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The Andaman and Nicobar Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY

No. 1, PORT BLAIR, TUESDAY, JANUARY 31, 1956.

OFFICE OF THE CHIEF COMMISSIONER,
ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATION.

Port Blair, the 30th January 1956.

No. 13/56.—The following Regulation promulgated by the President under clause (2) of article 243 of the Constitution and published in the Gazette of India, Extraordinary, Part II—Section 1, dated the 30th December 1955, is hereby republished for general information:—

THE ANDAMAN AND NICOBAR ISLANDS
LIVESTOCK IMPROVEMENT
REGULATION, 1955
No. 5 of 1955

Promulgated by the President in the Sixth Year
of the Republic of India.

A Regulation to provide for the improvement of
live-stock in the Andaman and Nicobar Islands.

In exercise of the powers conferred by clause (2)
of article 243 of the Constitution, the President is pleased
to promulgate the following Regulation made by him:—

1. (1) This Regulation may be called the Andaman and Nicobar
Islands Live-stock Improvement Regulation, 1955.

(2) It extends to the whole of the Andaman and Nicobar Islands.

Short
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(3) It shall come into force at once in the Andaman Islands; and the Chief Commissioner may, by notification in the Official 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.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

- (a) "bull" includes a buffalo-bull;
- (b) "Chief Commissioner" means the Chief Commissioner 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;

~~3. Clause (g) omitted~~

(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 incapable of propagating its species.

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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.

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4. (1) No person shall keep a bull which has attained the ~~specified~~ ^{prescribed} age except under and in accordance 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 in a manner approved by him.

Explanation.—Where a person keeps more than one bull, he shall obtain a separate 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 to such terms, conditions and restrictions as may be prescribed.

(3) No fee shall be charged for the grant of the licence.

refusal and
evocation of
ences.

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 infectious 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, conditions or restrictions of the licence.

(3) Before a licence is revoked 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.

Surrender of
licence.

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

7. The Live-stock Officer may by order require any person 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 kept 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 reasonable assistance in connection with such inspection to the Live-stock Officer or the officer or person so deputed, as the case may be.

Inspection of bulls.

8. (1) The Live-stock Officer may, by order, require any person keeping a bull which in his opinion has attained the ~~specified~~ age and in 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.

Power to order castration of bulls.

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(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.

Duty to inform owner of contents of notice or order of castration.

10. 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,—

Production of licence.

(a) within a reasonable time, at any place where the bull is for the time being, on demand made by the Live-stock Officer or an officer of the Agriculture Department not below the rank of Agricultural Assistant, or an officer of the Revenue Department not below the rank of Tehsildar or such other officer as may be authorised in this behalf by the Chief Commissioner by general or special order, or

(b) before a cow is served by the bull, on demand made by the person in charge of the cow.

11. Whoever—

Penalties.

(a) keeps a bull in contravention of this Regulation or of any notice or order made thereunder, or of any of the terms, conditions or restrictions of a licence, or

(b) neglects or fails to submit a bull for inspection when required to do so under section 7, or

(c) neglects or fails to comply with an order served under section 8, or

(d) neglects or fails 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 may extend to one hundred rupees.

12. (1) If a person who keeps a bull neglects or fails to submit it for inspection, when required to do so under section 7, or to have it castrated, when required to do so under section 8, the Live-stock Officer may direct that the bull shall be castrated by a method and in a manner approved by him and marked with a prescribed mark in the prescribed manner, free of charge.

Power of Live-stock Officer to castrate bulls.

(2) If it is not known in whose ownership, possession or custody a bull is for the time being and 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 attained the ~~specified~~ age and is unsuitable for breeding purposes on any of the grounds ~~specified~~ in section (1) of section 5, he may direct that the bull shall be castrated by a method

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(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 *pinjrapole* 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.

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

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.

Duty of officers to report offences, etc.

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.

Cognizance of offences.

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.

Officers to be public servants.

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.

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Bar of certain proceedings.

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.

Limitation for certain suits and prosecutions.

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.

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.

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. Power to make rules.

(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 bull dedicated to a religious purpose in accordance with any religious usage or custom, if— Exemption.

(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.

President.

Sd/- RAM SARAN DAS.
Assistant Secretary (Judicial) to the
Chief Commissioner,
Andaman and Nicobar Islands.



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 28, PORT BLAIR, THURSDAY, DEC. 8, 1960/AGRAHAYANA 17, 1882.

ANDAMAN AND NICOBAR ADMINISTRATION,
CHIEF COMMISSIONER'S SECRETARIAT.

NOTIFICATION.

Port Blair, the 8th December 1960/17th Agrahayana 1882.

No. 281/13-79/60-J.—The following Regulation promulgated by the President is reproduced for general information.

By order,
(B. B. SRIVASTAVA)

Asst. Secretary to the Chief Commissioner.

THE ANDAMAN AND NICOBAR ISLANDS LIVE-
STOCK IMPROVEMENT (AMENDMENT)
REGULATION, 1960

No. 4 OF 1960

Promulgated by the President in the Eleventh Year of the Republic of India.

A Regulation to amend the Andaman and Nicobar Islands Live-stock Improvement Regulation, 1955.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—

1. (1) This Regulation may be called the Andaman and Nicobar Islands Live-stock Improvement (Amendment) Regulation, 1960.

Short title and commencement.

(2) It shall come into force at once.

2. In the Andaman and Nicobar Islands Live-stock Improvement Regulation, 1955.—

Amendment of Regulation 5 of 1955.

(i) clause (g) of section 2 shall be omitted; and

(ii) for the words "specified age" wherever they occur the words, "prescribed age" shall be substituted.

RAJENDRA PRASAD,
President.

R. C. S. SARKAR, *Secy.*

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