

GUJARAT LIVE STOCK IMPROVEMENT RULES, 1989

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GUJARAT LIVE STOCK IMPROVEMENT RULES, 1989

WHEREAS draft rules viz. the Gujarat LivestockImprovement Rules, 1988 were published as required by sub-section (3) of section 22 of the Gujarat Livestock Improvement Act, 1980 (Gujarat 25 of 1980), under Government Notification, Agriculture and Rural Development Department No. GHKH/1/88/LVS/1069-75031/P.(i), dated the 18th February, 1988 at pages 29-1 to 29-14 of the Government of Gujarat Gazette, Extraordinary, Part IV-B, dated, 20th February, 1988 inviting objections and suggestions from all the persons likely to be affected thereby till 21st March, 1988: AND WHEREAS no objections or suggestions were received by the Government from any person on the said draft; NOW THEREFORE, in exercise of the powers conferred by sub-section (1)

and (2) of section 22 of the Gujarat Livestock Improvement Act, 1980, the Government of Gujarat hereby makes the following rules, namely:-

1. Short title :-

These rules may be called the Gujarat Livestock Improvement Rules, 1989.

2. Definitions :-

In these rules, unless the context otherwise requires,

- (a) "the Act" means the Gujarat Livestock Improvement Act, 1980:
- (b) "castration" means the procedure for abolishing the breeding ability of the bull and the words "castrated" and "to castrate" shall be construed accordingly;
- (c) "Form" means a Form appended to these rules:
- (d) "Local authority" in the case of a village means,-
 - (i) where such village is included in a gram or nagar under the Gujarat Panchayat Act, 1961, the gram panchayat or, as the case may be, the nagar panchayat of such gram or nagar:
 - (ii) where such village is included in a municipal borough under the Gujarat Municipalities Act, 1963 , the municipality of such municipal borough:
 - (iii) where such village is included in a City under the Bombay Provincial Municipal Corporations Act, 1940, the Municipal Corporation of such city:
- (e) "Section" means a section of the Act:
- (f) words and expressions used in these rules but not defined shall have the meanings assigned to them in the Act.

3. Age limit of bull :-

For the purpose of Section 4 , the age of the bull shall be-

- (a) two years in the case of a bull of indigenous breed: and
- (b) one and half year in the case of a bull of exotic or cross- breed.

4. Application for license :-

A person who desires to keep a bull after it has attained the age specified in rule 3 shall, three months before the bull attains the said age, make an application in Form "A" to the livestock officer

for the grant of a license in respect of such bull. The application shall state the place where such bull is kept, the name and address of the person, if any, having custody of the bull and the marks, colour, height and other particulars of identification of such bull.

5. Inspection of bull before grant of license :-

On receipt of the application under rule 4, the livestock officer shall, before granting the license, inspect the bull as to its age and to ascertain whether the bull is suffering from any defect or is affected with any disease or is of quality, standard or breed as specified in sub-section (1) of Section 6 :

Provided that where the livestock officer is not a qualified veterinary officer, he may cause the bull to be inspected by a qualified veterinary officer.

6. Grant of license :-

If, on inspection under Rule 5, the livestock officer is satisfied that the bull is not suffering from any defect or is not affected with any disease or is of quality, standard or breed as specified in sub-section (1) of Section 6 , the livestock officer may grant a license in form 'B'.

7. Period of license :-

The period for which a license may be granted under section 5, shall-

- (a) in the case of bull of indigenous breed, be three years:
- (b) in the case of a bull of exotic or cross-breed, be two years.

8. License fee :-

(1) The fee for grant of a license under Section 5 , shall:-

- (a) in the case of a bull of indigenous breed, be fifteen rupees:
- (b) in the case of a bull of exotic or cross-breed, be ten rupees.

(2) Such fee shall be payable alongwith the application for license made under rule 4:

Provided that in the case of refusal to grant the license under section 6 the fee so paid shall be refunded to the applicant.

9. Quality, Standard or breed of bull :-

For the purpose of clause (d) of sub-section (1) of Section 6, the quality, standard or breed of a bull shall be that of the cow of

which the bull is a progeny and the breed of which is specified in column 2 of the following Table and the milkyield. of which per day or per lactation period of 305 days is not less than that specified against each such breed in Columns 3 and 4 thereof respectively.

10. Different quality, standard or breed of bull for different areas of State :-

For the purpose of the proviso to clause (d) of sub-section

(1) of Section 6 in the areas specified in column 2 of the following Table, the quality, standard or breed of bull shall be as specified in column 3 of the said Table:

TABLE

Provided that the area wise specification of a bull as aforesaid shall not apply in the case of a bull kept by,

(i) a Maldhari or any person migrating the livestock from one place to another,

(ii) a Panjrapole or a Gaushala:

(iii) a cattle breeding institution set-up, or approved by the State Government, or

(iv) a University established by law. in the State.

11. Form of notice under section 6(4) :-

A notice under sub-section (4) of Section 6 shall be in Form 'C' .

12. Issue of duplicate licence :-

(1) When the Livestock officer is satisfied, on an application made by a holder of the licence in Form 'D'. that the licence granted to the said holder has been lost or destroyed live stock officer may issue to such holder a duplicate licence.

(2) The provisions of RULE 5, RULE 6, RULE 7 and RULE 8 shall apply to the issue of the duplicate licence as if it were the original licence granted under RULE 6.

13. Renewal of licence :-

Before the period of a licence in respect of a bull expires the holder of such licence shall apply to the livestock officer for the renewal thereof. The provision of RULE 5, RULE 6, RULE 7 and RULE 8 shall apply to the renewal of licence as they apply to the Grant of licence under the Act.

14. Transfer of licence :-

The holder of the licence may with the previous consent in writing of the livestock officer transfer the -licence to any person who shall have become the keeper of the bull. On such transfer the livestock officer shall make an endorsement station the name of the person to whom the licence is transferred and the date upto which the said licence shall be in force.

15. Form of notice of castration :-

The notice of castration of a bull under section 10 shall be given in Form 'E'.

16. Manner or castration of bull :-

(1) For the purposes of clause (b) of section 8, sub-section (1) of Section 10 and sub-sections (1) and (2) of Section 15 a bull shall be castrated free of charge by a livestock officer in such a manner as to abolish its sexual vide our effectively.

(2) If the livestock officer not being a qualified veterinary officer is not satisfied with the castration of the bull, he may cause the castration to be performed by a qualified Veterinary Officer free of charge.

17. Manner of inquiry under section 15 :-

Where a bull is to be seized under sub-section (2) of Section 15 but the person in whose ownership possession or custody the bull is not known or cannot be ascertained the livestock officer shall cause an inquiry to be made as to the ownership, possession or custody of the bull by a local authority within the local jurisdiction of which the bull is found.

18. Costs, charges and expenses for maintenance of bull seized :-

Costs, charges and expenses for the maintenance of a bull seized under sub-section (2) of Section 15 ,

(i) if not sold by public auction, or

(ii) if sent to a panjrapole shall be-

(a) the actual cost of green or dry fodder and balanced cattle feed of the quantity in weight equivalent to 2.5 per cent dry matter of the bull's approximate body weight, or

(b) the prevalent market price of the aforesaid quantity in weight

of or dry fodder and balanced cattle feed with which the bull shall be feed with which the bull shall be fed daily during the period of seizure and

(c) the shelter charges and attendance charges prescribed by such local authority.

19. Costs, charges and expenses incurred for maintenance and sale of bull seized :-

(1) Costs, charges and expenses incurred for the maintenance a of a bull seized under sub-section (2) of Section 15 , if sold by the public auction, shall be the same as determined under rule 17.

(2) Costs, charges and expenses incurred for the sale of a bull seized under sub-section (2) of Section 15 , if sold by public auction, shall be the actual expenses incurred in connection with the holding of public auction for sale of the bull.

20. Marking of bull :-

The bull shall be marked by a metal ear-tag available with the livestock officer, the tag shall be fixed on the left ear of the bull.

21. Manner of entry in premises, etc :-

The power to enter any premises or other place under clause (c) of Section 16 may be exercised at all reasonable times during day between 7.00 A.M. to 7.00 P.M.:

Provided that before entering any such premises or place the livestock officer shall give to the owner or occupier thereof a notice in Form "f.

22. Repeal and Saving :-

The Bombay Livestock Improvement Rules, 1935 are hereby repealed:

Provided that anything done or any action taken under the provisions so repealed shall, in so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules and shall continue in force until superseded by anything done or any action taken under the Act or these rules.