

File No. L-110110/16/2023-Trade (E- 24861)

भारत सरकार

Government of India

मत्स्य पालन, पशुपालन और डेयरी मंत्रालय

Ministry of Fisheries, Animal Husbandry and Dairying

पशुपालन और डेयरी विभाग

Department of Animal Husbandry and Dairying

कृषि भवन, नई दिल्ली -110 001,

Krishi Bhawan, New Delhi-110 001,

दिनांक / Dated the 7 June, 2023.

Office Memorandum

Subject: The Live-stock and Live-stock Products [Importation and Exportation] Bill, 2023 – reg.

The undersigned is directed to refer the subject stated above. Presently, Department is regulating import of live-stock and livestock products under the Live-stock Importation Act, 1898. Subsequently, the act was amended in the year of 2001 as “Live-stock Importation (Amendment) Act, 2001” to maintain the bio-security of the country by preventing the ingress of exotic diseases into the country through importation of live-stock and live-stock products.

2. Department is in process of re-enactment of Live-stock Importation Act, 1898 and Live-stock Importation (Amendment) Act, 2001. Accordingly, The Live-stock and Live-stock Products [Importation and Exportation] Bill, 2023 is prepared.

2. The comments / suggestions on The Live-stock and Live-stock Products [Importation and Exportation] Bill, 2023 are invited from all the stakeholders / importers / exporters. The draft will be available on the Departmental website for next 10 days or so. The comments / suggestions (if any) may be sent to this Department within next 10 days by email only at gagan.garg@nic.in with a copy at gn.singh13@nic.in.

Encl: As above

(G.N. Singh)

Joint Secretary

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THE LIVE-STOCK AND LIVE-STOCK PRODUCTS [IMPORTATION AND EXPORTATION] BILL, 2023

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and local extent.
2. Definitions.
3. Power to regulate importation of live-stock and live-stock products.
4. Power to make arrangements for promotion and development of exports of live-stock and live-stock products.
5. Penalty in violating the provision of the act or notifications thereunder.
6. Power to make rules.
7. Notifications to be laid before Parliament.
8. Persons authorised to be public servants.
9. Protection to persons acting under Act.
10. Repeal and saving.

**THE LIVE-STOCK AND LIVE-STOCK PRODUCTS IMPORTATION
EXPORTATION BILL, 2023**
ACT NO. OF 2023

[....., 2023]

An Act to frame measures for the regulation of the importation of live-stock and live-stock products as well as promotion and development of exports of live-stock and live-stock products.

WHEREAS it is expedient to frame sanitary measures for the regulation of the importation of live-stock and live-stock products which are liable to be affected by transboundary and exotic infectious or contagious diseases liable to affect animals and / or human health and to make arrangements for promotion and development of exports of live-stock and live-stock products; It is hereby enacted as follows: —

1. Short title and local extent.—(1) This Act may be called the Live-Stock and Live-Stock Products [Importation and Exportation] Act, 2023.

(2) It extends to the whole of India.

2. Definitions.—In this Act unless there is anything repugnant in the subject or context [with its grammatical variations and cognate expressions], otherwise requires,—

(a) “commodity” means live-stock, products of live-stock origin, live-stock genetic material, biological products and pathological material of live-stock origin;

(b) “hazard” means a biological, chemical or physical agent in, or a condition of, a live-stock or live-stock product with the potential to cause an adverse health effect;

(c) “import and export” means, bringing into, or taking out of, India any commodity by land, sea or air;

(d) “infectious or contagious diseases” means any disease as may be notified by Central Government time to time under “The Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009” or any other act in force for the time;

(e) “live-stock” includes all equines (all live equine irrespective of purpose including donkey, horses, mule, assess, hinnies), bovines (all bovine animals including cattle, buffaloes, bullocks or any animals falling in the category of bovidae), caprines, ovines, swines, canines, felines, avian, laboratory animals, aquatic animals and any other animal which may be specified by the Central Government by notification in the Official Gazette from time to time, except those prohibited in any other act;

(f) "live-stock products" include meat and meat products of all kinds including fresh, chilled and frozen meat, tissue, organs of bovine, poultry, pig, sheep, goat; egg and egg powder, milk and milk products; bovine, ovine and caprine, embryos, ova, semen; pet food products of animal origin and any other animal product produced from live-stock as notified under section 2 (e) by the Central Government in the Official Gazette from time to time;

(g) "notification" means notification published in the official gazette;

(h) "pathological material" means material obtained from live or dead live-stock, containing or suspected of containing infectious or parasitic agents, to be sent to a laboratory;

(i) "prescribe" means standards including sanitary measures, as may be necessary for the purpose of imports as well as promotion and development of exports of live-stock and live-stock products;

(j) "quarantine station" means an establishment where live-stock and live-stock products are kept in isolation with no direct or indirect contact with other live-stock and live-stock products, before release for use;

(k) "risk" means the likelihood of the occurrence and the likely magnitude of the biological and economic consequences of an adverse event or effect to animal or human health;

(l) "sanitary measure" means a measure, designed to protect animal or human health or life within the whole territory or a zone from risks arising from the entry, establishment or spread of a hazard;

3. Power to regulate importation of live-stock and live-stock products.—

(1) The Central Government shall, by notification in the Official Gazette, regulate, restrict or prohibit, in such manner and to such extent as it may think fit, the import, into India or any specified place therein,-

(A) any live-stock, including related fodder, feed, dung, stable-litter, clothing harness or fittings appertaining to live-stock or that may have been in contact therewith, which may be liable to be affected by infectious or contagious diseases;

(B) any live-stock product, which may be liable to affect human or animal health.

(2) All import of live-stock and live-stock products, as specified by the Central Government by notification in the Official Gazette from time to time, shall be allowed to enter into the country by land, sea or air through animal quarantine stations and /or other such places as notified from time to time.

(3) A notification issued under sub-section (1) and / or sub-section (2) of section 3, shall operate as if it has been issued under section 11 of the Customs Act, 1962 (52 of 1962) and the officers of the Customs at every port,

airport, Inland Container Depot and Land Customs Station shall have the same powers in respect of any live-stock or live-stock product or thing with regard to the importation of which such a notification has been issued and the vessel, aircraft, vehicle and other mode of conveyance containing the same, as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to Customs and the vessel, aircraft, vehicle and other mode of conveyance containing the same; and the enactments for the time being in force relating to Customs or any such article or vessel, aircraft, vehicle and other mode of conveyance shall apply accordingly.

4. Power to make arrangements for promotion and development of exports of live-stock and live-stock products.—The Central Government, by notification in the Official Gazette, shall prescribe measures, in such manner, as may be necessary for the purpose of promotion and development of exports of live-stock and live-stock products.

5. Penalty in violating the provision of the act or notifications thereunder.—Any organization or individual imports commodity which is in contravention of the provisions of this act or notifications thereunder, shall, in addition to any penalty to which he/she may be liable under the provisions of the Customs Act, 1962 (52 of 1962), the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) and Food Safety and Standards Act, 2006 (34 of 2006), be also liable under this Act, including deport or re-export to the country of export or destruction of the imported commodity, at the cost of that organization or individual.

6. Power to make rules.—The Central Government may, by notification in the Official Gazette, make rule to carry out the purposes of this Act, in such manner, as may be necessary.

7. Notifications and rules to be laid before Parliament.— Every notification and rule made by the Central Government under the act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment, shall be without prejudice to the validity of anything previously done under that rule or regulation.

8. Persons authorised to be public servants.—Every person authorised by the Central Government under section 3 and section 4 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

9. Protection to persons acting under Act.—No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

10.Repeal and saving.—(1) The Live-stock Importation Act, 1898 is hereby repealed.

(2) Notwithstanding such repeal of the aforesaid enactment, anything done or any action taken under the Live-stock Importation Act, 1898, which are in force as on the date of commencement of this Act, shall continue to be in force for all purposes, as if they had been issued under the provisions of this Re-enactment or the notifications made thereunder.