

WEST BENGAL CATTLE LICENSING RULES, 1985



29 Extraordinary Published by Authority FRIDAY, SEPTEMBER 20, 1935 (19) SAKA 1007 *PART
Is—Orders and Notifications by the Governor of West Bengal, the liigh (lourc. Government Treasury, etc.
GOVERNMENT OF WEST BENGAL DEPARTMENT OF ANIMAL IIUSBANDRY AND
'VETERINARY SERVICES Milk NOTIFICA ION 'No. 34 September exercise of the power confvu•red
'oy qi) of section i 3 of (he West Bengal Cattle }uicnqing (VVest: Beit: Act I of 1959), and in
supersession of Che rules published under notification. No. dated 11th May 1960, the Governor is pleased
hereby to make tlle following rules : Rules I. Short title.—These rules may be called the West Bengal
Cattle ing Rules, 1985. 2. these rules, unless there is anything repugnant to the subject or context, (a) "The
Act" means the M/est Bengal Cattle Licensing Act, 1959 • (b) "Form" -means a form appended to these
rules ; (c) "Identification mark"* means tattoo No. and/or brand or ot mark of pennanent nature .tnade
under theg,e rules on the. body a cattle (d) 'f Inspector" tll[it designation (e) icense,s• for to appointed by
the State of t bese tul acenc.e CALCUTTA EXTRAOR Issue of licence. -r I) Any person intending to have
a Class A or a 3, Class B or a Class C licence shall apply tho Licensing Authority in Forjll I along with a
fee of Rs. IO only per head of cattle for the grant of a Class A or a Class El licence and a fee of head of
cattle for the grant of a Class—C -licen-ce. --Nö feGhäll, however, be paya le for calves-GTÖw covered
by the licence. (2) 'J'he nature and type of shed to be provided for keeping cattle under a licence -shall be
as specified in Appendix I. (3) The Licensing Authority shall on receipt of such application and fee,
scrutinise the particulars of the application and may, if- necessary, inspect or cause to be inspected any
shed provided for keeping the cattle to find out whether such shed conforms to the specifications in
Appendix I. (4) After such scrutiny, and after such inspection (if if the Licensing Authority is satisfied that
the shed provided for keeping the cattle conforms to the specifications in Appendix I and of the licence,
the Ific.gnsmsg Authority—Gll direct the applicant in writing to produce the cattle for identification _mavks
*being made on theif -bodies, öiüSuch dâië or dates and it-such ptä&.é places as may be specified in the
direction and the applicant shall comply with such direction. Licensing Authority shall thereupon - grant
the licence. (5) Every licence shall be subject to the conditions mentioned in Appendix 11 and shall be in

Form 11. (6) Every licence shall be valid up to the 31 st March, next after the date of issue and may be renewed : Provided that where the Licensing Authority is of opinion that an application for renewal cannot be disposed of before the date of the expiry of the licence, the period of—validity—of the licence may be extended by the Licensing Authority till the disposal of the application. Every application for renewal of a licence be made to the Licensing Authority at least one month before the expiry of the licence and shall be made in Form III along with the fee prescribed in sub-rule 4. Cancellation or refusal of renewal of licence.—Where the Licensing Authority has reason to believe that the applicant to whom a—licence has been granted has violated or failed to comply with the conditions for the licence or any provision of the Act or the rules made thereunder he shall call- upon the licensee by notice in writing, addressed by registered post to the address given in his licence or as varied on application under rule 5, and stating grounds, to show cause within such period not less than 15 days from the date of such notice as to 'why the licence shall not be cancelled or the renewal of the licence shall not be refused and give the licensee an opportunity of being heard



5. Variation of address, etc.* 1) An application for variation of, the address of the premises or place or the number or description of •the cattle kept under a licence shall be made in



Form I V. The application shall be accompanied by a fee of Rs. .5 (Rupees five) only, if th •on relates to the address of the premises or place or the deggi\$ h&fle. • the variation relates to the• number of cattle. it shall be? a fee of Rs. 10 only per head of cattle in excess of the cattle* iiias already been paid. (2) Where a licence or the renewal of a licence or the variation of ig refused, the applicant shall be entitled to the refund ef any fees paid by him. for the purpose. G. Issue of duplicate licencc.—Where the Licensing Authority is satisfied that the licence has been lost or destroyed or mutiiated, it may issx;e a duplicate licence on pavment of a fee of Rs. 5 only per licence : P All'1 11 THE CALCUTTA GAZETTE, EXTRAORDINARY, 20, 1985 Provided that where a licence is mutilated, the licensee shall surrender such mutilated licence to the Licensing Authority



7. An appeal to the Appellate Authority under section 7 shall state clearly the grounds of appeal.(2)

The Appellate Authority shall give the Appellant an opportunity of being heard before it passes any order,

8. Seizure, forfeiture, When the Licensing Authority or any officer authorised by him in this behalf or any police officer not below the rank of a sub-Inspector seizes any cattle or article used for running a khatal or

both, he shall comply, as nearly as may be, with the provisions of section 100 of the Code of Criminal

Procedure, 1973 relating to search and seizure. in section 100 of the Code of Criminal reproduced in Form V shall be, When the Licensing Authority or any officer authorised by him in this behalf or any police officer not below the rank of a Sub-inspector seizes any cattle, such cattle shall be branded or marked for identification, The branding or marking for identification shall be done jointly by the police

personnel and staff deputed by the Licensing Authority. After seizure the seized cattle would be temporarily impounded in a Calcutta Pound. Arrangement for this intermediate custody in Calcutta Pound and for production before Authorised Officer, if required, shall be made jointly by Police and Licensing Authority. Arrangement for subsequent transport from Calcutta Pound to Government Farm under orders of Authorised Officer shall also be made by Police and Licensing Authority. A Government Farm will also include a portion of Colony set-up/being set up at Ganganagar, East Calcutta, Garden Reach and Howrah,

So far as escort of the seized/forfeited cattle to a Government Farm is concerned such escort shall be provided jointly by the Calcutta Police and the West Bengal Police. During interim police custody of cattle after seizure and pending production before the concerned Authorised Officer the feeding charges and pound charges in respect of the cattle shall be realised from the concerned cattle-keepers at the time of getting their impounded cattle released under orders of Authorised Officer. At the time of removing the seized cattle to a Government Farm under orders of an Authorised Officer the feeding charges and pound charges shall be met from the appropriate expenditure head maintained by the Licensing Authority subject to the deduction of the sale proceeds of milk in case of milch animals. (2) The Licensing Authority or officer authorised by him or the police officer seizing the cattle or article or both shall forthwith submit to the Officer-in-charge of the police station having jurisdiction over the area a report in

Form VI with respect to such seizure. This report will state the contravention of the provisions of the Act, the place wherefrom, the persons from whom and the circumstances under which the cattle or the article or both have been seized. Another copy of this report shall forthwith be submitted to the Authorised Officer having jurisdiction. (3) The Licensing Authority or the officer authorised by him or the police officer seizing the cattle or article or both under subsection (1) of section 11 of the Act shall arrange for the custody and maintenance of such cattle or article or both which will be provided in a Government Farm, namely, Haringhata Farm and a portion of colony set-up/being set up at Ganganagar, East Calcutta, Garden Reach and Howrah. (4) The owner of the cattle or article seized or the persons from whom they have been seized should be given a notice in Form VII before the cattle or article or both are forfeited (in case of unclaimed cattle/article). The question does arise of such 108(3) repeated in 100 and shall provide for article or tinne as be Suen reason writ i no, opportunity to the owner or the persons of special interest as we, ill the matt. 1108(4) THE CALCUTTA GAZETTE, EXTRAORDINARY, SICYTFMP., ER 20, (5) The cost of maintenance per day of the cattle or article or both during the period intervening the seizure and the sale by public auction shall be determined by the Licensing Authority in consultation with Director of Animal Husbandry. The seized animals on being transported to Haringhata Farm/Colony by the Licensing Authority or any Officer authorised by him in this behalf or any police officer shall be housed in the earmarked cattle sheds at the said farm/colony and proper maintenance of such animals including feeding and veterinary health cover shall be made by the Licensing Authority or any other Officer authorised by him till such time the animals are disposed of under orders of the Licensing Authority or any Officer by him in this behalf or any police officer or the orders of the Authorised Officer. The milch animals shall be milked at Haringhata Farm/Colony and milk so produced shall be suitably disposed of through the Greater Calcutta Milk Supply Scheme and the sale proceeds shall be deposited in the relevant head of account by the Additional Director of Animal Husbandry, Haringhata, West Bengal and Additional Director (P&R), WFP-618, respectively. Where the owner or any other person is willing to take back the animal(s) under Orders of an authorised officer, he shall pay for the cost of transport, custody, maintenance and animal health which will be deposited under the relevant head of account. All costs of transport, custody, maintenance and animal health cover shall be met from the relevant Budget head provided by the Licensing Authority. All the sale proceeds of milk, separate receipt head. Application To The Licensing Authority, animals or articles shall be deposited in a FORM 1 rule 3(1)] Docket No Date Back Ref Forward Ref for License for Keeping Cattle License Class—A/B. 1. 2. 3.

4

5. Applicant's full name (in block letters) Applicant's address—(a) Permanent : (b) Present : Name and address (present and permanent) of the lawful guardian or manager in case the applicant is a minor or a person under disability : Approximate number of adult cattle kept by the applicant in the urban area since 1948 : (In case of Class A Licences) Number of persons in the family and their daily requirements of milk : 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 Quantity (in lbs.) per day Number Adult. Minor—Total— THE CALCUTTA GAZETTE, EXTRAORDINARY, 20, 1985 I, hereby, apply for the grant of a license for keeping the following cattle at the following premises or place : (a) Description of cattle : Bulls or Female Number Cowg. milk Cow species Buff species Dry (b) Address of the premises or place where the cattle are to be kept : (c) Full address of premises or place where the cattle are being kept at the time of applying for the license : Municipality/Corporation— I hold/do not hold a license/permit from the Corporation/other competent authority, for keeping the above cattle at the premises or place mentioned at (b) above. (A copy of the license/permit is to be enclosed). I have/have not previously applied for such a license (mention particulars of such application and date if so applied) I have read/got read, and understood the provisions of the West Bengal Cattle Licensing Act, 1959 and the relevant rules, and the conditions of the license to be issued thereunder and I agree to abide by (Rupees The sum of Rs.... been deposited towards the license fee. I have only has I solemnly declare that the particulars stated above are true to the best of my knowledge and belief. Date. (Signature or thumb impression of the applicant) (Signature or thumb impression of the guardian or manager, if the applicant is minor or a person under disability) . (Thumb impressions attested by) (Strike out the particulars not applicable (to you) Date... Date (Space for official use only) Inspection Report (Signature of Inspector) Order: 103) THE CALCUTTA GAZETTE, EXTRAORDINARY, SEPTEMBER 20, 1985 B. The height of the shed shall be not less than 9 ft. and 13.5 ft from ground to eaves and ridges respectively in case of lean-to type roof, 12 ft in case of flat type

roof. C. The roof of the shed shall be either of asbestos sheets, or Ch I. sheets, or tiles or cement concrete. Under no circumstances thatched or bamboo structure shall be used for the construction of any part of the shed. D. The flooring of the shed, shall be either paved or of cement concrete finished with rough surface but not grooved, with a slope of inch in 3 ft. towards the open gutter to facilitate proper drainage. E. In the case of closed type shed, on inlet and outlet area of 3 sq.ft. per head of cattle shall be provided, for the purpose of light and ventilation; APPENDIX 11 [See rule A license shall not be transferable. 2, The shed shall conform and continue to conform to the specifications in Appendix 1 to the West Bengal Cattle Licensing Rules, 1985

3. Any calf born after the grant of the license shall, before it is one year of age, be produced for identification mark being made on its body to such officer as may be authorised in (his behalf by the Licensing Authority. Any number shall be similarly produced for new cattle below the maximum identification number. 4. A licensee must produce the license on demand for inspection by any authority referred to in section 10 of the Act

5. The shed in which the cattle are kept shall be kept clean and tidy by removing the dung, urine or other refuse therefrom, and by washing the shed daily. Adequate drinking water shall be provided for the cattle

6. All dung and refuse shall be removed and disposed in a vehicle; in writing the Superintendent of the license —shall immediately inform the Veterinary Services having jurisdiction in the area within which the shed is situated of the outbreak amongst his cattle of any contagious or infectious disease and shall comply with the instructions of such Veterinary Surgeon. The licensee shall immediately inform in writing the Licensing Authority in the event of any of his cattle being dead or lost or sold or transferred. 8. The licensee shall surrender the license or apply for necessary variation, as soon as may be and in any case not later than three days, if the cattle in respect of which license was issued are dead or lost or sold or transferred. The licensee shall arrange without undue delay for proper disposal of the carcass of any cattle which may be dead

11. No fee shall be refunded in respect of any cattle lost, sold, transferred or dead

12. The licensee mayt with the written 'permission of the Licensing Authority, remove any of his dry cattle outside the urban area within which the: shed is situate, for maintenance during its dry period and may with such permission bring back that cattle after calving.J 3. The licensee hitnself shall oc.ither brand noc too nor tnake any tuark ide rtli {ication marks lle of pennanenl nature on the "cattle' similar to thee also deface or alter any identification nva tk. •(ile use of the sheci for 14. The licensee shall housing of cattle. 1108(8•) THE CALCUTTA GAZETTE, EXTRAORDINARY



FORM 11 [See rule License for keeping cattle License No Urban area, Class Issued/Renewed on... 1985
 1959, Subject to the provisions of the West Bengal Cattle Licensing Act, and the rules made thereunder
 and the conditions specified is hereby, granted this license for keeping the following cattle at the premises
 or place mentioned below for the period ending 31st March, 19. Particulars of Cattle :— Species Total
 Number Description of cattle Identification mark Address of the promisor or Address Of the licensee
 and of his guardian or blood relation number of cattle allowed to manager if the licensee is a minor or a place
 of deposit person under disability Nil Description Licensing Authority (For conditions please turn over)
 Conditions 1. A license shall not be transferable

2. The shed shall conform and continue to conform to the specifications in Appendix I to the West Bengal Cattle Licensing Rules, 1985

3. Any calf born after the grant of the license, shall, before it is one year of age, be produced for identification mark being made on its body to such officer as may be authorised in this behalf by the Licensing Authority. Any new cattle below the maximum number shall be similarly produced for Identification mark

4. A licensee must produce the license on demand for inspection by any authority referred to in section 10 of the Act

5. The shed in which the cattle are kept shall be kept clean and tidy by removing the dung, urine or other refuse therefrom, and by washing the shed daily. Adequate drinking water shall be provided for the cattle

6. All dung and refuse shall be removed and disposed in a manner which does not create a nuisance

7. The licensee shall immediately inform in writing the Superintendent of Veterinary Services having jurisdiction in the area within which the shed is situated of the outbreak amongst his cattle of any contagious or infectious diseases and shall comply with the instructions of such Veterinary Surgeon. THE CALCUTTA GAZETTE, SEPTEMBER 20, 1985 The licensee shall immediately inform in writing the Licensing Authority in the event of any of his cattle being dead or lost or sold or transferred. 9. The licensee shall surrender the license or apply for reissue as soon as he and in any case not later than three days, if the cattle respect of which his license was issued are dead or lost. 10. The licensee shall arrange without undue delay for proper disposal of the carcass of an animal which may be diseased

11. No fee shall be refunded in respect of any cattle lost, sold, transferred or dead

12. The licensee may the written permission of the Licensing Authority, remove any of rs@ry cattle outside the urban area within which the shed is situate, for ar •tehéncc during i ts dry period and may with such permission bring bac t at cattl9fter calving.

J 3. The liqv ee himself shall< either brand nor tattoo nor make any mark of a Gmanent nature on le. cattle similar to the identification mark. Ile all not ;tlso deface or alfer any identification mark. The licensee Ghall not use or permit the use of the shed for any run-pose other than the housing of cattle. .Note. Attention is particularly drawn to the provisions of: sections 3 .10 and sub-section (I) of section 12 of the West Bengal Cattle Licensing Act, 1959 laid down below "Cattle not be kept in certain areas without license Section '3, • After the expiry of a period of six months from the date on which this Act comes into force in any urban area no person shrli keep any cattle in such area except under a valid license. Power to en(cr or inspect pretnises or •place Section 10.—

The Licensing Authority or art officer of the Stata in .this behall Governrne.nt au! horised by Ilitn by an order in writino, rank of a Sub-Inspcctor gilall unv police of)ice.r of and above thc have power to enter or insoe-c(at any time between sun rise and sun set, any pretuises or place sifuates in any area in which this Act has come into force,— (i) in order to view any caule or the arrangements for keeping Cattle, in respect of which an application for a license has been made or a license has been issued: or (ii) in order to ascertain if any cattle are being kept in violation Of the (his Act or the 1 cries condi tions of a lit. •cnse ina de thereunder, if he has reason to bclieve that cattle arc being so kept. Vcnalties (I) Atiy person, (i) (ii) (iii) contravenes the provisions of section 3, being the holder class A selifi milk in any urban in any part of it, or keeps cattle. In a ny prenatt;es plac.c different. from that tentioned in the license, or (imports cattle into any area without a license, or) (keeps or catt!e in ev•estG umbev er maxi m different description fl (hat stated iti {he license, or violates or fails to the cooclition-r: to see lion (9) 1108(10) CALCUTTA GAZETTE, EXTRAORDINARY, SEPTEMBER 20, 1985 (Yi) keeps cattle in any area which has been declared to be a prohibited area under sub-section (1) of section 9Y without a license, (et•) (Yii) imports cattle into an area declared to be a restricted area under sub-section (l) of section 9A without a license; for a term whicX1 may extend G "•three years Or with fine which may extend to three thousand

FORM I See rule Application for Renewal of License The Licensing Authority. 1. Applicant's full name : (in block letters) 2. Applicant's address (a) Permanent : (b) Present : 3. Name and address (present and permanent) of the lawful guardian or manager, in case the applicant is a minor or a person under disability : 4. (In case of Class A licenses only) Number of members in the family and their daily requirement of milk Number Adult : Minor : Total • Quantity (in lb.s)/day I, hereby apply for the renewal of my license No. , . for urban area. .. which issued on... for keeping the following cattle at 31st March, 19. premises in Cow pouding e) Number of buffaloes (b) Address of premises or place • (c) and of the licensee : Class... v. will expire on the following Date I have I have not previously applied for renewal of my (mention particular* of each application and date if so applied) I have read/got read, and, understood the provisions of the Bengal Cattle Licensing Act 1950, and the provisions of the rule, and the conditions of the license to be renewed thereunder and I agree to abide by them. (Rupees . dated -for I. hereby, enclose original receipt only) being the amount of license renewal fee together with late fee for the same (if any), I solemnly declare that the particulars stated above are true to the best of my knowledge and belief, (Signature or thumb impression of the applicant) (Signature or thumb impression of the guardian or manager if the applicant is minor or a person under) or the following impreg. (8) attested by 1 *Strike through not; apply? (b) for the purpose of?) Order by the Licensing Authority 20. 1985 THE CALCUTTA FORM IV [See rule Application for variations the address, number and description in the License I. Name of applicant (in block letters) ' Address— Present Permanent : 2, License No. Urban area, The Licensing Authority. Class Issued on... I, hereby apply for the following variation in my license : (a) Address of the new premises or place where the cattle are to be kept. (b) Maximum number of cattle for which variation is sought (including the number already granted under the license). (c) Description of cattle for which the variation is sought : Cow Milk Cow pouding N Number Buff. pouding J deposited E.g.. Bulla (Stated out Stema not required) Calves Female only) ea tax. fee for "100.(1) Whenever (Signature or thumb impression of the licensee) (Signature or thumb impression of the guardian or manager, in case the licensee is a minor or a person under disability) /thumb impression(8) attested by] {For use only) Inspection Report (Signature of Licensing Officer) Order by the Authority (Vice-Chairman) Authority FORM V [See rule 8(1)] any person liable: to search or inspection under this Chapter is closed, any 'person' residing in, or being in 'charge of, such place. shall on demand of the officer or other person executing the warrant, and on production of the warrant, allow him free ingress thereto, and afford all reasonable facilities for a search therein. (2) If ingress into such place cannot be so obtained, the officer. or other person executing the warrant may proceed in the manner provided by sub-section (2) of section 47. (3) *Where any person in or about such place is suspected concealing about his person any article for which search should be made. such person may be searched and if, such person is a woman, the search shall be made by another woman with strict regard to decency. (12) THE CALCUTTA GAZETTE, EXTRAORDINARY, SEPTEMBER 20, 1985 Before making a search under this section, the officer or other respectable independent and (c) make it shall call upon two or more inhabitants of the locality in which the place to be searched is situated or of any other locality if no such inhabitant of the said locality is available or is willing to be a witness to the search, to attend and witness the search and may issue an order in writing to them or any of them to do so. (5) The search shall be made in their presence, and a list of all seized in the course of such search and of the places in which they are respectively found shall be prepared by such officer or other person and signed. by such witnesses; but no person witnessing a search under this section shall be required to attend the Court as a witness unless summoned by it. (6) The occupant of the place searched, or some person in his behalf shall, every instance, be permitted to attend during the search, and a copy of the list prepared under this section, signed by the said witness, shall be delivered to such occupant or person. (7) When any person is searched under sub-section (3), a list of all things taken possession of shall be prepared and a copy thereof shall be delivered to such person. (8) Any person who, without reasonable cause, refuses or neglects to attend and witness a search under this section, when called upon to do so by an order in writing delivered or tendered to him, shall be deemed to have committed an offence under section 187 of the Indian Penal Code. 't To Officer-in-charge, . t. a;tu FORM (See rule Report Of geim;re Police-station ö {üce- Vil i See rule Notice . Name of the owner/proprietor Address r i *his is to inform him that cattle/article a per list enclosed have been seized for violation section on West Bengal Cattle Licensing Act, 1959. As per provisions of the said section, the cattle/article so seized are liable to be made a representation to the Magistrate on the ground of against such seizure for forfeiture and the matter will

within. *I-Ic may appear in person or by a suitable tative authorised by him on the* date of hearing failing which the so seized shall be forfeited Sitocrinw.ndznts Signature of Authorised Oflicet• By order of the Governor, M. GOSF Sccv. to the Govt. of West Bengal. Government Yninting. West Bengal. thc, Wesf.

