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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 13th December, 2018

No. 29-PLA-2018/60.-The Punjab Regulation of Cattle Feed, Concentrates and Mineral Mixtures Bill, 2018 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.29-PLA-2018

**THE PUNJAB REGULATION OF CATTLE FEED,
CONCENTRATES AND MINERAL MIXTURES BILL, 2018**

A

BILL

to regulate the quality of cattle feed, concentrates and mineral mixtures in the State of Punjab with the objective of protecting and improving the livestock and safeguarding the interests of the users of these products.

BE it enacted by the Legislature of the State of Punjab in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Regulation of Cattle Feed, Concentrates and Mineral Mixtures Act, 2018. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Definitions.

2. In this Act, unless the context otherwise requires,-

- (a) 'Calf Growth Meal' means a meal conforming to the Quality Specifications suitable for feeding the calves from the age of ninety one days up to approximately one hundred eighty days;
- (b) 'Calf Starter Meal' means a meal conforming to the Quality Specifications suitable to feed the calves upto the age of ninety days;
- (c) 'Cattle Feed' means a scientifically balanced mixture of cattle feeding ingredients which contain all the nutrients derived from grains, seeds, by-products of grain, oil-cakes and meals, tubers and roots and other agro-industrial by-products which are not harmful for animal feeding and which may be in the form of meals, cubes, pellets or granules suitable for feeding cattle and buffaloes from the age of approximately one hundred eighty days;
- (d) 'Concentrates' means those cattle feed ingredients which contain nutrients in concentrated form conforming to the Quality Specifications;
- (e) 'dealer' means a person, an association of persons, a firm or an agency who/which is engaged in the purchasing, storing, selling, in whatever manner, of Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures, and includes a Director, or a Manager, by whatever name called, who is responsible to run the aforesaid trade;
- (f) 'Government' means the Government of the State of Punjab in the Department of Dairy Development;
- (g) 'manufacturer' means a person, an association of persons, a firm or a company who/which is engaged in the manufacturing, storing, selling or/and distribution, to the dealers, in whatever manner, of Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures, and includes a Director, or a Manager, by whatever name called, who is responsible to run the aforesaid concern;

- (h) 'Mineral Mixtures' means the mixtures of nutritionally essential minerals in the form of free flowing powder thoroughly mixed and completely homogenized conforming to the Quality Specifications, free from adulterants, insects or fungus infestation and undesirable odour;
- (i) 'prescribed' means prescribed by rules made under this Act;
- (j) 'Proprietary Feed' means the feed developed through research and development efforts for specific purpose of increasing productivity and reducing cost of milk production, which includes bypass protein feed, feed supplement, bypass fat, urea molasses mineral block, urea molasses liquid feed, mineral salt lick etc. conforming to the Quality Specifications;
- (k) 'Quality Specifications' means the quality specifications, as may be prescribed with regard to all the livestock nutritional items covered under this Act;
- (l) 'Registration Authority' means the Director, Dairy Development Department, Punjab, or any other person authorized by the Government to exercise the powers of the Registration Authority under this Act;
- (m) "Registration Certificate" means a registration certificate issued under this Act;
- (n) 'Secretary' means the Secretary to Government of Punjab, Department of Dairy Development; and
- (o) 'Straw Based Feed' means the feed manufactured by using by-products of food crops along with other feed ingredients conforming to the Quality Specifications.

3. (1) No person shall carry on the business of manufacture, storage, sale and/or distribution in any manner of Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures, except under and in accordance with the terms and conditions of a registration certificate issued by the Registration Authority under this Act:

Registration for
manufacture,
storage, sale and/
or distribution.

Provided that a person who at the time of commencement of this Act, was carrying on business of manufacture, storage, sale and/or distribution of Compounded Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary

Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures, shall obtain a registration certificate within a period of three months from the date of commencement of this Act.

(2) A separate registration certificate shall be necessary for each place of business, and for the manufacturer and dealer separately.

Application for registration or renewal.

4. (1) Every manufacturer or dealer desiring to get himself registered or desiring to renew his registration under this Act, shall make an application in the prescribed form to the Registration Authority.

(2) The fee for registration, renewal and supply of a copy of Registration or Renewal Certificate shall be such, as may be prescribed.

(3) The Registration Authority shall process the application for registration or renewal thereof, as the case may be, in such manner, as may be prescribed.

(4) The Registration Authority shall issue the Certificate of Registration or Renewal in the prescribed form.

(5) The registration shall be valid for a period of three years.

Maintenance of record.

5. Every manufacturer or dealer registered under this Act shall maintain and produce for inspection, such books, accounts and records relating to his business and furnish such information, as may be asked for by the Registration Authority from time to time.

Prohibition on manufacture, storage, sale and or/distribution.

6. After the expiry of a period of three months from the date of commencement of this Act, no manufacturer or dealer shall, store, sell and/or distribute, in any manner, Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures, unless these are of Quality Specifications and unless such manufacturer or dealer gets himself registered under this Act.

Power of entry, search, seizure and sampling.

7. (1) The Registration Authority or any officer authorized by him, in writing, in this behalf, may, with a view to ensure the compliance of the provisions of this Act or to satisfy that all such provisions are being complied with,-

(i) at any time enter and inspect any place or premises which is used or believed to be used for the manufacture, storage, sale and/or distribution of cattle feed, concentrates and mineral mixtures;

(ii) search for the seizure of any cattle feed, concentrates or mineral mixtures in any place or premises together with package, containing such cattle feed, concentrates or mineral mixtures, where he has

reason to believe that the contravention of the provisions of this Act has been, is being or is about to be caused:

Provided that in exercising the power of entry and search under this clause, due regard shall be paid by the Registration Authority or any officer authorized by him, as the case may be, to the social and religious customs of the occupants of the place or premises, so entered and searched; and

- (iii) cause the sampling of Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures periodically.

(2) The provisions of section 100 of the Code of Criminal procedure, 1973 (Central Act No. 2 of 1974) relating to search and seizure shall, as far as may be, apply to the searches and seizures made under this Act.

(3) Every manufacturer or dealer including his agent or servant, incharge of the place or premises which is searched or sought to be searched under sub-section (1), shall allow the authority making the demand, an access to such place or premises, and shall also answer truthfully and to the best of his knowledge or belief all questions put to him.

8. Every sample seized under section 7 of this Act, shall be got analyzed in such manner, as may be prescribed. Analysis of sample.

9. (1) If any manufacturer or dealer contravenes any of the provisions of this Act, or any of the terms and conditions of the Registration Certificate or fails to carry out any directions or orders or instructions of the Registration Authority, he shall make himself liable for penal action. Penalty.

(2) If any manufacturer or dealer commits an offence of manufacture, storage, sale and/or distribution of Cattle Feed, Calf Starter Meal, Calf Growth Meal, Proprietary Feed, Straw Based Feed or any other variant thereof, Concentrates and Mineral Mixtures without valid registration or not conforming to the Quality Specifications, he shall be prosecuted under this Act, which shall be punishable with imprisonment for a term, which may extend to three years.

(3) During the pendency of the case in the Court of Law, the Registration Authority shall suspend the Registration Certificate.

(4) If any manufacturer or dealer is held guilty and punished by the Court of Law, the Registration Certificate shall be cancelled for good, otherwise the Registration Certificate shall be restored.

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Appeal.

10. (1) Any person aggrieved by an order of the Registration Authority, may, within a period of thirty days from the date of issue of such order, appeal to the appellate authority, which shall be the Secretary:

Provided that the appellate authority may entertain an appeal after the expiry of the said period of thirty days, but within a period of seven days from such expiry, if he is satisfied that the applicant was prevented by sufficient cause from filing the appeal in time.

(2) No such appeal shall be disposed off, unless the aggrieved person has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of the appeal, the appellate authority may direct that the order refusing to renew the registration shall not take effect, until the appeal is disposed off.

Power to make rules.

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

(2) Every rule made under this section, shall be laid, as soon as may be, after it is made, before the House of the State Legislature while it is in session for a total period of ten days, which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which it is so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter, have effect only in such modified form or be of no effect, as the case may be. However, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Protection of action taken in good faith.

12. No suit, prosecution or other legal proceedings shall lie against the Government or any officer or official of the Government or the Registration Authority or any officer or official nominated by the Government or the Registration Authority for any action, which is done or intended to be done in good faith in pursuance of the provisions of this Act or the rules made thereunder.

Power to remove difficulties.

13. (1) If any difficulty arises in giving effect to any of 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 to it to be necessary for removing the difficulty:

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

(2) Every order made under this section, shall be laid, as soon as may be, after it is made, before the Legislative Assembly.

14. Save as otherwise provided in this Act, the provisions of this Act, shall have effect notwithstanding anything to the contrary contained in any other law enacted by the Legislature of the State of Punjab. Over-riding effect.

STATEMENT OF OBJECTS AND REASONS

Govt. of Punjab attaches great importance to dairy farming in the State in the context of diversification of agriculture as it offers a viable alternative. With concerted efforts of the Govt. and enterprising dairy farmers, the State of Punjab has ushered in a dairy farming revolution. High tech commercial dairy farms are being established with high yielding dairy animals. With the objective of safeguarding the interests of the dairy farmers and the health of milch animals the govt. had in the past promulgated “The Regulation of Compounded Cattle Feed, Concentrates and Mineral Mixtures Order 1988” under Essential Commodities Act, 1955. However, the Govt. of India has later amended the Act and removed these items from its jurisdiction. The above order of the State, therefore, became invalid. Cattle feed, concentrates and mineral mixtures forms a very vital input for milk production which constitute about 70-80% of the cost of milk production. In the absence of any legal mechanism no check could be exercised on the quality of this most vital input. Therefore, a legal regulatory mechanism is considered a necessity to safeguard the interests of the dairy farmers and cattle health of Punjab. To achieve these objects “ The Punjab Regulation of Cattle Feed, Concentrates and Mineral Mixture Bill, 2018” is being proposed. “ The Punjab Regulation of Cattle Feed, Concentrates and Mineral Mixture Bill, 2018” aims to provide to regulate quality of feed to the dairy farmers engaged in animal husbandry sector to protect and improve health, production and reproduction potential of the livestock and for matters connected therewith or incidental thereto.

BALBIR SINGH SIDHU

Minister for Animal Husbandry, Fisheries,
Dairy Development and Labour, Punjab

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MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 11 of the Punjab Regulation of Cattle Feed, Concentrates and Mineral Mixtures Bill, 2018 empowers to the State Government to make rules to carry out the purposes of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

CHANDIGARH:
THE 13TH DECEMBER, 2018

SHASHI LAKHANPAL MISHRA
SECRETARY.

1663/12-2018/Pb. Govt. Press, S.A.S. Nagar