THE KARNATAKA LIVESTOCK IMPROVEMENT RULES, 1969

GSR 357.– In exercise of the power conferred by Section 20 of the Karnataka Livestock Improvement Act, 1961 (Karnataka Act 30 of 1961) the Government of Karnataka hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of the said section in Notification No.GSR 270 (AF-30-V AD 65), dated 29th July, 1968 in part IV, Section 2-C(i) of the Karnataka Gazette, dated 8th August, 1968, namely.–

1.Title and commencement.–(1) These rules may be called the Karnataka Livestock Improvement Rules, 1969.

(2) They shall come into force at once.

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

i.**"Act"** means the Karnataka Livestock Improvement Act, 1961(Government Act 30 0f 1961);

ii.**"Form"** means a form appended to these rules;

iii.**"Section"** means a section of the Act.

3.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 has attained the age of one and half years.

4.Application for licence.– An application for a licence under Section 4 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, marks, colour and other identification marks, if any, of the bull.

5.Inspection and grant of licence.–On receipt of an application under Rule 4, the Licensing Officer shall inspect the bull as soon as possible and shall grant a licence in From I if, in his opinion, there are no grounds for refusing the licence.

6.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, how- ever, been made, he may issue a licence in From I in respect of such bull.

7.Period of licence.– The period for which a licence may be granted at a time shall not exceed three years.

8.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 1.25 centimetres in size or branded on the left cheek with the same mark of a size not less than four centimetres by four centimetres.

9.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 end renew it for a further period not

exceeding three years having regard to the provisions of sub-section (1) of Section 5. The Licensing Officer may at his discretion of an application for renewal of a licence.

10.Transfer of licence.– the holder of a licence may, with the previous approval of the Licensing Officer, transfer the licence to any person who shall have become the keeper of the bull. On such transfer, the licensing Officer may make an endorsement on the licence Stating the name and address of the person to whom the licence is transferred.

11.Notice of revocation of licence.– The notice of revocation of licence given under clause (c) of sub-section (2) of Section 5 shall be in from II.

12.Issue of duplicate licence.– A fee of one rupee shall be payable for the issue of a duplicate licence under Section 7.

13.Prescribed officers for issuing certificate of castration.– An officer authorised by the Director by general or special order to grant licence under Section 4 shall be competent to certify under clause (c) of Section 6 that the bull has been effectively castrated by a method and in a manner approved by the Director.

14.Certificate of castration.– The certificate of castration under clause (c) shall be granted in

Form III.

15.Marking of castrated bulls.– For the purpose of identification of a bull castrated under sub-section (2) of Section 9 or sub-section (2) of Section 13 shall be branded on the left cheek or neck with a letter “R” not smaller than four centimetres by four centimetres in size or tattooed on the inner side of the left ear with a mark not less than 1.25 centimetres by 1.25 centimetres 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 or other person keeping a bull makes his own arrangements for castrating the bull under sub-section (2) of Section 9, it shall be the duty of such owner or other person to have the bull branded or tattooed in the manner stated above. In a case a bull previously licensed and marked with letter “L” is subsequently considered unsuitable for breeding purposes and castrated, it shall be marked with the letter “R” and when this is done, the mark “L” shall be deemed to have been cancelled.

16.Notice of Inspection and Castration.– 1)The order of the Licensing Officer under Section 8 requiring a person keeping a bull to submit it for inspection shall be in the

2) The order of the Licensing Officer under sub-section (1) of Section 9 requiring a person keeping a bull to have it castrated shall be in

3) The direction of the Licensing Officer under sub-section (1) of Section 13 for the castration of a bull shall be in

4) The direction of Licensing Officer under clause (a) of sub-section (2) of Section 13 for the castration of a bull shall be in

Form VII.

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 clause (c) of sub-section (2) of Section 13 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. Minimum period of detention before sale in auction.– A bull seized under sub-section (2) of Section 13 shall not be sold in public auction or sent to a pinjrapole or infirmary recognised by the Government in this behalf within a period of fourteen days calculated from the date of seizure.

19. Custody of the bull during detention.– The Licensing Officer may entrust the custody of a bull seized under clause (a) of sub-section (2) of Section 13 to the Secretary of the Village Panchayat pending its sale by public auction or disposal under the Act and these rules and the Secretary of the Village Panchayat shall keep the bull in the village cattle pound if one exists, or, if there is not cattle pound in the village, the Secretary of the Village Panchayat shall make his own arrangements for keeping the bull in custody.

20. Responsibility of the Secretary of the Village panchayat for feeding and watering the animals.– A bull seized and entrusted to the custody of the Secretary of a village panchayat shall be treated by him in the same way as cattle impounded under the Karnataka Cattle Trespass Act, 1966. He shall immediately prepare a receipt triplicate in the same form as the one prescribed for impounded cattle of which one copy shall be given to the Licensing Officer and he shall enter particulars of the bull in the same register as the one used for registering particulars of cattle impounder under Karnataka Cattle Trespass Act, 1966. Secretary of the Village Panchayat shall be responsible for the proper maintenance of the bull until it is disposed of in accordance with the provisions of the Act or these rules.

21. Report to the Village Panchayat.– If in respect of any bull in the custody of the Secretary of a Village Panchayat, no claim supported by an order of the Licensing Officer under clause (c) of sub-section (2) of Section 13 is made within seven days from the date of its seizure, the Secretary of the Village Panchayat shall report the fact to the Village Panchayat or to such other officer as the Village Panchayat may appoint in this behalf.

22.Notice and Proclamation to be issued by the Village Panchayat.– On receipt of a report under Rule 21, the Village Panchayat shall publish by affixture in a conspicuous part of its office a notice stating.–

a) The description of the bull;
b) The place where it was seized;
c) The place where it is kept in custody;
d) That it will be sold if no claim is made within a period of seven days; and
e) Shall cause proclamation of the same to be made by beat and drum in the village and at the market place near the place of seizure.

23. 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 clause (c) of sub-section (2) of Section 13, it shall be delivered to the owner or his agent on payment of all costs, charges and expenses incurred for its maintenance. The fact of such delivery shall be noted in the register maintained under Rule 20.

24. Sale of animal.– If the bull is claimed within the time specified in the notice under Rule 22, but the costs, charges and expenses incurred for its maintenance are not paid within seven days from the date of notice under Section 22, or if the bull is not claimed within seven days from the date of notice under Section 22, it shall be sold by public auction by the said Village Panchayat or an Officer of its establishment deputed for the purpose at such place and time and subject to such conditions as the Village Panchayat may, by general or special orders from time to time, direct.

Provided that if the bull is claimed after steps are taken for sale by public auction, but before it is sold and the claim is supported by an order of the Licensing Officer under clause (c) of sub-section (2) of Section 13 it shall be delivered to the owner or his agent on payment of all costs, charges and expenses incurred for its maintenance:

Provided further that, if any such bull, in the opinion of the Village Panchayat is not likely to fetch a fair price, if sold as aforesaid, it may be sent to a pinjrapole or an infirmary recognised by the Government in this behalf.

25. 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, and the claim is supported by an order of the Licensing Officer under clause (c) of sub-section (2) of Section 13, 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 a written receipt from him. An account in the following form shall also be furnished.–

(a) the description of the bull seized;

(b) the period during 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: and

(e) the manner in which the said proceeds have been disposed of.

26. Determination of costs, charges and expenses.- (l) The cost, charges and expenses for the maintenance of the bull shall inc1ude.-

(i) the transport charges and mazdoor 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.

27. Duties of the Licensing Officer.- The castration under sub-sections (1) and (2) of Section 13, shall be performed or caused to be performed by the Licensing Officer.

28. Power of the Licensing Officer to enter premises.-(1) While acting under the provisions of Section 14, the Licensing Officer or the Officer authorised by the Director 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 sun set and sun rise. At the time of entry, the Licensing Officer or the Officer authorised by the Director shall, as far as practicable, be accompanied by the person keeping the bull or if he is not available by the Chairman or Secretary of the Village Panchayat or a revenue or police officer.

(2) 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 notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

29. Enquiry before seizure.-Before seizing a bull, under clause (a) subsection (2) of Section 13, the Licensing Officer shall make a summary enquiry as to the ownership of the bull by a committee consisting of Village Accountant and such other residents of the village not exceeding three in number as may be appointed by the Licensing Officer in this behalf.

30. Service of notice 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 these rules, be given.-

(a) by delivery or tendering one of the duplicates of the notice or order to such person; or

(b) if such person is not found, by delivering or tendering one of the duplicates of the notice or order to some adult member of his family residing in the house in which the person ordinarily reside; 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, acknowledgement due; or

(d) if none of the means aforesaid be available, by affixing the same in some conspicuous part of the house in which the person summoned ordinarily resides,

and thereupon the notice or order shall be deemed to have been duly served.

(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.

31. Appeals.-(1) Any person objecting to an order or direction affecting him passed or issued under sub-section (1) of Section 9, sub-section (1) of Section 13 or clause (a) of sub-section (2) of Section 13 may appeal within thirty days from the date of communication thereof.-

(a)to the Deputy Director of Animal Husbandry and Veterinary Services of the Region, if such order is passed or direction issued by the Veterinary Inspector.

(b) to Director, if such order is passed or direction issued by any other Officer.

(2) **(a)** An appeal preferred under sub-section (4) of Section 5 or under sub-rule (1) shall be in writing, shall set forth concisely the grounds of objection to the order or directions appealed against, and shall be accompanied by a copy of such order or direction.

(b) On receipt of the appeal and after giving appellant an opportunity of being heard, the Appellate Authority may pass such orders on the appeal as it may think fit.

(3) The Appellate Authority shall communicate the order passed in appeal to the Officer who passed the order or issued the direction appealed against.

32. Penalty-Whoever commits a breach of any of these rules shall on conviction be punishable with fine which may extend to twenty-five rupees.

33. Repeal and savings.-(1) All rules corresponding to the foregoing rules made under the Acts repealed by Section 22 are hereby repealed:

Provided that such repeal shall not affect.-

(a) the previous operation of the said rules or anything done or any action taken thereon; or

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against said rules; or

(c) any proceedings under said rules pending at the commencement of these rules, or an appeal pending at or preferred after the commencement of these rules against an order made before such commencement shall be continued and disposed of as far as may be, in accordance with the provisions of these rules.

(2) Nothing in these rules shall operate to deprive any person to whom these rules apply of any right of appeal which had accrued to him under the rules repealed by sub-rule (1) in respect of any order passed before the commencement of these rules.

FORM I

[See Rules 5 and 6]

Licence to keep a bull

Licence No……..... Shri/Shrimathi…….is hereby granted a licence subject to the provisions of the Karnataka Livestock Improvement Act, 1961, and the rules made thereunder for keeping the bull described below for breeding purposes in……

Taluk…….. District…… for the period from…… to…… both days inclusive, subject always to the terms, conditions and restrictions hereinafter mentioned, namely.-

1. The holder of a licence shall inform the Licensing Officer of any illness, defect or deformity which is likely to render the bull unsuitable for breeding purposes.
2. The holder of a licence 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 holder of a licence shall give to the Licensing Officer all information regarding the service rendered by the bull during the period of the licence.
4. The holder of the licence 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 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.

Description of the bull:

Breed

Age

Colour

Height

Marks of identification

Other particulars, if any

Place :

Date: Licensing Officer

FORM II

[See Rule 11]

Notice of revocation licence

*Breed Colour Age Height Marks of Identification Station

To

……..

Residing at……... whereas, it has come to my notice that you keep the bull

described in the *margin in respect of which licence No…….. dated……. was granted to you on……. and whereas I am of opinion.-

(a)that the licence was granted under circumstances of which the Licensing Officer was not aware at the time of granting the Licence, viz., (here described the circumstances) or/ and

(b)that there has been a breach of the conditions of the licence inasmuch as** …….

Now, therefore, in pursuance of clause (c) of sub-section (2) of Section 5 of the Act, I hereby call upon you to show cause on or before …….. why the licence referred to above should not be revoked.

Dated the …….

Licensing Officer.

**(Here described the act resulting in the violation of the conditions).

FORM III

[See Rule 14]

Certificate of castration

*Breed
Colour
Age
Height
Identification
Marks

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 of Animal husbandry and Veterinary.

Services in Mysore and is incapable of propagating its kind.

FORM IV

[See Rule 16(1)]

Notice of Inspection

*Breed
Colour
Age
Height
Identification
Marks

To:

…….

…….

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 8 of the Karnataka Livestock Improvement Act, 1961 (Karnataka Act 30 of 1961), I hereby require you to submit it for inspection by me/Sri…… deputed by me between the hours of …….on

the……..…… day of ……19…… at*…….. Village……..Taluk…….District, and to render all reasonable assistance in connection with such inspection to me/Sri…….. the officer deputed by me.

Dated: Licensing Officer.

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

FORM V

[See Rule 16(2)]

Notice under sub-section (1) of Section 9

*Breed
Colour
Age
Height
Identification
Marks

To:

…….

…….

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, namely, ……and

in respect of which no licence is for time being in force under the Karnataka Livestock Improvement Act, 1961 (Karnataka Act 30 of 1961).

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, I hereby require you to have the said bull castrated within one month from the date of the service of this notice by the method and in the manner described below.-

Method

Manner

Date: Licensing Officer.

FORM VI

[See Rule 16(3)]

Direction under sub-section (1) of Section 13

*Description
Breed
Colour
Height
Age
Identification
Marks and name if any

To:

…….

…….

Whereas, it has been made to appear to me that you keep the bull described in the margin* which, in my And whereas, you have neglected or failed to have it castrated as required in my notice dated…….

under

Section 9 of the Karnataka Livestock Improvement Act, 1961

(Karnataka Act 30 of 1961);

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 13 of the said 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

Manner

Date: Licensing Officer.

FORM VII

[See Rule 16(4)]

Direction under clause (a) of sub-section (2) of Section 13

*Description
Breed
Colour
Height
Age
Identification Marks and name if any

Whereas, I am of the opinion that the bull described in the margin* and seized under clause (a) of sub-section (2) of section 13 of the Karnataka Livestock Improvement act, 1961 (Karnataka Act 30 of 1961) has attained the prescribed age, i.e……and is unsuitable for breeding purposes on the following grounds, namely.-

The bull is of defective or inferior conformation and consequently likely to be get defective or inferior progeny;

or/and

The bull is suffering from an incurable contagious or infectious disease or from any other disease rendering it unsuitable for breeding purposes;

or/and

The bull is of a breed which 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 clause (a) of sub-section (2) of Section 13 of the said 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.

Method……

Manner……

Date: Licensing Officer.

FORM VIII

[See Rule 28(1)]

Notice of entry into premises

To:

……..

…..……

Whereas, I have reason to believe that you have kept on Premises/places described below and said to belong to you a bull/bulls I hereby give you notice that I shall enter your premises/places, on…… between……for the purpose of inspection the said bull/bulls, you are hereby directed to keep the bull/bulls ready for inspection and not to remove the bull/bulls on the aforesaid date and time from the premises/places until it is/they are inspected by me.

Date: Licensing Officer.