seized under Section 12 (2) (a) of the Act shall not be sold in public auction or sent to a pinjrapole or infirmary recognised by the Government in this behalf, until the expiry of 14 days from the date of seizure.

20. *Notice and proclamation to be issued by the Revenue Inspector.*—As soon as the report is received from the pound-keeper the officer receiving it shall display in a conspicuous part of his office a notice stating :

- (a) the description of the bull,
- (b) the place where it was seized, and
- (c) the place where it is kept in custody, and

shall cause proclamation of the same to be made by beat of drum in the village and at the market place nearest to the place of seizure.

21. *Release of animal on claim during the notice period.*—If the owner or his agent appears and claims the bull and the claim is supported by an order of the Licensing Officer under Section 12(2)(c) of the Act before it is brought over from the pound or other place of custody, he shall be referred to the pound-keeper concerned ; but, if the bull has already been received for sale, it shall be delivered to the owner or his agent on payment of all costs, charges and expenses incurred for its maintenance. When the claim is made to the pound-keeper, he shall deliver the bull to the owner or his agent on payment of the costs, charges and expenses incurred for its maintenance and he shall simultaneously intimate the fact of such delivery to the Officer to whom the report has already been sent and shall also make a note of it in the register of impounded cattle.

22. *Sale of bull seized.*—If the bull is claimed but the costs, charges and expenses incurred for its maintenance are neither paid nor deposited within the time specified for sale, the bull shall be sold by the concerned Village Officer by public auction. The proceeds of the sale of the bull after deducting therefrom the costs, charges and expenses incurred for the maintenance and sale of the bull shall be paid to the owner after obtaining his written receipt. An account in the following form shall also be furnished to the owner :—

- (a) the description of the bull seized
- (b) the period for which it was in custody
- (c) The amount of costs, charges and expenses incurred for the maintenance and sale of the bull
- (d) the proceeds of the sale
- (e) the manner in which the said proceeds have been disposed of.

23. *Owner's claim after sale.*—No claim for the sale proceeds of the bull shall be entertained unless it is preferred within one month from the date of sale of the bull by public auction. If the claim is made within the time aforesaid, the proceeds of the sale of the bull after deducting therefrom the costs, charges and expenses incurred for the maintenance and sale of the bull, shall be paid to the owner after obtaining his written receipt.

24. *Determination of costs, charges and expenses of maintenance.*—
(1) The costs, charges and expenses for the maintenance of bull shall include—

- (i) the transport charges and collie hire for conveying the bull from the place of seizure to the place of detention and thence to the place of sale and
- (ii) feeding, watering and other incidental charges incurred while the bull is under detention.

(2) The costs, charges and expenses of sale of a bull shall include the expenses incurred in connection with any notice, requisition or order issued or proclamation made in connection with the sale or attempted sale.

25. *Duties of the Licensing Officer.*—The castration under section 12 (1) or 12 (2) (a) of the Act shall be performed or caused to be performed by the Licensing Officer,

26. *Powers of the Licensing Officer to enter premises.*—While acting under the provisions of section 13 of the Act, the Licensing Officer, or any officer or person authorised by him in this behalf, shall before entering such premises or place, give notice of entry in writing to the owner or occupier of such premises or place in Form VIII. No entry shall be made between the hours of sunset and sunrise. The Licensing Officer or other officer or person aforesaid shall, as far as practicable, be accompanied by the person who keeps the bull, at the time of entry.

The Licensing Officer may break open any outer or inner door or window of any building or place where he believes the bull has been kept, if, after disclosure of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

27. *Enquiry before seizure.*—Before seizing a bull, the Licensing Officer may cause a summary enquiry to be made as to the ownership of the bull by a committee consisting of the village officers or one of them and such other residents of the village not exceeding three in number as may be appointed by the Licensing Officer in this behalf.

28. *Service of notices and orders.*—(1) When any notice or order is required to be given under the Act or under these rules, such notice or order shall, when no particular method is provided or indicated in the Act or in these rules, be given:—

- (a) by giving or tendering the notice or order to such person; or
- (b) if such person is not found, by leaving such notice or order at his last-known place of abode or business, or by giving or tendering the same to some adult member or servant of his family; or

- (c) if such person does not reside in the local area and his address elsewhere is known to the officer or person issuing the notice or order, by sending the same to him by registered post; or
- (d) if none of the means aforesaid be available, by affixing the same in some conspicuous part of such place or abode or business.

(2) In the case of joint owners, it shall be sufficient to serve the notice or order on, or send it to, one of such owners.

29. Whoever commits a breach of any of these rules shall be punished as provided in section 11 of the Act.

FORM I
(See rule 4)

Certificate of Castration

Certified that I have examined the bull described in the margin* and owned by..... and found to have been effectively castrated by a method and in a manner approved by the Director and is incapable of propagating its kind.

Description of bull.

Breed.

Colour.

Age.

Identification mark.

Place:

Date:

Signature
Designation
(Seal)

FORM II

(See rules 7 and 8)

Licence to keep a bull.

Shri

Srimathi

of

is hereby granted a licence, subject to the provisions the Kerala Live-stock Improvement Act, 1961, and the rules made thereunder for keeping the bull described below for breeding purposes in the village of.... Taluk..... District for the period fromto.....both days inclusive subject always to the terms, conditions and restrictions hereinafter mentioned, namely:—

(1) The licence holder shall inform the Licensing Officer of any illness, defect or deformity which is likely to render the bull unsuitable for breeding purposes.

(2) The licence-holder shall give the benefit of the service of the bull to the cows of the village in which the bull is kept in preference to cows of other villages.

(3) The licence-holder shall give to the Licensing Officer all information regarding the services rendered by the bull during the period of the licence.

(4) The licence-holder shall give intimation to the Licensing Officer in the event of death of the licensed bull, or when it is sold or otherwise transferred to another person.

N. B.—The licence will be revoked if there is a breach of any of the terms or conditions thereof or if it was granted under circumstances of which the Licensing Officer was not aware at the time of granting the Licence.

Licence No.
Breed.
Age
Colour.
Height.
Marks of identification.
Other particulars, if any.

Place.
Date.
(Seal).

Licensing Officer.

FORM III.

(See rule 14)

Notice of revocation of licence

To

..... residing at

Description of Bull.

Whereas it has come to my notice that you keep the bull described in the margin in respect of which a licence was granted to you on.....and

Breed.

Age.

Marks of identification.

Whereas I am of opinion,

Station.

(a) that the bull appears to be

[Note: The reasons mentioned in Section 5 (1) (a), (b) or (c) of the Act to be mentioned here]

(b) that the licence was granted under circumstances of which the Licensing Officer was not aware at the time of granting the licence, viz (here describe the circumstances) or

(c) that there has been a breach of the conditions of the licence in as much as (here describe the act resulting in the violation of the condition).

I have under sub-section (2) of section 5 of the Kerala Live-stock Improvement Act, 1961, revoked the licence and I give you notice of the said revocation as required by section 5 (3) of the said Act and hereby call upon you to surrender the said licence to me within two weeks from the date of this notice.

(Seal)

Licensing Officer.

FORM IV

(See rule 16)

Order under section 7 of the Kerala Livestock
Improvement Act, 1961.

To

Description Breed. Colour Age. Identification marks.	Whereas it has been made to appear to me that you keep the bull described in the margin, Now, therefore, in exercise of the powers conferred by section 7 of the Kerala Livestock Improvement Act, 1961 (Act 17 of 1961), I hereby require you to submit it for inspection by.....me/deputed by me between the hours of for the purpose on the day of 19..... at*..... Village Taluk District, and to render all reasonable assistance in connection with such inspection to..... me..... the Officer deputed.
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Dated this..... day of.....

Licensing Officer.

(Seal)

*The place where the bull is kept for the time being or any other reasonable place should be specified.

FORM V

(See rule 15)

Order under Section 8(1) of the Kerala Livestock
Improvement Act, 1961.

To

Description. Breed. Colour. Age. Identification marks.	Whereas it has been made to appear to me that you keep the bull described in the margin which, in my opinion, has attained the prescribed age, and in respect of which no licence is for the time being in force under the Act Now therefore, in exercise of the powers conferred by sub-section (1) of Section 8 of the Act, I hereby require you to have the said bull castrated within one month from the date of the service of this order by the method and in the manner described below :— Method—Closed method of castration using Bardizzo Castrator.
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Manner—Your attention is drawn to section 11 of the Act, under which a person who neglects or fails to comply with an order served under Section 8 is punishable with fine which may extend to Twenty-five rupees and in the case of a second or any subsequent offence with fine which may extend to Fifty rupees.

Dated this.....day of.....

Licensing Officer.

(Seal)

FORM VI

(See rule 16)

Direction under Section 12 (1) of the Kerala Livestock Improvement Act, 1961.

To

Description	Whereas it has been made to
Breed	appear to me that you keep the
Colour	bull described in the margin
Age	and
Identification marks	

Name.

that you have neglected or failed to submit it for inspection as required in my order under Section 7 of the Act

that you have neglected or failed to have it castrated as required in my order under Section 8 of the Act

Omit clause not required.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 12 of the Act, I hereby direct that the said bull shall be castrated by the method and in the manner described below and marked with the prescribed mark in the prescribed manner.

Method—Closed method of Castration using Burdizzo castrator and branding with hot iron or chemical.

Manner—Branding with the letter 'C' not smaller than 1½ inches by 1½ inches in size over the left side of the middle of the neck towards its upper border or tattooed in the inner side of the left ear with the same mark not less than ½ inch by ½ inch in size.

Dated this.....day of.....

Licensing Officer.

(Seal)

FORM VII
(See rule 16)

Direction under section 12 (2) (a) of the Kerala Livestock Improvement Act, 1961.

Description.	Whereas I am of the opinion that the bull described in the margin and seized under section 12 (2) (a) of the Act has attained the prescribed age, and is unsuitable for breeding purposes on the following ground(s) namely:—
Breed.	
Colour.	
Age.	
Identification marks.	

The bull is defective or inferior conformation and is likely to beget defective or inferior progeny; or
 the bull is suffering from an incurable contagious or infectious disease or from any other disease rendering it unsuitable for breeding purposes; or
 the bull is a breed which it is undesirable to propagate in the District or in the part of the District in which it is kept.

Now, therefore, in exercise of the powers conferred by section 12 (2) (a) of the Act, I hereby direct that the said bull shall be castrated by the method and in the manner described below and marked with the prescribed marks.

Method & Manner.— Closed method of castration using Burdizzo castrator and branding with hot iron or chemical branding with the letter 'C' not smaller than 1½ inches by 1½ inches in size on the left side of the middle of the neck towards its upper border or tattooed in the inner side of the left ear with the same mark not less than ½ inch by ½ inch in size.

Dated this.....day of.....

(Seal)

Licensing Officer.

FORM VIII
(See rule 26)

Notice of entry into premises under section 13 (c) of the Kerala Livestock Improvement Act, 1961.

To

Whereas I have reason to believe that you have kept on your premises/places a bull/bulls I hereby give you notice that I shall enter your premises/place on.....between.....for the purpose of inspecting the said bull / bulls you are hereby warned to keep the bull/bulls on the sforesaid date in the premises/place until it is/they are inspected by me.

Dated this.....day of.....

(Seal)

Licensing Officer.