

[Translation in English of “2024-ലെ കേരള കന്നുകാലി പ്രജനന ആക്ട്” published under the authority of the Governor.]

## THE KERALA BOVINE BREEDING ACT, 2024\*

*An Act to provide for regulating breeding activities such as the production of semen from bovine bulls used for breeding, processing, storage, sale and distribution of semendoses including artificial insemination and bovine breeding and allied activities with the object of increasing the best variety of bovines in the State of Kerala and for matters connected therewith.*

*Preamble.*—WHEREAS, it is expedient to provide for regulating breeding activities such as the production of semen from bovine bulls used for breeding, processing, storage, sale and distribution of semendoses including artificial insemination and bovine breeding and allied activities with the object of increasing the best variety of bovines in the State of Kerala and for matters connected therewith;

BE it enacted in the Seventy-fifth Year of the Republic of India as follows:—

### CHAPTER 1

### PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kerala Bovine Breeding Act, 2024.

(2) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

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\* Received the assent of the Governor on the 15<sup>th</sup> day of November, 2024 and published in the Kerala Extraordinary Gazette No. 3696 dated 20<sup>th</sup> November, 2024.

(a) “Artificial Insemination (A.I.)” means the act of artificially depositing breeding bulls' semen into the matured cattle's reproductive tract by means of technology;

*Explanation.*—For the purpose of this sub-clause, “cattle” means cow, cow-heifer, buffalo and buffalo heifer;

(b) “A.I.Centre” means any premises where semen is kept and utilised for Artificial Insemination;

(c) “Authority” means the Bovine Breeding Regulatory Authority constituted under section 3 of the Act;

(d) “Authorized inseminator” means Veterinarian or the Field Officer, Assistant Field Officer or Livestock Inspector working in the Animal Husbandry Department or A.I. technician undergone training from the Authority or from institutions having approval of the Authority;

(e) “Bovine” means cow, cow-bull, cow-heifer, buffalo, buffalo-bull and buffalo heifer;

(f) “Bovine breeder” means any person, organisation, institution or agency engaged in bovine breeding activities;

(g) “Bovine breeding” means breeding activities done in bovines by using breeding bulls, semendoses or embryos;

(h) “Breeding Policy” means the Bovine Breeding Policy issued by the Government from time to time for promoting breeding and breed improvement of bovines in the State;

(i) “Certified Bull” means a bovine bull certified by the Authority for the production of semen for a specific variety bovine breed as per the criteria of the Authority;

(j) “Chairperson” means the Chairperson of the Authority;

(k) “Embryo” means that which is formed as a result of the fusion of ovum and sperm of bovines;

(l) “Expert” means an expert who fulfils the requirements proposed by the Authority;

(m) “Government” means the Government of Kerala;

(n) “Misbranded Semen” means semendoses of breeding bull whose DNA profile does not match with the DNA profile of the semendoses kept in the records of the semen station or semen straw;

(o) “Pedigree” means the genealogical details showing the ancestral line of the cow bull, cow, buffalo and buffalo-bull;

(p) “Premises” means any place, land, yard or building which is used for the production, storage, distribution, trade or utilization of semendoses;

(q) “Prescribed” means prescribed by rules made under this Act;

(r) “Recognised Laboratory” means the Institute for Animal Diseases/ Regional Diseases Diagnostic Laboratory or any other Laboratory duly authorised by the Authority;

(s) “Registrar” means the Registrar of the Authority;

(t) “Semen” means the semen/ sexed semendoses of breeding bull or buffalo-bull in any form;

(u) “Semen bank” means a place where the bovine semen is kept for sale or distribution;

(v) “Semendose” means a dose of semen kept in semen straw;

(w) “Semen Station” means place which is maintained for production, collection, processing and storage of bovine semendoses;

(x) “Services” means any bovine breeding services which may be specified by the Government;

(y) “State” means the State of Kerala;

(z) “Sub-standard semen” means semen or semen straw having no specified standard;

(za) “Unauthorised semen dose” means semen dose having no approval from the Authority;

(zb) “Veterinarian” means a registered veterinary practitioner as defined in the Indian Veterinary Council Act, 1984 (Central Act 52 of 1984).

## CHAPTER 2

### THE BOVINE BREEDING REGULATORY AUTHORITY

3. *Constitution of the Bovine Breeding Regulatory Authority.*—(1) The Government may, immediately after the commencement of this Act, by notification in the Gazette, constitute an Authority to be called the Bovine Breeding Regulatory Authority for performing its duties and for discharging functions under this Act.

(2) The Authority shall have the following members, namely:—

- (a) Director, Animal Husbandry Department —Chairperson ;
- (b) Faculty Dean, Kerala Veterinary and Animal Sciences University  
— Member;
- (c) Joint Commissioner, Ministry of Animal Husbandry and Dairying,  
Government of India — Member;
- (d) Director, Dairy Development Department — Member;

- (e) An officer not below the rank of Joint Secretary to Government, Animal Husbandry Department – Member;
- (f) Managing Director, Kerala Livestock Development Board —Member;
- (g) Director, Academics and Research, Kerala Veterinary and Animal Sciences University —Member;
- (h) A person nominated by the Government from among the members of the Kerala State Veterinary Council — Member
- (i) A Veterinarian nominated by the Government — Member;
- (j) A dairy farmer having expertise in matters of bovine breeding, nominated by the Government — Member;
- (k) Joint Director (Livestock Production), Directorate of Animal Husbandry— Registrar.

(3) The Registrar shall supervise and regulate the day to day functions of the Authority.

4. *Headquarters of the Authority.*—The headquarters of the Authority shall be in the office of the Directorate of Animal Husbandry Department of the State.

5. *Meetings of the Authority.*—(1) The meeting of the Authority shall be convened at the time and place as may be determined by the Registrar as per the direction of the Chairperson and by observing the procedures as prescribed.

(2) The quorum for the meeting of the Authority shall be five.

6. *Experts and other officers of the Authority.*—(1) The functions of the Authority shall be discharged through the officers of the Animal Husbandry Department in the State. If more officers and employees are required for the effective discharge of functions of the Authority, it may appoint them on contract / deputation basis in consultation with the Government.

(2) Authority shall prepare a consultative panel of experts not exceeding nine members. Authority shall constitute Committee / Committees, not exceeding three members from among the panel of experts for the discharge of functions which is required by the Authority.

(3) The Members of the Committee constituted under sub-section (2) and the nominated members of the Authority shall be eligible for honorarium, travelling allowance and daily allowance as prescribed.

*7. Functions of the Authority.*—The Authority shall discharge the following functions, namely:—

(a) to implement bovine breeding policy in the State and to provide for allied services;

(b) to regulate the storage, sale and use of semendoses or embryo produced within or outside the State or imported from any other country as per the State Bovine Breeding Policy;

(c) to certify the breeding bulls and buffalo-bulls as per the criteria prescribed;

(d) to register semen stations in the State in accordance with the provisions specified in Chapter 3 of this Act;

(e) to register semen banks, A.I.Centres in the State as per the provisions of this Act and the rules;

(f) to certify the trained A.I. technicians for carrying out the bovine breeding activities in the State in accordance with the conditions which may be determined by the Authority through the procedures as prescribed;

(g) to organise programmes creating awareness regarding laws, policies etc. on bovine breeding activities among public;

(h) to submit proposals to the Government for the timely revision of policy /laws on bovine breeding;

(i) discharge other activities related to bovine breeding in the manner as prescribed.

8. *Powers and Jurisdiction of the Authority.*—(1) Subject to the provisions of this Act and the rules made thereunder, the Authority shall have jurisdiction throughout the State in relation to bovine breeding activities.

(2) As part of discharging the functions under section 7, the Authority or the officer authorised by the Authority in this behalf shall have the power to collect information required from any semen station or from persons engaged in bovine breeding activities.

(3) Whenever the Authority is of the opinion that any person who is in-charge of the premises where the bovine breeding activities are carried out or any other person is carrying out such activities in contravention of any of the provisions of this Act or the rules made thereunder, the Authority shall have the power to call for information as specified from such person.

## CHAPTER 3

### REGISTRATION OF SEMEN STATIONS, SEMEN BANKS AND A.I. CENTRES, CERTIFICATION OF A.I. TECHNICIANS CONDUCTING ARTIFICIAL INSEMINATION AND OF BREEDING BULLS

9. *Registration of Semen Stations.*—(1) On and from the date of commencement of this Act, no person, firm, limited liability partnership, company, producer company, institution, non-governmental organisation, bovine breeders' association, trust, Central/State Government Department, co-operative society or any other agency shall produce and store semendoses for artificial insemination or establish or run semen stations or produce or transfer embryos without obtaining registration certificate from the Authority.

(2) Any person under sub-section (1) who intends to establish and run a new semen station, shall apply for registration in such Form and with fees as prescribed.

(3) The semen stations which are functioning at present shall apply to the Authority for certificate of registration in such Form and with fees as prescribed, within three months from the date of commencement of this Act. The applicant shall also furnish the accounts of current stock of semen along with the other details required in the Form.

(4) Whenever applications under sub-sections (2) or (3) are received, the Authority shall after conducting or caused to conduct a preliminary inquiry, as prescribed, issue a provisional registration certificate. The provisional registration certificate so issued shall have validity for a period of twelve months. The Authority may, on an application in writing from the applicant, extend such period for a further period of six months. The Authority shall inform the applicant the decision regarding extension of registration period within one month from the date of receipt of application.

(5) For the purpose of conducting inspection for obtaining registration certificate for a newly established semen station or for the existing semen station, the applicant shall submit an application in writing to the Authority within the validity period of twelve months of provisional registration certificate or within the extended period of succeeding six months as per sub-section (4). Immediately on receipt of the application, the Authority shall send a committee of experts from the consultative panel for such inspection .

(6) If the Authority is satisfied that the new semen station or existing semen station have the following amenities / fulfilled conditions, it shall issue the certificate of registration in the prescribed Form by clearly stating the name, address and registration number of the semen station, the unique ID number of certified breeding bulls to be used for semen production, name of person -in- charge of the semen station and also such other conditions which the Authority may deem fit, namely:—



(a) in semen stations,—

(i) availability of space for accomodating breeding bulls for monitoring as specified by the Authority or the Government of India;

(ii) availability of space for the rearing and maintaining of breeding bulls, collection of semen, processing of semendoses, quality control, storage, distribution and for quarantine, as specified by the Authority or the Government of India;

(iii) availability of space for the storage of semendoses as specified by the Authority or the Government of India;

(b) Every breeding bulls kept in the semen station for semen production shall be disease-free in the screening tests specified by the Authority or the Government of India, namely:—

(i) (a) before admitting to the quarantine station;

(b) during the period kept in the quarantine station for monitoring;

(c) the place in which it is reared; and

(d) in semen station;

(ii) shall confirm to the breed characteristics of the permitted genus specified in the breeding policy and shall comply the minimum criteria for quantity, quality and various characteristics as specified, revised and notified by the Authority or the Government of India from time to time;

(c) The exact details of the breeding bulls reared for production, storage, sale or distribution of semendoses or for distribution for artificial insemination shall be maintained in the semen station in the manner as prescribed.

(7) The Authority shall, after affording a reasonable opportunity of being heard to the applicant and after affording an opportunity to record reasons in writing, either grant or reject the certificate of registration.

(8) For ensuring that the conditions specified in the registration certificate are complied with, the Authority may depute an expert committee as and when required to inspect the semen station. Such inspection shall be conducted at least once in an year.

10. *Duration and renewal of registration certificate.*—(1) The registration certificate issued under sub-section (7) of section 9 shall be valid for a period of two years from the date of such issuance.

(2) For the renewal of registration certificate, an application shall be submitted before the Authority along with such fee as prescribed, before three months of the expiry of Registration Certificate. If the Authority is satisfied that the amenities and conditions, specified in sub-section (6) of section 9 in relation to the issuance of certificate are complied with, the registration certificate shall be renewed for a further period of two years, within three months from the date of receipt of application. On an application for renewal, it shall be deemed to have granted the registration unless otherwise informed within three months.

(3) New breeding bulls fulfilling eligibility criteria for production of semendoses shall not be admitted or used in the semen station without obtaining the prior approval and the required certification from the Authority. The death or disposal of the certified breeding bulls shall be informed to the Authority in writing in time.

11. *Registration of the Semen Banks.*—(1) On and from the date of commencement of this Act, no person, firm, limited liability partnership, company, producer company, institution, non-governmental organisation, bovine breeders' association, trust, State or Central Government Department, co-operative society or

any other agency shall establish or run semen bank without obtaining a certificate of registration from the Authority.

(2) The matters relating to the registration referred to in sub-section (1) shall be as prescribed.

12. *Registration of A.I. Centres.*—(1) On and from the date of commencement of this Act, no person, firm, limited liability partnership, company, producer company, institution, non-governmental organisation, bovine breeders' association, trust, co-operative society or any other agency shall establish or run A.I. Centres without obtaining registration certificate from the Authority.

(2) The matters relating to the registration referred to in sub-section (1) shall be as prescribed.

*Explanation.*—Nothing in this section shall apply to institutions coming under the Animal Husbandry Department of Government.

13. *Certification of breeding bulls.*—(1) On and from the date of commencement of this Act, no semen stations shall carry out semen production other than from the breeding bulls certified by the Authority.

(2) The Certification of the breeding bulls, assigning of unique ID number and its display shall be as prescribed.

14. *Certification of A.I. Technician.*—The Authority shall certify technician conducting artificial insemination in such manner and subject to such conditions as specified by the Government.

15. *Arrangement for sale, use etc. of semendoses.*— (1) No person other than the person authorised by the Authority shall sell, distribute, donate or transfer semendoses / embryo.

(2) No semendoses, embryo produced outside the State shall be sold or distributed or donated or transferred within the State for artificial insemination without the prior sanction given by the Authority in such manner and subject to such conditions as prescribed.

(3) No semendoses or embryo shall be imported from abroad to the State for artificial insemination or for transfer without the prior sanction of the Authority in such manner and subject to such conditions as prescribed.

(4) No person shall use unauthorised semendoses or shall produce, possess, distribute, sell, use, transfer in any form, import- export misbranded semen or sub-standard semen.

16. *True copy of registration certificate.*—If the Authority is satisfied that the registration certificate or the renewal certificate issued as per the provisions of this Act is defaced, lost or tampered with, the applicant may be issued true copy of certificate provided the applicant has remitted such fee as prescribed.

17. *Cancellation of registration certificate.*—Whenever the Authority is satisfied on reference or on complaint received by it or on the basis of the inquiry report of the expert committee constituted by the Authority that,—

(a) a semen station has obtained the registration certificate under this Act by giving false information or by deceit;

(b) a person holding a registration certificate under this Act is, without sufficient cause, not complying with the terms and conditions subject to which the certificate has been obtained; or

(c) a person holding registration certificate has contravened any of the provisions of this Act or the rules made thereunder,

without prejudice to any other action that may be taken under this Act against the holder of such certificate, may, after affording him an opportunity of being heard,—

(i) where any conditions have been imposed to any person at the time of issuance of the registration certificate or the renewal certificate under section 9 of this Act and such person has failed to comply with such conditions, may, either cancel the registration certificate / renewal certificate or may initiate such actions as prescribed;

(ii) temporarily suspend the registration certificate / renewal certificate until the holder of the certificate has complied with all the conditions as per law to the satisfaction of the Authority;

(iii) obtain an undertaking in writing from the holder of the registration certificate that the conditions are to be fulfilled.

18. *Appeal*.—(1) Any person aggrieved by the refusal of the Authority in granting or renewing the registration certificate or by the cancellation or temporary suspension of the registration certificate as per this Act, may, within thirty days from the date of receipt of written notice in this behalf, file an appeal before the Appellate Authority. The Secretary, Animal Husbandry Department of the State shall be the Appellate Authority under this Act:

Provided that if the Appellate Authority is satisfied that there is sufficient reason for the appellant for not filing the appeal in time, the delay for a period of thirty days from the period mentioned in sub-section (1) may be condoned.

(2) The Appellate Authority shall, after affording the appellant a reasonable opportunity of being heard and within a maximum period of three months from the date of receipt of the appeal, take a decision on the appeal.

## CHAPTER 4

### POWER OF INSPECTION, INQUIRY, SEIZURE ETC.

19. *Power of inspection, inquiry, seizure etc.*—(1) The Authority and the expert committee members authorised by the Authority shall have the power to conduct or

cause to be conducted inspection or inquiry in semen stations for ensuring whether the provisions of the Act and the rules made thereunder and the terms and conditions in the Registration Certificate are complied with and also for inspection and for taking evidence.

(2) Whenever the Authority or the members of the Expert Committee authorised by the Authority are reasonably satisfied that in any premises activities are being carried out in contravention of the provisions of this Act or functions are being carried out in contravention of the provisions of this Act or the rules and without complying the conditions stipulated in the Registration Certificate, they may enter such premises and collect samples or may conduct or cause to be conducted inspection or search.

(3) The samples of semen, blood or other substances used for production of semendoses shall be collected from the premises of the semen station and such samples shall be analysed in a recognized laboratory and the collection of the semendoses from uncertified breeding bull shall be disposed forthwith and such semen processing equipment shall be sealed and seized.

(4) The provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) in relation to inquiry or seizure shall apply to inquiry, seizure etc under sub-sections (1), (2) and (3) of this section.

*20. Maintenance and submission of records.*—(1) Every person who obtained a registration certificate under this Act shall maintain such registers, accounts and records relating to transactions of his business in the manner as specified by the Authority.

(2) Every person who holds a registration certificate for a semen station/ semen bank or A.I.Centre shall submit to the Authority an annual report and its true copy in respect of semen station / semen bank or A.I.Centre in such format and in time as prescribed.

(3) The particulars of semendoses collected for distribution or of new breeding bulls which requires certification shall be submitted to the Authority by way of a report, in such format and in time as prescribed.

21. *Power to give directions.*—Subject to the provisions of this Act and the rules and the directions issued by the Government in this behalf, the Authority may, for the purpose of discharge of its powers and functions issue any direction to any person, officer or Authority, in writing and such person, officer or Authority, as the case may be, shall bound to comply with such directions.

22. *Power to file complaint before court.*—Whenever the Authority is satisfied that any person, institution, company or non-governmental organisation is engaged in bovine breeding activities or engaged in trade or distribution of semen / embryo in contravention of the provisions of this Act or rules made thereunder, the Authority or any officer authorised by the Authority may file a complaint against such person before the Court of Judicial Magistrate of the First Class.

23. *Penalties.*—Whoever contravenes any of the provisions of this Act and rules shall, on conviction, be punishable with a fine upto one lakh rupees or with imprisonment which may extend to one year or with both.

24. *Cognizance of offence.*—(1) No Court shall take cognizance of an offence punishable under this Act except on a complaint in writing made by the Authority or by any officer authorised by the Authority in this behalf.

(2) Any offence punishable under this Act shall be triable before the Court of Judicial Magistrate of the First Class.

## CHAPTER 5

### MISCELLANEOUS

25. *Report of the recognised laboratory.*—Any document purported to be a report duly issued by a recognised laboratory may be used as an evidence of facts stated therein in any proceedings under this Act.

26. *Functions of Local Authorities.*—The Local Authorities concerned shall render assistance, co-operation and information, as and when required, for the discharge of the functions of the Authority and shall furnish such records and documents for detailed inspection.

*Explanation.*—For the purpose of this Act, “Local Authorities” shall mean, Animal Husbandry Officer in each District or other officers authorised by him, Manager (Livestock Production) in the Kerala Livestock Development Board or other officers authorised by him.

27. *Submission of Report.*—The Authority shall submit reports, statistics and other information relating to its functions, income and expenditure statement or policies to the Government from time to time in the manner as prescribed.

28. *Every experts and officers of the Authority to be public servants.*— Every experts and officers of the Authority under the provisions of this Act, while performing their functions in accordance with the provisions of this Act or the rules made thereunder or while implementing the provisions therein, shall be deemed to be public servants under the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).

29. *Bar of Jurisdiction of Civil Courts.*—No civil court shall have jurisdiction to entertain any matter settled or the manner adopted for or any decision taken by the Authority or any officer or expert authorised by the Authority after conducting inspection by virtue of the powers conferred on them by this Act or the rules made thereunder.

30. *Protection of acts done in good faith.*—No suit, prosecution or other legal proceedings shall lie against Authority, any member, officers or experts authorised by the Authority in respect of anything which is done or intended to be done in good faith or in public interest, in pursuance of any provisions of this Act or the rules made thereunder.



31. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying into effect the provisions of this Act.

(2) Every rule made under this Section shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides 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, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

32. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by general or special order notified in the Gazette do anything not inconsistent with such provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing such difficulty:

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

(2) Every order made under this section shall be laid before the Legislative Assembly.

33. *Allotment of amount required to the Authority.*—The amount required for the activities of the Authority shall be allotted by the Government in the budget allocation of the Animal Husbandry Department.

34. *Repeal and Savings.*—(1) The Kerala Live-stock Improvement Act, 1961 (17 of 1961), is hereby repealed.

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