

GOVERNMENT OF WEST BENGAL

Agriculture Department
Veterinary

NOTIFICATION

No. 3711 Vety.- 22nd September 1944.- In exercise of the power conferred by section 4 of the livestock Importation Act, 1898 (IX of 1898), the Governor is pleased to make the following rules, namely:

The Bengal Livestock (Import) Quarantine Rules, 1944.

1. *Short title and commencement* .- (i) These Rules may be called the Bengal Livestock (Import) Quarantine Rules, 1944.

(ii) They shall come into force on 1st October, 1944.
2. *Definition*.- In these Rules, unless there is anything repugnant in the subject or context,-
 - (a) "*carcass*" means the carcass of livestock and includes art of a carcass, and, the flesh, bones, skin, hoofs, offal or other part of any dead livestock separately or otherwise or any portion thereof;
 - (b) "*diseased*" means suffering from any infectious or contagious disorder;
 - (c) "*imported*" means brought by sea into Calcutta from any place outside British India;
 - (d) "*importer*" means the person in whose name the bill of lading is made out;
 - (e) "*quarantine*" means detention and segregation of livestock newly landed from on board a ship for observation and testing or in order to keep such livestock apart from other livestock for the prescribed period;
 - (f) "*valid certificate*" means a certificate issued in respect of livestock imported from a country specified in Schedule I hereto annexed granted within *thirty days immediately prior to the embarkation of the livestock, and shall contain a statement signed by the authority prescribed in the said Schedule to the effect that the livestock was examined and found to be free from all symptoms of diseases listed in Schedule II hereto annexed and in the case of the diseases listed in Schedule III hereto annexed that the livestock was subjected to the test specified therein with a negative result within **thirty days immediately prior to embarkation;
 - (g) "*Veterinary Officer*" means any officer generally or specially authorized by the Provincial Government to perform all or any of the duties prescribed in these Rules.
3. The master of officer in charge of a vessel in which livestock is being imported-
 - (i) shall on entering port hoist the N flag under the ensign for the information of the Veterinary Officer, and shall keep it flying until the signal is suitably acknowledged;

- (ii) shall inform the pilot that livestock is on board;
 - (iii) shall allow the Veterinary Officer full facilities for inspecting the livestock on board and the places where they have been quartered;
 - (iv) shall furnish the Veterinary Officer with such detailed information as he may require as to-
 - (a) the numbers and kinds of livestock originally taken on board;
 - (b) the place or places at which the livestock was taken on board;
 - (c) the names and addresses of the persons to whom the livestock is consigned;
 - (d) the occurrence of any infectious or contagious disorder among the livestock during the voyage;
 - (e) the occurrence of any deaths among the livestock during the voyage, and the causes or suspected causes of such deaths;
 - (v) shall not permit the landing of any livestock or of any fodder, dung, stable-litter, clothing, harness or fitting which have been in contact with or appertain to such livestock until the Veterinary Officer has made his inspection, and then only in accordance with such directions as the Veterinary Officer may under these Rules be authorized to give.
4. On receiving intimation that livestock is aboard any vessel entering port, the Veterinary Officer shall without delay go on board the vessel and inspect the livestock and the places therein where the livestock has been quartered.
5. The Veterinary Officer may order the detention in quarantine of any imported livestock, provided that livestock accompanied by a valid certificate shall not be liable to detention in quarantine unless an outbreak of an infectious nor contagious disorder, or any death has occurred among the livestock on board the ship during the voyage to India, and provided further that any livestock which at the time of importation is the property of any Government in British India or which has been imported in accordance with instructions given by a Government department on whose authority livestock is imported and has been certified by an officer of the Royal Army Veterinary Corps or Indian Commissioned officer of the India Army Veterinary Corps to be free from disease shall not be liable to detention in quarantine. The decision of the Veterinary Officer regarding the validity of any certificate shall be final subject to the right of appeal provided in rule 20.
6. *Detention in quarantine.*- The period of quarantine may at the discretion of the Veterinary Officer extend to a period not exceeding ninety days and the livestock may be detained in quarantine at such place or in such manner as that officer may direct.

7. *Removal to quarantine.*- All livestock ordered under rule 5 to be detained in quarantine shall be removed from the vessel by the importer or person in charge of the livestock at such time and in such manner as the Veterinary Officer may direct and taken to the place of quarantine by the importer.
8. *Control of animals in quarantine.*- All livestock detained in quarantine shall be under entire control of the Veterinary Officer.
9. *Payment of charges.*- All expenses in connection with the landing from the vessel and removal to quarantine of the livestock including the payment of customs dues and port dues and all expenses incurred in feeding the livestock in quarantine shall be borne by the importer, owner or person in charge.
10. *Treatment of diseased animals.*- Any imported livestock which the Veterinary Officer finds to be diseased shall if he so directs be destroyed and the carcass buried or cremated and no compensation shall be paid to the importer, owner or person in charge thereof.
11. *Disposal of litter, etc., of diseased livestock.*- All fodder, dung, stable-litter, clothing harness or fitting that may have been in contact with or appertaining to diseased livestock shall be disposed of as the Veterinary Officer may direct. The value of any clothing, harness or fitting not returned to the importer, owner, or person in charge, after disinfection and of which the sale may be permitted shall be refunded to the importer, owner or person in charge after deducting all charges due from him.
12. *Disinfection.*- (1) The Veterinary Officer may by notice require the master or officer in charge of any vessel on which any livestock have been imported to have the vessel disinfected within such time and in such manner as the notice may specify.

(2) The Veterinary Officer may examine the vessel to satisfy himself that such disinfection has been properly carried out, and the master or officer in charge of the vessel shall afford him all reasonable facilities for making such examination and shall comply with such further requirements as the Veterinary Officer may, on making such examination, think fit to give to secure the full and proper disinfection of the vessel.
13. *Payment of quarantine charges.*- In respect of every head of livestock detained in quarantine the importer, owner or person in charge shall deposit within ten days of the landing of such livestock the sum of Rs.50 with the Veterinary Officer and a further sum of Rs.50 after the expiry of thirty days from the date of landing. The amount charged for keep and maintenance shall ordinary be at the following rates unless the Veterinary Officer orders otherwise:-

Horses Rs.2 per diem.

Asses or mules Rs.1-8 per diem.

Bulls, cows, bullocks, buffaloes, sheep, goats or swine Re.1 per diem.

If special diet, medical attendance or test is necessary, the actual cost incurred shall be paid by the importer, owner or person in charge. If permission to feed the livestock is given to the importer, owner or person in charge, the quarantine fees shall be at the rate of annas eight per diem for each head of livestock.

14. *Release from quarantine.*- Livestock detained in quarantine shall not be released except with the permission of the Veterinary Officer which shall not be granted until the livestock is certified to be free from disease and all charges incurred in connection with its detention had been paid.

15. *Sale on default of payment of charges.*- In default of payment of charges due on account of any livestock, such livestock shall be sold by public auction and the charges shall be deducted from the amount realized and the balance paid to the importer, owner or person in charge.

16. *Sale of unclaimed livestock.*- If any livestock is not removed by the importer, owner or person in charge within seven days of the issue of a notice to that effect signed by the Veterinary Officer, such livestock shall be sold by public auction and the proceeds shall, after deducting the charges due incurred in connection with the detention of such livestock, be paid to the importer, owner or person in charge.

17. *Certificate of freedom from disease.*- The importer, owner or person in charge, on payment of a fee of Rs.25 or of Rs.5 per head, of livestock, whichever is greater, shall be entitled on demand to a certificate to the effect that the livestock has been subjected to the required test and has been found free from the diseases specified in Schedule III.

18. *Delivery of orders or notices.*- All orders or notices under these Rules may be delivered at the last-known residence or place of business of the person to whom they are directed or on board the vessel on which he had entered the port, or may be sent by registered post to that address and in that case shall in the absence of proof to the contrary be deemed to have been duly served.

19. *Penalty.*- Any person guilty of a breach of any of the Rules shall be punishable with fine which may extend to one thousand rupees in respect of each such breach.

20. *Appeal.*- An appeal from an order passed by the Veterinary Officer under any of these Rules other than rule 10 shall lie to the Director of Veterinary Services within a period of seven days from the date of such order. Any order of the Director of Veterinary Services passed on such appeal may be reviewed by the Provincial Government.

Schedule 1.

(See rule 2)

Countries from which valid certificates shall be accepted.

Serial No.	Countries	Authorities.
1.	United Kingdom	Any Veterinary Surgeon approved by Government.
2.	Irish Free State	Ditto
3.	Canada	Permanent Inspectors of the Health of Animals Branch of the Federal Department of Agriculture.
4.	Ceylon	Government Veterinary Surgeon, Colombo.
5.	Union of South Africa	Qualified Veterinary Surgeon approved by the Union of South Africa, Veterinary Department.
6.	Australia	Veterinary Inspectors of the Stock Branch of the Department of Agriculture in the various territories of the Commonwealth.
7.	Egypt	Government Veterinary Surgeon.
8.	United States of America.... ..	Any Veterinary Surgeon approved by Government
9.	New Zealand	Veterinary Inspectors of the Agriculture Department.
10.	Kenya Colony	Government Veterinary Surgeon.
11.	Straits Settlements	Ditto