

GOVERNMENT OF MADHYA PRADESH
LAW DEPARTMENT.

THE
MADHYA PRADESH
LIVE-STOCK IMPROVEMENT ACT, 1950.
(XX OF 1950)

As amended by the Madhya Pradesh Extension of Laws
Act, 1958 (23 of 1958).

REWA:
GOVERNMENT REGIONAL PRESS, M.P.
1959.

MADHYA PRADESH ACT
(NO. XX OF 1950)¹

MADHYA PRADESH LIVE-STOCK
IMPROVEMENT ACT, 1950.

(Received the assent of the Governor on the 6th May, 1950;
assent first published in the Madhya Pradesh Gazette on the
12th May, 1950.)

An Act to provide for the improvement of live-
stock in Madhya Pradesh.

Whereas it is expedient to provide for the improve- Preamble
ment of live-stock in Madhya Pradesh;

It is hereby enacted as follows:-

1. (1) This Act may be cited as the Madhya Pradesh Live-stock Improvement Act, 1950. Short title
and extent.

3((2) It extends to the whole of Madhya Pradesh).

2. In this Act, unless there is anything repugnant in the subject or context,- Definitions.

(a) "approved bull" means a bull certified as such under section 7 or supplied by Government in a local area for breeding purpose;

(b) "bull" means a male calf above such age as the State Government may, by notification, prescribe for any local area;

(c) "Director" means Director of Veterinary Services, Madhya Pradesh;

(d) "Live-stock Officer" means the Director and includes any officer authorised by him to exercise all or any of the powers under the Act;

(e) "prescribed" means prescribed by rules made under this Act.

1 For Statement of Objects and Reasons, see Madhya Pradesh Gazette, dated the 3rd March, 1950, Part IV(A), pages 85 to 91. For Report of the select Committee, see Madhya Pradesh Gazette Extraordinary dated the 3rd April 1950, pages 729-738. For Proceedings in Assembly, see Madhya Pradesh Legislative Assembly Proceedings, 1950, Vol. IX, pages 40 to 44, dated the 23rd March 1950; pages 6 to 13, dated the 24th March, 1950; and pages 68-69, dated the 5th April, 1950.

2The Act was extended to the whole of Madhya Pradesh by S.3(1) of the M.P. Extension of Laws Act, 1958 (23 of 1958)

MADHYA PRADESH ACT
NO. XX OF 1950.

MADHYA PRADESH LIVE-STOCK
IMPROVEMENT ACT, 1950.

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vide item 64 of Part A of the Schedule to the said Act, with effect from 1st January, 1959, vide Government of M.P. Law Department Notification No. 41773-XXI-A-(Dr.) dated 31.12.1958 published on page 17 of the M.P. Gazette Extraordinary dated 1.1.1959.

Substituted by S. 3(3) of the M.P. Extension of Laws Act, 1958 (23 of 1958) for the words " It extends to the whole of Mahakoshal region".

Power to specify area.

3. (1) The State Government may, by notification, declare any part of the State to be a specified area for the purposes of this Act and thereupon the provisions of section 4 to 20 shall come into operation in such area.

(2) No such notification shall be issued unless the State Government is satisfied that the number of bulls in the specified area which are fit to be certified as approved under section 7 together with such number of bulls as may be supplied by State Government in any local area for breeding purposes will be adequate to maintain the rate of propagation of the species.

(3) The State Government may after recording reasons for doing so cancel at any time a notification issued under sub-section (1).

(4) The validity of any notification issued under sub-section (1) or (3) shall not be called into question in any proceeding before any court or authority.

Prohibition to keep a bull unmarked.

4. Except as provided by or under this Act, no person shall keep in his possession any bull which has not been marked in accordance with the provisions of this Act.

Intimation about unmarked bulls.

5. Every person, who on the date of issue of the notification under section 3 has in his possession any bull or who, at any time thereafter, comes into possession of any bull which is not branded with a distinguishing mark prescribed under this Act, shall give intimation of such possession to the Live-stock Officer within such period as may be prescribed.

Submission of bulls for inspection.

6. On receipt of the intimation under section 5, or on his own motion the Live-stock Officer may, by order, require any person keeping a bull to submit the bull for inspection at any reasonable time and at a specified place in the village in which the bull is usually kept and thereupon it shall be the duty of the person keeping the bull to submit it for inspection accordingly and render all reasonable assistance in connection with such inspection.

Certification
of bulls as
approved.

7. Where on such inspection of a bull, the Live-stock Officer is satisfied that the bull is capable of being used for breeding purposes, and -

- (a) is not of defective or inferior conformation and is not likely to be get defective or inferior progeny, or
- (b) is not suffering from an incurable, contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or
- (c) is not, of a breed which it is undesirable to propagate in the specified area or part thereof.

he shall certify the bull as approved and cause it to be branded with a mark prescribed for the purpose.

Substituted by S.3(3) of the M.P. Extension of Laws Act, 1958 (23 1958) for the words "Mahakoshal region".

8. Where on inspection, the Live-stock Officer is satisfied that a bull is effectively castrated, he shall cause it to be branded with a mark prescribed for the purpose. Marking of castrated bulls.

9. (1) Where on inspection the Live-stock Officer is satisfied that a bull is not fit for being certified as an approved bull and is also not effectively castrated, he shall order the person keeping the bull to have it castrated within such period as may be prescribed from the date of the service of the Order. Castrating of unapproved bulls.

(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.

(3) If the keeper of the bull fails to comply with the order within the time allowed under sub-section (1), then without prejudice to any action that may be taken under section 17 the Live-stock Officer shall get the bull castrated free of charge.

(4) The Livestock Officer shall cause every bull so castrated to be branded with the appropriate mark.

10. (1) If after such enquiry as the Livestock Officer may deem fit to make, he finds that any bull is not owned or possessed by a known person, he shall cause the bull to be seized and inspected. Castration of bulls without owners.

(2) If on such inspection, he finds that action under section 7 or section 8 is appropriate, he shall take such action; and if he finds that the bull is not fit for being certified as approved and is also not effectively castrated, he shall have it castrated and cause it to be branded with the appropriate mark.

11. (1) For the purposes of this Act, a live-stock Officer or any other officer or person authorised by him in this behalf shall have power at all reasonable times-

(a) to inspect any bull;

(b) to brand any bull with a prescribed mark in the prescribed manner;

(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.

Power of Live-stock officer to inspect or mark bulls and to enter premises.

(2) If the Live-stock Officer on inspection of an approved bull finds that the bull has contracted a heritable disease or has otherwise become unfit to function as an approved bull, he may take action for the castration and marking of the bull afresh in accordance with section 9.

12. Every marking required to be made under this Act shall be made free of charge.

Marking to be made free of charge.

13. Any notice or order which is to be served on any person under the provisions of this Act may be served in the manner which may be prescribed.

Service of notice and order.

Maintenance of registers.

14. The Live-stock Officer shall maintain in the prescribed form such register giving particulars of inspections, castrations and markings made and bulls approved under this Act, and such other particulars as may be prescribed.

Duty of Officers to report offences, etc.

15. It shall be the duty of all persons entrusted with the performance of any duty under the provisions of this Act and of all officers, of such grade as may be specified by the State Government by general or special order, of the Veterinary, Agriculture, co-operative and Revenue Departments-

(a) to give immediate information to the nearest Live-stock Officer of the commission of any offence or of the intention or preparation to commit any offence punishable under this Act, which may come to their knowledge.

(b) to take all reasonable measures in the 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 the Act.

Penalty for un-authorised marking.

16. If any person without lawful authority brands or causes to be branded any bull with any mark prescribed under this Act or with any mark resembling such prescribed mark intending by means of that resemblance to practise deception, he shall be liable to imprisonment which may extend to three months or with a fine which may extend to five hundred rupees.

Penalty for other offences.

17. Whoever-

(a) keeps a bull in contravention of this Act or of any rule or order made thereunder, or

(b) neglects or fails to submit a bull for inspection when required to do so under section 6 or section 11, or

(c) neglects or fails to comply with an order served under section 9,

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 may extend to one hundred rupees.

Cognizance of offences.

18. No Magistrate or Court shall take cognizance of any offence under this Act except upon a complaint made by a Live-stock Officer or any person authorised by him in this behalf.

Bar of proceedings.

19. No suit, prosecution or other proceedings shall lie against an officer or servant of the State Government for any act done or purporting to be done under this Act without the previous sanction of the State Government.

20(1) The State Government may make rules to carry out the purpose of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for-

(a) all matters required to be prescribed under this Act, and

(b) the powers and duties to be exercised and performed by officers acting under this Act and the procedure to be adopted by them in so acting.

(3) All rules shall be subject to previous publication;

(4) In making any rule, the State Government may direct that a breach thereof shall be punishable with fine which may extend to fifty rupees.

.6.

(Published in Part IV of the " Madhya Pradesh Rajpatra " dated the 8th December 1961).

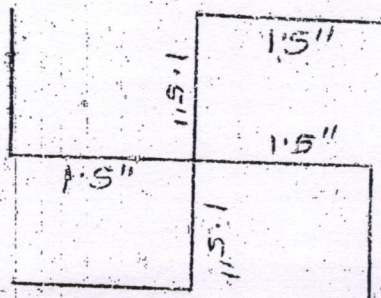
GOVERNMENT OF MADHYA PRADESH
AGRICULTURE DEPARTMENT

Bhopal, the 18th November 1961.

No. 7939-4467-XIV-Vety.- In exercise of the powers conferred by section 20 of the Madhya Pradesh Livestock Improvement Act, 1950 (XX of 1950), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (3) of the said section, namely:-

R U L E S

1. These rules may be called the Madhya Pradesh Live-stock Improvement Rules, 1961.
2. In these rules, unless the context otherwise requires,-
 - (a) " Act" means the Madhya Pradesh Livestock Improvement Act, 1950 (XX of 1950);
 - (b) " effectively-castrated bull" means a byll rendered incapable of procreating its species;
 - (c) " form" means a form appended to these rules;
 - (d) " section " means a section of the Act.
3. The intimation under section 5 shall be in Form I and shall be given within thirty days of the date of notification under sub-section (1) of section 3 or of the coming into possession of the bull, whichever is later. The receipt of the intimation shall be acknowledged in Form II. A separate intimation shall be given in respect of each bull.
4. The order under section 6, requiring any person keeping a bull to submit it for inspection, shall be in Form III.
5. The certificate under section 7 in respect of an approved bull shall be in Form IV and the approved bull shall be branded on its right forequarter, with the following mark which shall be of the dimensions indicated therein, namely :-



6. An effectively-castrated bull shall be branded on its right buttock with a hollow circle of 3.5 inches diameter mark.

7. (1) The order under sub-section (1) of section 9, requiring a person keeping a bull to have it castrated, shall be in Form V. The period to be specified in the order shall be thirty days from the date of the service of the order.

(2) If the keeper of the bull fails to comply with the order issued under sub-section (1) of section 9, the Livestock Officer shall serve the keeper with a notice in Form VI and get the bull castrated.

8. If, after enquiry under section 10, the Livestock Officer fails to ascertain the ownership of any bull, he shall issue a notice, in Form VII by beat of drums or by affixing copies thereof, in conspicuous places in such area as he deems necessary. If no claimant for the bull appears within seven days from the date of issue of the notice, he shall take necessary action under sub-section (2) of section 10.

9. (1) The authorisation under sub-section (1) of section 11 shall be in Form VIII.

(2) A Livestock Officer or any other officer or person authorised by him, in this behalf, shall, before entering any premises or other place where he has reason to believe that a bull is kept, give notice in Form IX of his intention to do so to the owner or, in his absence, to the occupier, and shall then enter it along with two respectable persons of the locality as witnesses. Due regard shall be had to the privacy of female occupants of the premises or place.

(3) A copy of the notice served and report of the action taken shall immediately be submitted-

(i) by the Livestock Officer, if he is not a Gazetted Officer, to his immediate superior, and

(ii) by the officer or person authorised by the Livestock Officer, who, if he is not a Gazetted Officer, shall forward the same to his immediate superior.

(4) The authorisation to enter any premises or place by the Livestock Officer shall be valid for a period of fifteen days only from the date of its issue. If the authority is not utilised within the said period of fifteen days, the officer or person in whose favour it is issued shall report the fact to the Livestock Officer, who issued it, stating why the authorisation could not be utilized.

10. (1) When any notice or order is required to be given to any person under the Act or under these rules, it shall be served.

.8.

- (a) by giving or tendering the same to such person or to any adult member of his household ;
 - (b) if such person has left the place, and-
 - (i) his address elsewhere is known, then by registered post;
 - (ii) if such address is not known, then by affixing the same on the door of his last known place of residence ;
 - (c) if none of the aforesaid means are available, by affixing the same at some conspicuous place in the locality.
- (2) In the case of Joint ownership, it shall be sufficient to serve the notice or order on any one of such owners.

11. The register under section 14 shall be in Form X.

12. A breach of any of these rules shall be punishable with fine which may extend to fifty rupees.

13. The Madhya Pradesh Live-stock Improvement Rules, 1952, and all other rules corresponding thereto in force in any region of the State of Madhya Pradesh immediately before the commencement of these rules are hereby repealed.

Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action is inconsistent with any provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

By order and in the name of the Governor of Madhya Pradesh,

R.C. MURAB, Secy.

.9.

F O R M - I

(See rule 3)

Intimation for possession of a Bull

To

THE LIVESTOCK OFFICER,
MADHYA PRADESH.

I, the undersigned, resident of, village
.....Tahsil, hereby intimate that
I possess a bull described below :-

Age (at the time of intimation)

Identification marks

Other description, e.g. breed, colour, etc.,

Village where located

Place where located

Date of coming into possession

Name of local custodian and agent

Name and signature of the owner of the bull

Date

F O R M II

(See rule 3)

Acknowledgement of intimation

To

.....

.....

.....

I hereby acknowledge receipt of your letter, dated the
19..... intimating the possession of the following bull by you:-

Description of the Bull

(i)

(ii)

Dated, theday of19.

.....
Livestock Officer.

.10.

FORM III
(See rule 4)

Order requiring submission of Bull for Inspection

To

.....
.....
.....

Whereas on (give date), it has been made to appear to me that you keep a bull or bulls;

Now, therefore, in exercise of the powers conferred by section 6 of the Madhya Pradesh Livestock Improvement Act, 1950, I hereby require you to submit it/then for inspection by me between

.....hours for the purpose on the day of19.. at(place) in village

.....tahsil, district

....., and to offer the following facilities in connection with such inspection, namely :-

- (1)
- (2)
- (3)
- (4)
- (5)

Dated this day of19

Livestock Officer.

.....

FORM IV
(See rule 5)

Certificate No....., Date.....

This is to certify that the bull described below which is owned by resident of, has been inspected, and has found to be fit for being used for breeding purpose, and is therefore an approved bull for the purposes of the Madhya Pradesh Livestock Improvement Act 1950.

The certificate shall be valid uptoand is granted subject to the conditions mentioned below:-

Description of the Bull

(Department, fill in necessary points)

Conditions of certificate

The owner of the certified bull shall

(i) inform the Livestock Officer of any illness, defect or deformity which is likely to render the bull unsuitable for breeding purposes;

.11.

(ii) give intimation to the Livestock Officer in the event of the death of the bull or when it is castrated, sold or otherwise transferred to another person;

(iii) submit the bull for inspection when so ordered by the the Livestock Officer.

.....
Livestock Officer.

.....
FORM V

(See rule 7)

Order for Castration

To

.....
.....
Whereas it has been made to appear to me that you keep a bull which is neither fit for being certified as approved bull nor is effectively castrated;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 9 of the Madhya Pradesh Livestock Improvement Act, 1950, I hereby require you to have the said bull castrated within 30 days from the date of service of this order.

NOTE:- Your attention is drawn to section 17 of the said Act, under which a person, who neglects or fails to comply with an order served under section 9, shall be punishable with fine which may extend to fifty rupees and in the case of a second or subsequent offence with fine which may extend to one hundred rupees.

Dated thisday of19 .

.....
Livestock Officer.

FORM VI

(See rule 7)

Castration of a Bull

To,

.....
.....
Whereas you have failed to comply with the order served on you requiring you to have the bull kept by you castrated before19 .

Now, therefore, notice is hereby given that the said bull shall be castrated as required by sub section (3) of section 9 of the Madhya Pradesh Livestock Improvement Act, 1950.

Dated thisday of19 .

.....
Livestock Officer.

.12.

F O R M VII
(See rule 8)

Notice regarding Enquiry of bull without known owner (s)
or Possessor (s) for action.

Whereas after making necessary enquiry about the ownership of
the bull described below, it has not been possible to trace the
owner thereof:-

Now, Therefore, in pursuance of the provisions of rule 8 of
the Madhya Pradesh Livestock Improvement Rules, 1961 notice is
hereby given that if the said bull is not claimed, to the
satisfaction of the undersigned officer, within seven days of the
date of this notice, it shall be seized and inspected, and shall
be branded and certified as approved, or shall be castrated as
may be necessary :-

Description of the Bull

.....
Livestock Officer

.....

F O R M VIII

(See rule 9)

Authority to inspect or mark a bull and/or to enter
premises.

This is to authorise Shri (name
and designation) to inspect and brand any bull (or " the bull
described below" or the bulls in area) and/
or to enter the premises/place described below for the purpose
of sub-section (1) of section 11 of the Madhya Pradesh Livestock
Improvement Act, 1950. This Authority to enter the said
premises/place shall be valid upto 19 ..

Description of the Bull

Description of the premises/place

Dated

.....
Livestock Officer

.....

FORM IX

(See rule 9)

Notice of entry into premises/place

To

Whereas I have reason to believe that you have a bull kept at (specify premises/place).

I hereby give notice that I intend to enter the said premises/place in at for the purpose of inspecting the said bull.

Date

.....
Signature of Livestock
Officer, or Officer
or person authorised
by him.

FORM X
(See rule 11)

Register

Serial No. of approval of castr- ated bulls under rules 5 and 6	Date of receipt of infor- nation under rule 3	Date of inspec- tion of bull under rule 4	Date of brand- ing of approved bull und- er rule 5	Date o f brand- ing of castra- ted bull under rule 6	Marks of identifi- cation.	Name and address of owner	Re- marks
1	2	3	4	5	6	7	8