



The Haryana Animal (Registration, Certification and Breeding) Act, 2019

Act 17 of 2019

Keyword(s):

Animal, Animal Breeder, Animal Registration, Animal Registration Authority, Animal Breeding Regulatory Authority, Bovine, Certified Animal, Embryo Transfer Technology

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HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 13th March, 2019

No. Leg.17/2019.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 8th March, 2019 and is hereby published for general information:-

HARYANA ACT NO. 17 OF 2019

**THE HARYANA ANIMAL (REGISTRATION, CERTIFICATION AND BREEDING)
ACT, 2019**

**AN
ACT**

for welfare and genetic improvement of animals by regulating animal breeding activities including use of breeding animals for production, processing, storage, sale and distribution of animal semen and embryos by way of artificial insemination, in-vitro fertilization, embryo transfer technology etc. by registration and certification of animals and to prevent victimization of the owners of the animals by way of unregulated breeding activity in the State and for the matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Animal (Registration, Certification and Breeding) Act, 2019. Short title, commencement and application.
- (2) It shall come into force on the date of its publication in the Official Gazette.
- (3) It shall apply to bovine at the first instance and to such animals, as the Government may, by notification, specify.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (1) "animal" means all domestic animals and excludes those animals included in the Schedules to the Wildlife (Protection) Act, 1972 (Central Act 53 of 1972);
 - (2) "animal breeder" means any person, organization, firm or agency engaged or associated in animal breeding activities;
 - (3) "animal registration" means registration by way of entry of details of individual animals in State Herd Book by the registering authority;
 - (4) "artificial insemination" means the technique and procedure used for depositing liquid or frozen- thawed semen into the mature female reproductive tract by artificial means;
 - (5) "Animal Registration Authority" means the authority constituted under section 3;
 - (6) "Animal Certification Authority" means the authority constituted under section 4;
 - (7) "Animal Breeding Regulatory Authority" means the authority constituted under section 5;
 - (8) "bovine" means any animal of cattle and buffalo group such as cow, cow-bull, cow-heifer, buffalo, buffaloso-bull and buffalo heifer;
 - (9) "certification" means an action or process of providing an official document under the seal of Animal Certification Authority;
 - (10) "certified animal" means an animal certified by the Animal Certification Authority;
 - (11) "embryo" means an early stage of development up to blastocyst stage, developed in-vitro or in vivo as a result of fertilization of animal female ovum by animal sperm either in fresh or cryo-preserved state;
 - (12) "embryo transfer technology" means the technique and procedure used for transfer of in-vitro produced embryo to the reproductive tract of female recipient;
 - (13) "Government" means the Government of the State of Haryana in the administrative department;

- (14) "in-vitro fertilization" means an advanced reproductive technology used for production of embryos in in-vitro condition for transfer;
- (15) "in-vitro fertilization expert or embryo transfer technology expert" means a person having post-graduate degree in the specialized field of Veterinary Gynaecology, Veterinary Physiology, Animal Genetics or Breeding and Animal Biotechnology;
- (16) "premises" means any place, land, yard, building, vehicle or any other site that is used for quarantine station, semen or embryo production, processing, storage, transportation, distribution, trade or utilization;
- (17) "prescribed" means prescribed by the rules made under this Act;
- (18) "quarantine station" means an approved and licensed premises for the isolation and examination of animals or animal products intended for import or export;
- (19) "semen" means the semen or sexed semen of an animal in any form excluding substandard semen;
- (20) "semen bank" means a premises where the animal semen is stored for trading or distribution;
- (21) "semen station" means a premises where a facility is setup for production, processing and storage of animal semen;
- (22) "services" means the animal breeding services and includes such other services, as may be specified;
- (23) "sexed semen" means semen having sperms to produce more progenies of a desired sex;
- (24) "sexed embryo" means embryo of a desired sex to produce more progenies;
- (25) "State" means the State of Haryana;
- (26) "State Herd Book" means a book of record maintaining the detailed data of animals of the State;
- (27) "sub-standard embryo" means embryo which does not meet the specified standards;
- (28) "sub-standard semen" means semen fresh or frozen semen that do not meet the prescribed standards;
- (29) "veterinarian" means a registered veterinary practitioner as defined in the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984).

Constitution of
Animal
Registration
Authority.

3. (1) The Government shall, by notification in the Official Gazette, for the purpose of registration of animals under this Act, constitute an authority to be known as the Animal Registration Authority which shall consist of the following members, namely:-

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|-----|--|------------------|
| (a) | Director General, Animal Husbandry and Dairying Department, Haryana | Chairperson |
| (b) | Managing Director, Haryana Livestock Development Board | Member |
| (c) | one veterinarian posted at Animal Husbandry and Dairying Department, Haryana | Member |
| (d) | a veterinarian not below the rank of Deputy Director or eminent veterinarian with at least fifteen years experience in the Animal Husbandry and Dairying Department, Haryana or Haryana Livestock Development Board or Lala Lajpat Rai University of Veterinary and Animal Sciences, to be nominated by the Government | Member-Secretary |

(2) The headquarter of the Animal Registration Authority shall be at Panchkula, Haryana.

(3) The registration of animals shall be voluntary and only registered animals shall be offered for applying for certification.

4. (1) The Government shall, by notification in the Official Gazette, for the purpose of certification of animals under this Act, constitute an authority to be known as the Animal Certification Authority which shall consist of the following members, namely:-

Constitution of Animal Certification Authority.

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|-----|---|------------------|
| (a) | Head of Animal Genetics and Breeding Department, Lala Lajpat Rai University of Veterinary and Animal Sciences | Chairperson |
| (b) | one expert from Livestock Production Management, Lala Lajpat Rai University of Veterinary and Animal Sciences or Animal Husbandry and Dairying Department, Haryana with at least fifteen years experience | Member |
| (c) | one representative from Animal Husbandry and Dairying Department, Haryana not below the rank of Sub-Divisional Officer or eminent veterinarian with at least fifteen years experience | Member |
| (d) | one expert from Animal Genetics Department, Lala Lajpat Rai University of Veterinary and Animal Sciences or Animal Husbandry and Dairying Department, Haryana with at least fifteen years experience | Member-Secretary |

(2) The headquarter of the Animal Certification Authority shall at the location specified by the Animal Genetics and Breeding Department, Lala Lajpat Rai University of Veterinary and Animal Sciences, Hisar, time to time.

5. (1) The Government shall, by notification in the Official Gazette, constitute an authority to be known as Animal Breeding Regulatory Authority which shall consist of the following members, namely:-

Constitution of Animal Breeding Regulatory Authority.

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|-----|--|------------------|
| (a) | an eminent breeder or veterinarian, to be nominated by the Government | Chairperson |
| (b) | Director General, Animal Husbandry and Dairying Department, Haryana | Member |
| (c) | Managing Director, Haryana Livestock Development Board | Member |
| (d) | Director of Research or his representative not below the rank of Professor or Principal Scientist, Lala Lajpat Rai University of Veterinary and Animal Sciences | Member |
| (e) | Head of Animal Genetics and Breeding Department, Lala Lajpat Rai University of Veterinary and Animal Sciences | Member |
| (f) | one eminent veterinarian experienced in semen or embryo production, to be nominated by the Government | Member |
| (g) | one eminent animal breeder, to be nominated by the Government | Member |
| (h) | one eminent reproduction specialist, to be nominated by the Government | Member |
| (i) | a veterinarian of the rank of Deputy Director or eminent veterinary expert with fifteen years experience from the Animal Husbandry and Dairying Department, Haryana, to be nominated by the Government | Member-Secretary |

- (2) The headquarter of the Animal Breeding Regulatory Authority shall be at Panchkula, Haryana.
- (3) No animal breeder shall carry on or continue any animal breeding activity unless he has obtained a certificate of registration in respect of premises being used or intended to be used by him for breeding of animal, production, processing, storage, sale and distribution of animal semen and embryos from the Animal Breeding Regulatory Authority.
- 6.** The affairs of the authorities shall be managed and administered by the respective Member-Secretary.
- 7.** Any person desirous to register his animal shall make an application to the Animal Registration Authority or any person authorized by it, in such manner, containing such particulars and such fee, as may be prescribed and after considering his application and satisfying itself that animal meets the particular claimed and is disease free and vaccinated, the authority shall enter such detailed data in the State Herd Book and register the animal.
- 8.** Any person desirous for certification of animal may apply to the Animal Certification Authority for the grant of a certificate in such manner, along with such fee, as may be prescribed and after considering his application and satisfying itself in such manner, as may be prescribed that the animal to be registered have specific characteristics or parameters, as may be prescribed, shall issue a certificate mentioning therein the breed and its percentage under its seal to the person concerned.
- 9.** For the purpose of this Act, the Animal Breeding Regulatory Authority shall—
- implement the breeding policy framed by the Government;
 - regulate the production, storage, sale and use of semen and embryos produced within or outside the State or imported from any other country;
 - register semen stations and embryo stations in the State;
 - register semen banks and embryo banks in the State;
 - certify the trained artificial insemination workers or in-vitro fertilization or embryo transfer technology technicians for providing animal breeding activities in the State;
 - perform such other functions, as may be prescribed;
 - supervise the Animal Registration Authority and Animal Certification Authority.
- 10.** (1) Every authority shall meet at such time and place, as the concerned Member-Secretary may determine in consultation with the Chairperson and shall observe such procedure with regard to the transaction of its business at such meetings, as may be prescribed.
- (2) The quorum for the transaction of business at a meeting shall be minimum two-third of the total members including the Chairperson.
- 11.** The authorities may discharge its duties through the staff of Animal Husbandry and Dairying Department, Haryana or Haryana Livestock Development Board or Lala Lajpat Rai University of Veterinary and Animal Sciences or through any other person so authorized. They may also outsource or get on deputation such number of officers and with such veterinary qualifications and experience, as may be prescribed as they may consider necessary for the efficient discharge of its functions
- 12.** For the discharge of the functions conferred on the authorities under this Act, the authorities or any officer empowered by it in this behalf shall have the power to obtain any required information from any semen station, semen bank or in-vitro fertilization or embryo transfer technology laboratory or related person associated in animal breeding activities.
- 13.** (1) No premises shall be used or intended to be used for establishment and operation as a semen station for production and storage of semen doses for artificial insemination or production without obtaining a certificate of registration from the Animal Breeding Regulatory Authority.

(2) Any person who desires to establish and operate a semen station shall make an application for registration or renewal in such form, along with such fee, as may be prescribed.

(3) The existing semen stations shall apply to the Animal Breeding Regulatory Authority for grant of certificate of registration in such form along with such fee, as may be prescribed within three months from the date of commencement of this Act. They shall also declare the current stock of semen along with such other details, as may be prescribed.

(4) Applicants intending to set up a new semen station or the existing semen stations, who have submitted application form along with fee, shall be issued a provisional certificate of registration to meet the conditions specified in sub-section (6) of this section. The provisional certificate of registration shall be valid for a period of six months. It may be extended for a further period of six months on the request of the applicant, in writing on payment of such fee, as may be prescribed.

(5) For the grant of permanent certificate of registration for a new semen station or the existing semen station, the applicant shall apply to the Animal Breeding Regulatory Authority for inspection of his facility within the above six months or the extended period of six months, whichever applicable. The Animal Breeding Regulatory Authority shall thereupon, constitute a committee of experts for such inspection and take a report from the committee of experts.

(6) The Animal Breeding Regulatory Authority, after satisfying itself that,-

(A) the semen station,-

- (i) has such quarantine station, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;
- (ii) has premises for the rearing and housing of male animals and the collection, processing, quality control, storage, distribution and quarantine of semen doses, as may be specified by the Animal Breeding Regulatory Authority or the Government of India; and
- (iii) has premises for the storage of semen doses, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;

(B) every male animal used in the semen station for production of semen doses,-

- (i) has tested negative to such tests, as may be specified by the Animal Breeding Regulatory Authority or the Government of India,-
 - (a) prior to its entry to a quarantine station;
 - (b) during quarantine period at a quarantine station;
 - (c) during rearing at a rearing station and at the semen station;
- (ii) conforms to breed characteristics of the breed and meets the minimum standards for various traits in terms of quantity and quality, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;

(C) the semen station maintains accurate details of the animal, whose semen doses it produces, stores, sells, distributes or proposes to distribute for artificial insemination in such format, as may be prescribed,-

shall grant the certificate of registration to a new semen station or the existing semen station clearly specifying the name, address, registration number of the semen station, unique identification number of certified male animals to be used for semen production, name of the in-charge of the semen station and such other particulars, as it may deem fit.

(7) The certificate of registration granted to semen station shall be valid for a period of three years from the date of its issue.

(8) An application for renewal of certificate of registration shall, be made in such form, along with such fee, as may be prescribed, at least three months before the expiry of the certificate of registration. The Animal Breeding Regulatory Authority after satisfying itself that the conditions specified in sub-section (6) have been adhered to, renew the registration for a further period of three years.

(9) The Animal Breeding Regulatory Authority may, after giving the applicant an opportunity of being heard and for reasons to be recorded in writing, refuse to grant or renew the certificate of registration of the animal breeder or breeding facility or semen station or semen bank.

(10) Any new male animal that meets the standards for semen production shall not be inducted in the semen station for semen or sexed semen production without the necessary certification from the Animal Certification Authority.

(11) Death or culling of certified animal shall be informed to the Animal Breeding Regulatory Authority forthwith with a copy of report stating therein the cause of death and frozen semen stock available of that animal at the time of the death of the animal.

(12) The Animal Breeding Regulatory Authority shall send a committee of experts to inspect a semen station as and when desired, but at least once in a year and shall also collect the frozen semen samples at random for parentage verification, to ensure compliance of the conditions specified in the certificate of registration.

Registration of semen banks.

14. (1) Within three months from the date of commencement of this Act, no premises shall be used or intended to be used to establish and operate a semen bank without obtaining a certificate of registration under this Act.

(2) A person desirous of obtaining a certificate of registration under this Act shall apply in such form, along with such fee, as may be prescribed. The certificate of registration shall be issued in such manner and subject to such conditions, as may be prescribed.

(3) It shall be mandatory for the semen bank to signify the numbering patterns upon each semen straw and upload the same on the domain which may be accessed by any person and provide details of the same to the Animal Breeding Regulatory Authority so that the same is available for the public to check and confirm whether the semen is indeed from that semen bank and from the specified certified animal or not.

Certification of male animals.

15. (1) Within three months from the date of commencement of this Act, no new semen station shall carry out semen production or natural service from any male animals other than those certified by the Animal Certification Authority.

(2) A person desirous of obtaining a certificate of registration of male animals under this Act shall apply in such form, along with such fee, as may be prescribed.

(3) The certificate of registration shall be issued in such manner and subject to such conditions, as may be prescribed.

(4) The Animal Certification Authority shall generate a unique identification number for each certified animals and it shall be mandatory for the semen stations to tag this unique identification number securely and permanently to the certified animal at all times.

Certification of animals for natural service.

16. (1) Within three months from the date commencement of this Act, no animal breeder shall carry on or continue any breeding activity through a breeding animal to provide natural service or breeding services in any form without getting the animal certified and obtaining a certificate from the Animal Breeding Regulatory Authority as provided in the foregoing provisions of this Act.

(2) A person desirous of obtaining a certificate of registration of animals for natural service under this Act shall apply in such form, along with such fee, as may be prescribed.

(3) The certificate of registration referred to in sub-section (2) shall be issued in such manner and subject to such conditions, as may be prescribed.

(4) The Animal Certification Authority shall generate a unique identification number for each certified animals and it shall be mandatory for the semen stations to tag this unique identification number securely and permanently to the certified animal at all times.

Certification of trained artificial insemination workers.

17. The trained artificial insemination workers shall be certified by the Animal Breeding Regulatory Authority in such manner and subject to such conditions, as may be prescribed.

Regulation of sale of semen.

18. (1) No person shall sell, distribute, gift or transfer semen or sexed semen to any person other than a person authorized by the Animal Breeding Regulatory Authority in this behalf and without informing the numbering pattern upon each semen straw.

(2) No semen or sexed semen produced outside the State shall be allowed to be sold, distributed or gifted for artificial insemination or transfer, into the State except with the prior approval of the Animal Breeding Regulatory Authority and such approval shall be subject to such conditions, as may be prescribed:

Provided that provisions of sub-section (2) shall not apply to semen or sexed semen produced with due permission from the concerned department of Government of India.

(3) No semen or sexed semen shall be imported for use in the State from any other country, except with the prior approval of the Animal Breeding Regulatory Authority and such approval shall be subject to such conditions, as may be prescribed:

Provided that provisions of sub-section (3) shall not apply to semen or sexed semen imported with due permission from the concerned department of Government of India.

19. (1) Within three months from the date of commencement of this Act, no premises shall be used or intended to be used to establish and operate an embryo bank or embryo transfer technology or in-vitro fertilization laboratory for production and transfer of embryos without obtaining a certificate of registration from the Animal Breeding Regulatory Authority.

Registration of embryo bank or embryo transfer technology or in-vitro fertilization laboratory.

(2) Any person who desires to establish or operate a new embryo bank or embryo transfer technology or in-vitro fertilization laboratory shall make an application for registration or renewal to the Animal Breeding Regulatory Authority in such form, along with such fee, as may be prescribed.

(3) The existing embryo bank or embryo transfer technology or in-vitro fertilization laboratory shall apply to the Animal Breeding Regulatory Authority for grant of certificate of registration in such form, along with such fee, as may be prescribed within three months from the date of commencement of this Act.

(4) Applicants intending to set up a new embryo bank or embryo transfer technology or in-vitro fertilization laboratory or the existing embryo bank or embryo transfer technology or in-vitro fertilization laboratory, shall apply in such form, along with such fee, as may be prescribed for a provisional certificate of registration to meet the conditions specified in sub-section (6). The provisional certificate of registration shall be valid for a period of twenty-four months. It may be extended for a further period of twelve months on the request of the applicant, in writing on payment of such fee, as may be prescribed.

(5) For the grant of permanent certificate of registration for a new embryo bank or embryo transfer technology or in-vitro fertilization laboratory or the existing embryo bank or embryo transfer technology or in-vitro fertilization laboratory, the applicant apply in such form, along with such fee, as may be prescribed, to the Authority for inspection within the above twenty-four months. The Animal Breeding Regulatory Authority shall there upon, send a committee of experts from the consultative panel for such inspection.

(6) The Animal Breeding Regulatory Authority, after satisfying itself that,-

(A) the embryo bank or embryo transfer technology or in-vitro fertilization laboratory,-

(i) has such premises for the quarantine of donor animals, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;

(ii) has such premises for the rearing and housing of donors animals and the collection, processing, quality control, storage, distribution and quarantine of embryo, as may be specified by the Animal Breeding Regulatory Authority or the Government of India; and

(iii) has such premises for the storage of embryos, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;

(B) every donor animal, used for embryo transfer technology or in-vitro fertilization,-

(i) has tested negative to such tests, as may be specified by the Animal Breeding Regulatory Authority or the Government of India,-

(a) prior to its entry to quarantine station;

- (b) during quarantine period at a quarantine station;
- (c) during rearing at a rearing station; and
- (ii) is free of reproductive abnormalities and disease and has no conformational or known genetic defects;
- (iii) conforms to breed characteristics of the breed and meets such minimum standards for various traits in terms of quantity and quality, as may be specified by the Animal Breeding Regulatory Authority or the Government of India;
- (C) the embryo or embryo transfer technology or in-vitro fertilization laboratory shall maintain accurate pedigree and performance records of the donor animals, whose oocyte or ovum or embryo it produces, stores, sells, distributes or proposes to distribute for embryo transfer in such format, as may be prescribed,—

shall grant the certificate of registration to a new or existing embryo or embryo transfer technology or in-vitro fertilization laboratory clearly specifying the name and address of the embryo or embryo transfer technology or in-vitro fertilization laboratory, registration number of the embryo or embryo transfer technology or in-vitro fertilization laboratory, unique identification number of certified donors animals to be used for embryo production, name of the in-charge of the station or laboratory on such terms and conditions, as it may deem fit.

(7) The certificate of registration granted to embryo or sexed embryo or embryo transfer technology or in-vitro fertilization laboratory under this section shall be valid for a period of three years from the date of its issue.

(8) The embryo or embryo transfer technology or in-vitro fertilization laboratory shall, in such form, along with such fee, as may be prescribed, apply for renewal of registration to the Animal Breeding Regulatory Authority at least three months before the expiry of the certificate of registration. The Animal Breeding Regulatory Authority after satisfying itself that the conditions specified in sub-section (6) with regard to certificate of registration have been adhered to, shall renew the registration for a further period of three years, within three months from the date of receipt of application. If the renewal certificate is not issued within three months, approval shall be deemed to have been accorded, unless communicated otherwise.

(9) Any new animal donors that meets the standards for embryo production shall not be inducted in the embryo transfer technology or in-vitro fertilization laboratory for embryo production without necessary certification from the Animal Certification Authority.

(10) Death or culling of certified animal shall be informed to the Animal Breeding Regulatory Authority forthwith with a copy of report stating therein the cause of death and frozen embryo stock available of that animal at the time of the death of the animal to the Animal Certification Authority.

(11) The Animal Breeding Regulatory Authority may, after giving the applicant an opportunity of being heard and for reasons to be recorded in writing, refuse to grant or renew the certificate of registration.

(12) The Animal Breeding Regulatory Authority shall send a committee of experts to inspect an embryo or sexed embryo or embryo transfer technology or in-vitro fertilization laboratory as and when desired, but atleast once in a year, to ensure compliance of the conditions specified in the certificate of registration.

Certification of embryo transfer technology or in-vitro fertilization worker.

20. The trained embryo transfer technology or in-vitro fertilization workers shall be registered and certified by the Animal Breeding Regulatory Authority in such manner and subject to such conditions, as may be prescribed.

Regulation of sale of embryo or sexed embryo.

21. (1) No person shall sell, distribute, gift or transfer the embryo or sexed embryo to any person other than a person authorized by the Animal Breeding Regulatory Authority.

(2) No embryo produced outside the State shall be allowed to be sold, distributed or gifted for transfer in the State except with the prior approval of the Animal Breeding Regulatory Authority. The authority shall grant approval in such manner and subject to such conditions, as may be prescribed.

(3) No oocyte, ovum, embryo or sexed embryo shall be imported for use in the State from any other country, except with the prior approval of the Animal Breeding Regulatory Authority and subject to such conditions, as may be prescribed.

(4) It shall be mandatory for the embryo bank to specify the numbering pattern of each embryo straw and upload the same on the domain which may be accessed by any person providing details of the same to the Animal Certification Authority or Animal Breeding Regulatory Authority as to make the same available for the public to check and confirm whether the embryo is indeed from that semen bank and from the specified certified animal or not.

22. (1) The Animal Breeding Regulatory Authority or persons authorized by it in this behalf, with a view to ensure compliance with the terms and conditions of the certificate of registration or any provisions of this Act or rules made thereunder, or for the purpose of inspection and inquiry, may,—

Power to inspect, search and seizure.

(a) enter, inspect and cause or conduct search of any premises if there is a reasonable doubt about them being involved in commission of any offence or that any activity in contravention of the provisions of this Act is being carried out or there is contravention of any of the provisions of this Act or rules made thereunder or the holder of certificate of registration is carrying out activities in violation of the terms and conditions specified in the certificate of registration issued under this Act;

(b) collect samples of semen, sexed semen, embryo, sexed embryo, blood or any other material used in semen or embryo production from the premises or any semen station or embryo transfer technology or in-vitro fertilization laboratory or embryo bank and have such samples analysed from an authorised laboratory.

(2) All the stock of the semen or embryo which is from uncertified animal shall be destroyed immediately and processing equipment or laboratories shall be seized and inventory in this regard be prepared in presence of two independent witness:

Provided that no search shall be deemed to be irregular by reason only of the fact that witnesses for the search are not inhabitants of the locality in which the place searched is situated.

23. (1) Whoever holds a certificate of registration under this Act shall maintain such books, accounts and records relating to the activities carried out under the provisions of this Act and rules made thereunder, in such form, as may be prescribed.

Maintenance and submission of record.

(2) Whoever holds a certificate of registration for a semen station or semen bank or embryo bank or embryo transfer technology or in-vitro fertilization laboratory shall submit to the Animal Breeding Regulatory Authority, an annual or at an interval or time specified by it, a report, in duplicate, in such form, as may be prescribed and with respect to new donors animals proposed for certification whose semen, ovum or embryo is to be used in such form, as may be prescribed.

24. The Animal Breeding Regulatory Authority, may in exercise of its powers and to perform its functions under this Act, issue any directions in writing to any person, officer or authority, as the case may be, and such person, officer or authority shall be bound to comply with such directions. The powers to issue directions under this section shall include the power to direct,—

Power to give directions.

(i) closure, prohibition or regulation of any operation, process or activity related to animal breeding carried out in contravention of the provisions of this Act or rules made thereunder; or

(ii) stoppage or regulation of supply of electricity, water or any other service.

25. (1) Where it is apprehended by the Animal Breeding Regulatory Authority that any person, firm, company or Non-Governmental Organization is associated in the animal breeding services or trading and supply of semen or embryo in contravention of the provisions of this Act or rules made thereunder, the Animal Breeding Regulatory Authority or any officer empowered in this behalf, after adopting the procedure mentioned in section 22, prepare such report and after scrutiny of the report, the Animal Breeding Regulatory Authority shall launch prosecution before the court having jurisdiction over the area, for restraining such person from carrying out the said activity.

Power to make application to courts for restraining activities.

(2) On receipt of a complaint under sub-section (1), the court may pass an order restraining such person to carry out the said activity or give such directions or pass such order, as it may deem fit.

Explanation.— For the purpose of this Act, the Animal Breeding Regulatory Authority or any officer empowered in this behalf launching prosecution shall be deemed to be a complainant.

(3) The provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search, seizure, investigation and prosecution shall apply, as far as may be, to all action taken by the Animal Breeding Regulatory Authority or any officer empowered under this Act.

Penalties in contravention of section 16.

26. (1) Whoever acts or abets the commission of an act which is in contravention of the provision contained in section 16 shall be punishable with a fine of ten thousand rupees being first time offender; with a fine of twenty thousand rupees as second time offender and for the subsequent offence, with simple imprisonment which may extend upto three months and also liable for fine which may extend upto one lakh rupees.

Explanation.— In case of habitual offender, animal so used by the owner or breeder for natural service or natural breeding shall also be seized.

(2) The fine so imposed, may be recovered from the person concerned, as arrears of land revenue.

Penalty.

27. (1) Any person who contravenes or violates any other provision except section 16, shall be punished with rigorous imprisonment which may extend upto one year or with a fine which may extend upto one lakh rupees or both.

(2) The fine so imposed, may be recovered from the person concerned, as arrears of land revenue.

Cognizance of offence.

28. (1) No court shall take cognizance of any offence under this Act, except on a complaint made by the Animal Breeding Regulatory Authority or any officer empowered in this behalf.

(2) Production, possession, distribution, sale, transfer in any form, import- export or use of unauthorized semen or embryo or misbranded or sub-standard semen or embryo shall be a non-cognizable and bailable offence under this Act.

Report of authorized laboratory.

29. Any document purporting to be a report duly issued by a authorized laboratory may be used as expert evidence in view of the provision contained in section 293 of Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

Reports.

30. The Animal Registration Authority, Animal Certification Authority and Animal Breeding Regulatory Authority shall furnish such reports, statistics and other information with respect to its funds, activities or policies, as may be required by the Government, from time to time.

Public Servants.

31. All experts, officers and officials of the Animal Registration Authority, Animal Certification Authority and Animal Breeding Regulatory Authority, when acting or purporting to act in pursuance of any of the provisions of this Act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).

Issue of duplicate certificate.

32. In case a certificate of registration or a certificate of renewal issued under this Act is defaced, lost or destroyed, the Animal Breeding Regulatory Authority may, upon satisfaction, grant a duplicate certificate to the applicant on payment of such fee, as may be prescribed.

Revocation of certificate of registration.

33. (1) If the Animal Breeding Regulatory Authority is satisfied, either on a reference made to it in this behalf or on the basis of inquiry report of a committee of experts or otherwise that,-

- (a) the certificate of registration granted to a semen bank, semen station, an embryo or sexed embryo station, embryo or sexed embryo bank, in-vitro fertilization or embryo transfer technology laboratory has been obtained by misrepresentation or fraud; or

- (b) the holder of the certificate of registration has, without reasonable cause, failed to comply with the terms and conditions subject to which the certificate has been granted or has contravened any of the provisions of this Act or rules made thereunder or has not complied with the conditions then without prejudice to any other provision to which the holder of the certificate may be held liable, after giving the holder of the certificate of registration an opportunity to show cause shall,—
- (i) upon receiving reply to the show cause, examine the matter and in case reply to that show cause notice is found unsatisfactory, after recording reasons in writing, may pass an order to revoke the certificate of registration or renewal thereof and shall take such steps against such person, as may be prescribed; or
 - (ii) suspend the certificate of registration or renewal till the holder of the certificate complies with all the required conditions to the satisfaction of the Animal Breeding Regulatory Authority; or
 - (iii) take an undertaking from the holder of the certificate of registration to comply with the provisions of this Act or rules made thereunder if defects are minor in nature and does not defeat the very purpose of this Act.

34. (1) Any person aggrieved by an order of the Animal Breeding Regulatory Authority refusing to grant or renew a certificate of registration or revoking or suspending the certificate of registration under the provisions of this Act or rules made thereunder, may file an appeal before the Appellate Authority, who shall be the Administrative Secretary to Government, Haryana, Animal Husbandry and Dairying, Department within thirty days from the date of order. Appeal.

(2) The appellate authority, after giving a reasonable opportunity of being heard to the applicant, shall decide the appeal, as expeditiously as possible, but within three months from the date of the filing of appeal.

(3) The appellate authority may delegate its power to hear the appeal to any officer not below the rank of Special Secretary.

35. No act done or action taken, in exercise of any of the powers conferred by or under this Act or rules made thereunder by the Government, authority or its members, officers or other employees shall be called in question in any civil court. Bar on jurisdiction.

36. No suit, prosecution or other legal proceedings shall lie against the Government or the authority or its members or officers or other employees in respect of anything which is in good faith done or intended to be done under this Act. Protection of action taken in good faith.

37. (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing powers, the Government may make such rules, as may provide for any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session.

38. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear it to be necessary or expedient for removing the difficulty. Power to remove difficulties.

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

39. (1) The funds of the Animal Registration Authority, Animal Certification Authority and Animal Breeding Regulatory Authority shall be met out from the budgetary allocation of the Haryana Livestock Development Board. Funds of Authorities.

(2) The Animal Registration Authority, Animal Certification Authority and Animal Breeding Regulatory Authority may receive grant from the Government, Central Government, Non-Governmental Organization, trust, society, company, international agencies which shall be credited to the fund of the said authorities.

Repeal and saving.

40. (1) The Punjab Livestock Improvement Act, 1953 (Punjab Act 47 of 1953), as applicable to Haryana is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

MEENAKSHI I. MEHTA,
Secretary to Government Haryana,
Law and Legislative Department.