

ODISHA CATTLE AND POULTRY FEED (REGULATION) ACT, 1978

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 <ORISSA CATTLE AND POULTRY FEED (REGULATION) ACT, 1979 [Received the assent of the Governor on the 30th March 1979, first published in an Extraordinary issue of the Orissa Gazette, dated the 3rd April, 1979.] AN ACT TO PROVIDE FOR THE REGULATION OF CATTLE AND POULTRY FEED IN THE STATE OF ORISSA Enacted by the Legislature of the State of Orissa, the Republic of India, I. This Act may be called the Orissa Cattle and Poultry Feed (Regulation) Act, 1979. Commencement. (2) It extends to the whole of the State of Orissa. (3) It shall come into force on such date as the State Government may, by notification, appoint in that behalf.

2. In this Act, unless the context otherwise requires—means, form specified : in (b) "licensee" means a person to whom a licence has been granted for manufacturing or processing premixed cattle feed or premixed poultry feed; (c); "licensing authority"—appointed by the State Government, by notification, to exercise the powers and perform the functions of a licensing authority under the rules made under this Act; (d) "feed" means any of the following articles, namely:— (i) ready-made mixed in the form of pellets, or meals used for feeding cattle or poultry; For Statement of Objects and Reasons, see Orissa Extraordinary dated the 13th February 1979 040. 163)

2. Commencement with effect from the 31st November 1979, Vide Notification No. 12998-F. A. dated the 27th 11 Licence to be TEE ORISSA CATTLE AND POULTRY FEED (Secs. 3-6) for feeding bulls, cows, heifers, calves or dry cattle including special feeds for milch cows and bulls; (it) concentrates with the addition of prescribed quantities of locally available ingredients, such as, Cereals and their by-products; (e) "pre-mixed poultry feed" means any of the following articles, namely (i) ready-made mixed feed in the form of pellets, crumps or meals used for feeding fowls, ducks, geese, turkey or peahens including feeds for chicks and laying birds; (ii) concentrates with the addition of prescribed quantities of locally available ingredients; (f) "prescribed" means prescribed by rules made under this Act

3. Pre-mixed cattle feed or pre-mixed poultry feed shall not be manufactured or processed for manufacture of feed. Licensing authority. purposes of sale by any person without a licence from the licensing authority

4. The State Government may, by notification, appoint such number of officers as it thinks necessary, to be licensing authorities for the purposes of this Act having such local jurisdiction as may be specified in the notification. S. (1) Every person desiring to obtain a licence under this Act shall make an application in duplicate for licence to the licensing authority in Form 'A'. (2) Every application made under sub-section (1) shall be accompanied by the fee specified in section 6. (1) The licence fee shall be sixty rupees payable along with the application for the grant or renewal of a licence. (2) Where an application for the grant or renewal of a licence is rejected, the licence fee paid by the applicant shall be refunded. (REGULATION) ACT, 1979 (Sec. 7) 7. (1) The licensing authority may refuse to grant a licence to any applicant if: (a) the application is defective in any respect; (b) the licence fee has not been paid; (c) the applicant does not undertake to conform with the provisions of this Act; (d) the applicant is not solvent; (e) at any time this licence was cancelled; or (f) the applicant does not have the prescribed machinery. (2) The licensing authority may refuse to renew a licence if,— (a) the quality of feed manufactured or processed by the licensee has, at any time, been found to be not in conformity with the prescribed standard; (b) the feed manufactured or processed by the licensee has, at any time, been found to have been adulterated; (c) the licensee has been irregular in manufacturing or processing feed; or (d) due to consumption of the feed manufactured or processed by the licensee, any cattle or poultry is found to have been subjected to toxæmia or any other poisonous effect. (3) The licensing authority, when it refuses to grant or renew a licence, shall specify the reasons for such refusal and communicate the order to the applicant. (4) Where an application for a licence is not rejected under sub-section (1), the licensing authority shall grant the applicant a licence in Form 'B': Provided that where the licensing authority does not communicate to the applicant his order either granting or renewing or refusing to grant or renew the

licence, Within a period , of four months of receiving the application, it, shall be deemed that the licence has been granted. 914 Period of Validity of Renewal of licence. Conditions regarding THE ORISSA CATTLE AND POULTRY FEED (secs. 8—11) [Or. Act 8. A licence granted under section 7 shall be valid for a period of one year from the date on which it is granted. 9. (1) A licensee desiring to renew the licence, shall, before the date of expiry of the licence, make an application for renewal in duplicate to the licensing authority in Form 'C' together with the fees specified in section 6. (2) On receipt of such application together with the fee, the licensing authority may, unless it refuses to renew the licence, renew the same for a period of one year. (3) Where an application for renewal of a licence is duly made within the time specified in sub-section (1), the licence shall continue to be effective till the date of passing of an order by the licensing authority on the application for renewal. 10. (1) The standard of feed manufactured or manufacture processed by a licensee shall be, as may be prescribed of feed. and every licensee shall be bound to adhere to the prescribed standard. (2) No licensee shall manufacture any type of feed mentioned in Schedule I unless it conforms to the proscribed standard. (3) The feed manufactured or processed by a licensee shall be tested in the prescribed manner. (1) Every licensee and every other person Require- agents for acting on behalf of the licensee for the time being pack"ng, shall, in regard. to the packing, marketing and labelling- marketing and ing of the containers of pre-mixed cattle feed or pre-mixed poultry feed, comply with the following requirements, namely :— (a) every container in which -any such feed is packed shall bear the number of the licence and such labels or marks as may, from time to time, be approved by the licensing authority for different categories of feed ; (b) each container in which such feed is packed shall specify a code number indicating the lot and the date of manufacture of the feed ; (e) the labels or marks shall not contain any statement, claim, design or device which is false or misleading in any particular [ID of 1979] (REGULATION) ACT, 1979 (secs. 12—15) concerning the feed contained in the container or concerning the quantity or value of the feed or in relation to the place of origin of the content. 915 (2) Without prejudice to the provisions of sub-section (1) the licensing authority, may, by order published in the official gazette, specify the requirements with regard to packing and marking of containers of cattle feed or poultry feed of any specified type or description and every licensee and every other person for the time being acting on behalf of the licensee shall comply with such requirements

- 12. Every licensee shall, as soon as possible after Submission of returns.**the end of every year or on or before such date as the licensing authority may, by order, specify in this behalf, submit to the said authority a return in duplicate in the prescribed



form in respect of each class of feed manufactured or processed by him during that year. Cancellation 13. (1) The licensing authority may, after giving suspension the licensee an opportunity of being heard, cancel or of suspend the licence on all or any of the following grounds, namely :— (a) that the licence had been obtained by mis. representation as to material particulars; (b) that any of the provisions of this Act or any condition of the licence has been contravened. (2) Every order made under this section shall be communicated by the licensing authority to the licensee

14. Any person aggrieved by an order—(a) refusing to grant or renew a licence; or Appeal (b) cancelling or suspending a licence, may, within sixty days from the date of notification of the order, prefer an appeal to the Secretary to the State Government in the Animal Husbandry Department whose decision thereon shall be final

15. No person shall sell or expose for sale Regulation of sale of or despatch or deliver to any agent or broker for the purpose of sale any pre-mixed cattle feed or pre-mixed poultry feed -which is not in 916 Power of licensing authority. THE ORISSA CATTLE AND POULTRY FEED (sec. 16) [Or. Act conformity with the provisions of section 10 or the container of which is not packed and marked in the manner laid down in section 11. 16. (1) The licensing authority or any officer authorised by him in this behalf may, with a view to securing compliance with the provisions of this Act,— (a) require any person. to give any information in his possession with respect to the manufacture or disposal of any cattle feed or poultry feed manufactured or processed or sold by him ; (b) upon, and inspect any premises where any cattle feed or poultry feed is manufactured or processed or is stocked or exhibited for sale, at any time during business hours with a view to satisfying it or himself that provisions of this Act are being complied with ; on, giving a proper receipt, seize or detain any cattle feed or poultry feed manufactured, processed, marked or labelled otherwise than in accordance with the provisions of this Act or suspected to be manufactured, processed, marked, packed or labelled in contravention of the said provisions; seize or detain on giving a proper receipt, any raw materials, documents, account books or other relevant evidence connected with the manufacture, processing or sale of cattle feed or poultry feed in respect of which he has reasons to believe that a contravention of this Act has been committed ; (c) inspect any books or other documents relating to the manufacture, processing or sale of cattle feed or poultry feed ; (f) collect; on payment of the price thereof, samples of cattle feed or poultry feed intended or exposed for sale or under despatch or delivered to any dealer, agent or broker for the purpose of sale and have such samples analysed at a laboratory selected for the purpose by the licensing authority; or. of 1979] (REGULATION) Act, 1979 (Secs. 17—20) 917 (g) collect free of charge from any person manufacturing or processing cattle feed or poultry feed, on giving a proper receipt, samples of any such feed or any ingredients used in the processing of such feed in respect of which he has reasons to believe that any of the provisions of this Act has been contravened ; (h) by an order in writing, impose temporary ban on manufacture or processing or sale of any cattle feed or poultry feed in respect of which he has reasons to believe that any of the provisions of this Act has been contravened. (2) The ban imposed under sub-section (1) shall remain in force for a period of three months or till the matter is finalised after enquiry, whichever is earlier. (3) Every person, if so required by the licensing authority or the officer referred to in sub-section (1), shall be bound to afford all necessary facilities to the licensing authority or such officer for the purpose of enabling the licensing authority or such officer to exercise the powers under sub-section (1). The licensing authority may, by order in writing, direct any dealer in cattle feed or Poultry feed to maintain such books account and records relating to his business and in such form as may be prescribed. Every person to whom any direction or Compliance with the order is issued by the licensing authority in pursuance of any of the provisions of this Act, shall and orders of a licensing authority be bound to comply with such direction or order, and any failure on the part of such person to comply with such direction or order shall be deemed to be a contravention of this Act

19. Nothing in this Act shall apply to any cattle Exemption feed or poultry feed manufactured or processed by a person for the exclusive use in his own farm. 20: The State Government may make rules for power to carrying out all or any of the purposes of this Act. make rules. (2) In particular and without prejudice to the generality of the foregoing powers they may make rules respect of all matters expressly required or allowed by this Act: to be prescribed. 918 THE ORISSA CATTLE AND POULTRY FEED SCHEDULE 1 (See Section 10) or. Act Types of feed— I. Starting cattle/poultry feed 2. Growing

cattle/poultry feed 3. Laying cattle/poultry feed SCHEDULE 11 FORM "A" (See Section 5) Application for licence under the Orissa Cattle and Poultry Feed Regulation) Act, 1979. I. 2. 3. 4, 5. 6. 7

8. Name and address of the applicant Address of the factory Description of the cattle/poultry feed which • the applicant wishes to manufacture or process. Plan of the factory and list of equipment Whether any power is used in the manufacture of feed. If so, state the exact horse Power of the machine used. Total quantity and value of cattle/poultry feed if any, manufactured during the previous year. I/we hereby undertake to comply with all the provisions of the Orissa Cattle and Poultry Feed (Regulation) Act, 1979 and the rules made thereunder and the conditions of licence. I/we have forwarded a sum of Rs. , in respect of the licence fee. Signature (s) of the Applicant (s) FORM "B" (See Section 7) Government of.... . licence under the Orissa Cattle and Poultry Feed (Regulation) Act, 1979. I. 2

3. Licence No.. Name and address of the licensee Address, of the authorised premises for manufacture/processing Change of premises, if any This licensee is granted under the provisions of the Orissa Cattle and Poultry Feed (Regulation) Act, 1979 for manufacture/processing of cattle/poultry feed. 10 of 1979] on the .day of.. 19. to be renewed. (REGULATION) ACT, 1979 (Sch.—contd.) 919 Place Date Period of validity (1) Licensing authority VALIDATION AND RENEWAL Description or category of cattle/poultry feed authorised to manufacture or processes (2) Rate of licence fee (3) Licence fee paid (4) Signature of licensing authority (5) Terms and conditions of licence:— 1. This licence shall be displayed in a prominent and conspicuous place in a part of the business premises open to the public

2. The licensee shall comply with the provisions of the Orissa Cattle and Poultry Feed (Regulation) Act, 1979 and the rules and orders made thereunder

3. The licence shall come into force immediately and be valid for a period of one year from the date on which it is granted, unless sooner cancelled or suspended

4. The licensee shall, from time to time, report to the licensing authority any change in the premises of his business of manufacturing or processing the feed. FORM "C" (See Section 9) Application for renewal of licence under the Orissa Cattle and Poultry Feed (Regulation) Act, 1979. To The Licensing Authority State of I/we hereby apply for renewal of the licence to carry on the business of manufacturing/processing cattle/poultry feed under the name and style of The licensee desires the licence granted by the licensing authority for the State of... and allotted licence No.. The requisite fee for - renewal of licence is deposited herewith, Signature (s) of the Applicant (s)