

ANDAMAN AND NICOBAR ISLANDS LIVE-STOCK IMPROVEMENT REGULATION 1955

*ndaman and 03aztftt EXTRAORDINARY. PUBLISHED BY AUTHORITY No. 1, PORT BLAIR, TUESDAY, JANUARY 31, 1956. OFFICE OF TTIE CTIfEE COMMISSIONER, AND NICOBAR ISLASI)S. NO'TI F Port D/air, the 80th January 7956. No. 13/56.—The rollmving Regulation promulgated Ly the President under clause (2) of article 24,3 or tho Constitution and published in the Gazette of India, Extraordinary, Part T I—Section 1, tlated the 30th Decem- her 195.3, is h ereb.v yeptlblisljed for general informo:ntion TJIE 1ST, LIVESTOCK IMPROVEMENT 19.33 No. of PE)5.3 101'01nnlghte(1 l).v the President in the Sixth of the Republic of Til(lia. A Regulation to provide for the ilnprovement[of live-stock in the A exercise oc the powers eon fort•cd by clause, (2) of article 21-3 of the Constitution, the President is pleased to promulgate the following Regulation made by Ilim l. (I) This Regulation may be called the Andaman and Nicobar Islands Live-stock Improverment Remifnti0V2. ! 055 (2) It extends to the whole of the Andaman and Nicobar Islands. S h ort title, extent and com me nce- ment. litions. point - Live- icer. lls which ve ained e t obe ensed. efusa' and 'vocation of cences. Surrender of licence. (3) It shall come into force at once in the Andaman Islands; and the Chief Commissioner mây, by notification in the O!ficial Gazette, apply all or any of its provisions to any other area in the Andaman and Nicobar Islands from such date as may be specified in the notification. 2, In this Regulation, unless the context otherwise requires,— (a) "bull" includes a buffalo-bull ; (b) "Chief Commissioner" means the Chief Commis- sioner of the Andaman and Nicobar Islands ; • (c) ' 'cow" includes a buffalo-cow and a heifer ; (d) "licence" means a licence granted under section 4 ; (e) ' 'Live-stock Officer" means. the person on whom the powers or duties of the Live-stock Officer under this Regulation are conferred or imposed under section 3 ; (f) "prescribed"! ,means prescribed by rules made under this Regulation ; (h) a person is said to ' 'keep a bull" if he owns the bull or has the bull in his possession or custody; and (i) a bull is said to be "'castrated" if it is rendered incap- able of propagating-its species

3. The Chief Commissioner may, by general or special order, confer or impose on any person all or any of the powers or duties of the Live-stock Officer under this Regulation.

4. (1) No person shall keep a ull which has attained the except under and in accor ance with the terms, conditions and restrictions of a licence granted under this section, unless it is certified by the Live-stock Officer that the bull has been effectively castrated by a method and jn a manner approved by him. a person keeps tmore than one bull, he shall obtain veparate licence in respect of each bull. (2) Every licence under this section shall be granted by the Live-stock Officer and it shall be in such form, for such period, and subject td such terms, conditions and restrictions as may be prescribed. (3) No fee shall be charged for the grant of the licence. 5. (1) Subject to such rules as may be made in this behalf, the Live-stock Officer may refuse to grant or may revoke a licence in respect of any bull, if in his opinion the bull appears to be— (a) of defective or inferior conformation and consequently likely to beget defective or inferior progeny, or (b) suffering from an incurable contagious or irifectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or (c) of a breed which it is undesirable to propagate. (2) The Live-stock Officer may also revoke a licence granted in respect of any bull, if in his opinion— (a) the licence was granted under circumstances of which he was not aware at the time of granting the licence, or (b) there has been a breach of any of the terms, condi- tions or restrictions of the licence. (3) Before a licence is revokedcl under this section, the Live-stock Officer shall give notice thereof to the person keeping the bull or to the person stated in the licence to be the owner of the bull, and such notice shall set out the ground for the revocation

6. A licence granted in respect of a bull shall be surrendered without delay to the Live-stock Officer, if—(a) the period specified in the licence expires, or (b) the licence is revoked under this Regulation, or 1

7. The Live-stock Officer may by order require any person Ins pection of bulls. keeping a bull to submit it for inspection by himself or by any officer or person deputed by him for the purpose, at any reasonable time, either at the place where the bull is keÉt for the time being or at any other reasonable place specified in the order, and thereupon it shall be the duty of the •person keeping the bull to submit it for inspection accordingly, and render all I reasonable assistance in connection with such inspection to the Live-stock Officer or the officer or person so deputed, as the case may be. 8. (1) The Live-stock.Officer may, by order, require any person keeping a'bull which in his opinion has attained and respect of which no licence is for

the time being in force under this Regulation to have it castrated within • one month from the date of the service of the order, by a method and in a manner approved by the Live-stock Officer and specified in the order. (2) Such castration shall be performed or caused to be performed by the Live-stock Officer free of charge, unless the owner or other person keeping the bull desires to make his own arrangements for complying with the order

9. If any notice or order is served under section 5, section 7 or section 8 on any person keeping a bull who is not the owner of the bull, it shall be the duty of that person forthwith to take all reasonable steps to inform the owner of the contents of such notice or order, and if he fails to do so, he shall be liable to indemnify the owner against any loss which the owner may sustain by reason of such failure. It shall be the duty of any person who for the time being keeps a bull in respect of which a licence has been obtained and is in force, to produce such licence,— (G) a reasonable time, not any where the bull is at the time being, c.; demand made by the Live-stock Officer (Nicer 110, below : the order of the Department of Agriculture and Revenue. The other officer as act be. i 'W the L*hsildar cut} E/Edised in behalf by the Chief Commissioner by general special order, or (b) before the cow is visited by the bull, on demand by the Live-stock Officer in charge of the cow. | 1.. V'ircever— contentment T'egulation or of . Cider (.12' under, out of the [L tins, a licence, or cc;v- or neAects or 'o submit bull inspection when required to do so under 7, or (4) Jrglects or fails to comply with an order served under 4 Power to order castration of bulls. Duty to inform owner of contents of notice or order of castration. Production of licence. Penalties. section 8, or (u) neglects or to produce a licence when 'required to do so under section 10, shall be punishable with fine which may extend to fifty rupees, and in the case of a second or any subsequent offence with fine which extend to one hundred rupees. When a person a bull neglects or fails to submit it for inspection, when to do so under section 7, or to have it castrated, when require" 'o so under section 8, the Live-stock Officer may direct that the bull be castrated by a method in a manner approved by and marked with a prescribed mark in the prescribed place of charge. (?) it is not known % whose ownership, possession or custody of bull is for the time being the fact cannot be ascertained after an inquiry in the prescribed manner, the Live-stock Officer may seize the bull or cause it to be seized and, if he is of opinion that the bull has retained sufficient breeding purposes any of the section (i) of % . he may direct ; the bull shall be a Power of Live-stock Officer to inspect or mark bulls and to enter premises. Duty of officers to report offences, etc. Cognizance of offences. Officers to be public servants. Bar of certain proceedings. Limitation for certain suits and prosecutions. (3) Every bull seized under sub-section (2) shall, after it has been castrated and marked as aforesaid Where necessary, be sold by public auction or sent to a pinjrapol or infirmary recognised by the Chief Commissioner in this behalf. (4) If the owner of any bull seized under sub-section (2) appears before the Live-stock Officer within such time as may be prescribed for the purpose and proves to the satisfaction of the Live-stock Officer that the bull is owned by him— (i) in case the bull has been sold by public auction, the proceeds of such sale shall be paid to the owner after deducting therefrom the costs, charges and expenses incurred for the maintenance and sale of the bull; and (ii) in any other case, the bull shall be delivered to the owner on payment of the costs, charges and expenses incurred for its maintenance. (5) The amount of such costs, charges and expenses shall be determined in accordance with the prescribed scale

13. For the purposes of this Regulation, the Live-stock Officer: or any officer or person authorised by him in this behalf shall have power at all reasonable times—(a) to inspect any bull ; (b) to mark any bull with a prescribed mark in the prescribed manner; and (c) subject to such conditions and restrictions, if any, as may be prescribed, to enter any premises or other place where he has reason to believe that a bull is kept

14. It shall be the duty of all village officers and servants and of all officers of the Veterinary, Agriculture and Revenue Departments—(a) to give immediate information to the Live-stock Officer of the commission of any offence or of the intention or preparation to commit any offence punishable under this Regulation, which may come to their knowledge ; (b) to take all reasonable measures in their power to prevent the commission of any such offence which they may know or have reason to believe is about or likely to be committed ; and (c) to assist the Live-stock Officer in carrying out the provisions of this Regulation

15. No magistrate of the third class shall try any offence punishable under this Regulation, unless he is specially empowered by the Chief Commissioner in this behalf

16. The Live-stock Officer, all persons and officers authorised by him under this Regulation and all village officers and servants while discharging their functions under this Regulation, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

17. (1) No suit, prosecution or other proceeding shall lie against any officer or servant of the Government for any act done or purporting to be done under this Regulation, without the previous sanction of the Chief Commissioner. (2) No officer or servant of the Government shall be liable in respect of any such act in any civil or criminal proceeding, if the act was done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Regulation

18. Notwithstanding anything contained in any other law for the time being in force, no suit shall be instituted against the Government and no suit, prosecution or other proceeding shall be instituted against any officer or servant of the Government in respect of any act done or purporting to be done under this Regulation, unless the suit, prosecution or other proceeding is instituted within six months from the date of the act complained of. ANDAMAN NICOBAR GAZETTE, EXTRAORDINARY, JAN., 31, himself as to the legality or propriety of such order or as to the regularity of such proceedings, and may pass such order in reference thereto as he thinks fit. (2) Nothing contained in this section shall apply to the orders or proceedings of any Court or Magistrate. 1956. 5 20. (1) The Chief Commissioner may, subject to the condition of previous publication, by notification in the Official Gazette, make rules to carry out the purposes of this Regulation. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for— (a) all matters expressly required or allowed by this Regulation to be prescribed; (b) the circumstances in which duplicates of licences may be granted, the fees which may be charged for the grant of such duplicates, and the conditions, restrictions and limitations subject to which they may be granted; (c) the powers to be exercised and the duties to be performed by officers appointed under this Regulation and the procedure to be followed by such officers; and (d) the service of notices and orders issued under this Regulation. (3) In making a rule under sub-section (1) or sub-section (2), the Chief Commissioner may provide that a person guilty of a breach thereof shall be punishable with fine which may extend to fifty rupees

21. The Chief Commissioner may, by order in writing, exempt from the provisions of this Regulation any building dedicated to a religious purpose in accordance with any religious usage or custom, if— (a) immediately before such dedication notice has been given in the prescribed manner to the Live-stock Officer, or (b) where no such notice has been given, the Chief Commissioner is satisfied that such dedication has been made in good faith. Sd/- RAM SARAN, Assistant Secretary (Judicial) to the Chief Commissioner, Andaman and Nicobar Islands. The Andaman and Nicobar Islands Administration, Port Blair, the 8th December 1960/ 17th December 1960. EXTRAORDINARY PUBLISHED BY AUTHORITY No. 2 PORT BLAIR, THURSDAY, DEC. 8, 1960. IAGRAHAYANA 17, 1960. ANDAMAN AND NICOBAR ADMINISTRATION, CHIEF COMMISSIONER'S SECRETARIAT. NOTIFICATION. Port Blair, the 8th December 1960/ 17th December 1960. No. 281/13-79/60-J.—The following Regulation promulgated by the President is for general information. By order, (B. B. SRIVASTAVA) Assistant Secretary to the Chief Commissioner. THE ANDAMAN AND NICOBAR ISLANDS LIVE-STOCK IMPROVEMENT (AMENDMENT) REGULATION, 1960 No. 4 or 1960 Promulgated by the President in the Eleventh Year of the Republic of India. to amend the Andaman and Nicobar Islands Live-stock Improvement Regulation, 1955. exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him. It may be called the Andaman and Nicobar Islands Live-stock Improvement (Amendment) Regulation, 1960. (2) It shall come into force at once

2. In the Andaman and Nicobar Islands Live-stock Improvement Regulation, 1955.— (i) clause (g) of section 2 shall be omitted; and age " wherever they (ii) for the words '6 s occur the words, 'c prescri age " shall be substituted. RAJENDRA PRASAD, President. R. C. S. SARKAR, secy. PRICE : SEVENTY-TIVE PAIU title and commencement. Amendment 01 Regulation 5 1955.