

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 3419

DATED 20th Dec 9. 98

3

Abstract

[Despatch Abstract.]

Stating that the Dept of the rules under the
 basic stock information set, should be referred
 for the consideration of the Committee appointed
 under G.O. No 3389 of 17.8.88 and restricted
 with any suggestion that the Committee may
 have to offer thereon.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

REVENUE DEPARTMENT.

1898.

Current P. 5012

Board of Revenue (Revenue Settlement, Land Records and Agriculture), MADRAS.

Recd. *19 Aug* } 1898.
Regd. *19* }

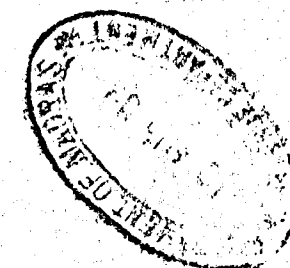
Enclosures

Spare copies

Printed August th.

Proceedings, No. 300, 13th August 1898.

AUGUST.



Live-stock Importation Act.—Submitting to Government a draft set of rules to be issued under the proposed notification of the Government of India and Section 4 of the —.

4 BOARD OF REVENUE (REV. SETT., L. RDS. AND AGRI.), No. 300, 13TH AUG. 1898.

a ship-load of horses are in quarantine, the camp will contain quantities of fodder and straw which will attract wandering half-starved cattle. These no hedge or guard will effectually exclude, and the danger of disease being thus spread is great. As regards horse-keepers and grass-cutters, it is difficult to see how any effective segregation can be enforced.

10. As regards disinfection, the Board is inclined to believe that every tick-infested horse should be clipped and shorn of mane and tail, and then be thoroughly washed once or twice daily in the sea which will probably bound the quarantine camp on the east. After each bath it should be rubbed all over with kerosine emulsion (a well-known preparation of kerosine-oil, bar-soap and water). The clipped hair, &c., should of course be at once carefully burnt.

11. The Board has not ventured to draft any rules regarding disinfection. A general rule binding owners and attendants to obey the orders of the officer in charge of the camp (as in Draft Rule 18) will probably suffice. Executive orders as to disinfection, disposal of carcasses, &c., can be issued to that officer and be carried out by him.

12. *Draft Rule 20*—contains the penal clauses and is framed on draft provision No. 15, bearing in mind section 4 (2) of the Act.

13. The remaining rules all follow the draft provisions, except Rule 25, which embodies the Board's suggestion as to how the recoverable outlay on the quarantine camp should be apportioned.

14. As regards Rule 27, Government may be pleased to consider whether it is prepared to accept the burden of deciding all appeals from orders of the Inspector. If a ship-load of horses be quarantined (which Heaven forbid!), this rule may give Government much trouble.

15. The Board has ascertained that two small shipments of horses from Melbourne are expected about the end of the current month.

(True Copy and Extract.)

[Signature]
Dy. Dir., L. Rds. and Agri.

To the Secretary to Government, Revenue Department.

Copy to the Superintendent, Civil Veterinary Department.

" " Collector of Madras.

Exd. W. D'Moss.

APPENDIX.

Draft Notification.

Under the power delegated to the Local Government by the Governor-General in Council in Notification No. published at page of the *Gazette of India*, dated , and under the power, vested in the Local Government by section 4 of the Live-stock Importation Act, 1898, His Excellency the Governor of Fort St. George in Council is pleased to issue the following rules:—

1. The Superintendent, Civil Veterinary Department, or in his absence the Veterinary officer, in charge of the Station Veterinary Hospital, St. Thomas' Mount, is hereby appointed to be the officer empowered to issue the certificates and grant the permissions mentioned in the Notification aforesaid, and to perform the duties required by the following rules.

2. The said officer shall be officially designated as the Inspector of Live-stock, and is hereinafter termed the Inspector.

3. The master of any vessel having on board any live-stock falling under the prohibition contained in the Notification aforesaid shall, on approaching the Port of Madras, hoist the following signal, viz. (*To be fixed by the Conservator of the Port*) and no such vessel shall be brought into harbour until special permission in writing has been granted by the Conservator of the Port in communication with the Inspector.

4. On receiving information of the arrival of such vessel, the Inspector shall proceed on board her with the least practicable delay.

5. The master of any such vessel shall immediately on the Inspector boarding his vessel hand him a declaration giving full particulars—

(a) Of the live-stock falling under the said prohibition.

(b) Of any cases of sickness or death which have occurred among the live-stock during the voyage.

(c) If any such sickness or death has occurred, of the steps (if any) taken to disinfect the live-stock and vessel.

6. Should the Inspector find reason to believe that any live-stock on board such vessel are suffering or likely to be suffering from any infectious or contagious disease or are likely to be the vehicle of such disease, he may prohibit the landing of such live-stock and of all fodder, stable-fittings, dung and stable-litter by written order, directed to the agents, or the master of the vessel, or to both.

7. The Inspector may, if he thinks fit, grant written permission to land any live-stock which he finds suffering, or likely to be suffering, from any infectious or contagious disease, or likely to be the vehicle of such disease, on the condition that such live-stock and the necessary

[Appendix.]

PROCEEDINGS OF THE BOARD OF REVENUE
(REVENUE SETTLEMENT, LAND RECORDS AND AGRICULTURE).

READ—the following G.O., Mis. No. 3146, Revenue, dated 27th July 1898 :—

Read—the following letter from the Government of India, Revenue and Agricultural Department, No. 1527—111-2, dated 18th July 1898 :—

With reference to my Circular letter, No. 7—122-2, dated the 19th October 1897, I am directed to invite your attention to the Bill “to make better provision for the regulation of importation of live-stock” which has been introduced into the Council of the Governor-General of India for making Laws and Regulations, and has been published in the *Gazette of India*. It is proposed to pass the Bill about the middle of August, and it is desirable that the rules which Local Governments are empowered under section 4 to make, should be ready to be notified and put into force as soon as the Bill becomes law. The rules do not require the previous sanction of the Government of India, but I am to request that when they are ready, copies may be submitted for information. The question of the appointments to be made by the power conferred in section 4 should also be disposed of in anticipation of the passing of the Bill.

2. I am to forward copy of amended “draft provisions” which were framed after the opinions of the several Local Governments which had been consulted were obtained. These provisions will indicate the matters which the rules should provide for, the provisions of the Bill having been made as brief and general as possible.

3. The Government of India will prepare the notification required under section 3 (1) of the Bill, and will invite opinion on the draft of it before publication. A communication on this point will follow.

4. With reference to clauses (a) and (b) of section 2, I am to inquire whether any “other disease or disorder” or any “other animal” should be notified by the Governor-General in Council.

Order—Mis. No. 3146, Revenue, dated 27th July 1898.

Communicated to the Board of Revenue in continuation of G.O., No. 3105, dated 23rd July 1898, with the request that a draft of the rules to be issued under section 4 and the appointments to be made by the power conferred in that section may be submitted with the least practicable delay.

2. With reference to paragraph 4 of the letter, the Board should also report whether, with reference to clauses (a) and (b) of section 2, any “other disease or disorder” or any “other animal” should be notified by the Governor-General in Council.

(True Extract.)

(Signed) N. E. MARJORIBANKS,
for Secretary to Government.

To the Board of Revenue (Revenue Settlement,
Land Records and Agriculture).

READ—also telegram from the Secretary to Government, Revenue Department, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated Ootacamund, 6th August 1898, asking the Board to expedite draft rules and report regarding Live-stock Importation Bill.

READ—again Proceedings of the Board of Revenue (R.S., L.R. and Agri.), Mis. No. 4801, dated 8th August 1898.

ABSTRACT.—Suggesting to Government the desirability of appointing a committee to consider and frame rules under the Live-stock Importation Act, 1898.

RESOLUTION—No. 300, dated 13th August 1898.

With reference to G.O., Mis. No. 3146, Revenue, dated 27th July 1898, and in continuance of B.P., Mis. No. 4801, dated 8th August 1898, the Board begs to submit herewith a draft set of rules to be issued under the proposed notification of the Government of India and Section 4 of the Live-stock Importation Act.

2. Paragraph 1 of the notification delegates to the Local Government the duty of appointing an officer who shall be empowered to grant the written permission required to render legal the importation into British India of certain live-stock by sea or land.

3. By land such live-stock might be brought into this Presidency either from Pondicherry, Karikal, Mahé, Travancore or Cochin.

The Board cannot devise any rules by which such importation could be controlled for the purposes of the Act, and it may remain prohibited, *i.e.*, the officer aforesaid may be instructed to withhold his permission as regards all importation of prohibited live-stock by land.

4. *Draft Rule 1.*—As the Superintendent, Civil Veterinary Department, ought to be on tour for the greater part of the horse-shipping season, the Board proposes that the Veterinary officer in charge at St. Thomas' Mount should be empowered to act in his absence.

5. *Draft Rules 2 to 8.*—These provide that on arrival at the port of Madras of a vessel containing prohibited live-stock, the Inspector should forthwith proceed on board, and that if he thinks fit to permit the landing of any live-stock which he thinks likely to be the vehicle of spreading infectious or contagious disease, he may do so on the condition that the animals be forthwith taken to the quarantine camp by the prescribed route. Rule 8 makes the owner, or consignee, and the person in immediate possession of the live-stock responsible for obeying the order.

6. *Draft Rule 9*—is intended to meet the contingency of live-stock being permitted to be landed as harmless and shortly afterwards being found diseased or likely to spread disease. The period of 28 days is taken from No. 11 of the draft provisions referred to in paragraph 2 of letter No. 1527—111-2, dated 18th July 1898, from the Government of India. The Board has restricted the rule to the live-stock imported within 28 days, because Section 4 of the Act only refers to imported live-stock, and the inclusion of “any other live-stock” as in draft provision No. 11 would be *ultra vires*.

7. *Draft Rule 10*—is modelled on draft provision 12. The rule is not likely to be used. It appears undesirable to give six hours' time within which to obey an order issued under Rule 7 or 9. If the spread of disease be likely there should be no unnecessary delay.

8. *Draft Rules 11 and 12*—Follow draft provisions 13 and 13-A.

9. *Draft Rules 13 to 19*—relate to the quarantine camp. It is with respect to these rules that the Board recommends the appointment of a committee (*vide* B.P., Mis. No. 4801, dated 8th August 1898), for the subject is fraught with difficulty. Entrance and exit to and from the camp should be under strict control. If

fodder, clothing, harness and fittings be taken forthwith, and by the prescribed route, to the place set apart for their detention.

8. The owner, or consignee of such live-stock and the person in immediate possession thereof shall be responsible for obeying the said order.

9. The Inspector appointed under these rules or any Inspector or veterinary practitioner under the Glanders and Farcy Act (India Act XX of 1879) may at any time within 28 days from the date on which any live-stock have been landed examine such live-stock, and if he is of opinion that the live-stock or any of them are suffering from any infectious disease, or to be likely to be infected, the Board may, by written order, direct the person in possession, to be clipped and shorn with to remove the hair, and to be detained of the vehicle of such stock or to the preparation of the vehicle of such as may of course be at order addressed to the

11. The Board of them, require him forthwith to remove the live-stock all or any of such live-stock to the place set apart for the detention of live-stock, and to adopt such measures of disinfection as may appear proper. It shall be the duty of the Police, on application, to afford such assistance as may be necessary to enforce the said order.

10. Any Magistrate may order the immediate destruction without compensation of any animal landed in contravention of a prohibition under Rule 6, or that has not been removed to the place set apart for the detention of live-stock as required by an order under Rule 7 or 9, or that has been removed from the place set apart for the detention of live-stock without due permission: Provided that no order under this clause shall issue after the expiry of 28 days from the date of landing or disobedience or unauthorised removal, as the case may be.

11. When any live-stock has been dealt with under an order issued in regard of them under Rule 7 or 9, the Inspector may by written order direct the disinfection or destruction of the stable-fittings, clothing (whether of the live-stock or of their attendants), fodder, dung, stable-litter, and other things that may have been in contact with the said live-stock within 48 hours next preceding the issue of such order.

12. Every officer exercising powers under these provisions may enter at any time any stable that is licensed under any Act or under any rules or bye-laws in force under any Act, or any livery stable, or any stable or place where horses are kept or are ordinarily kept for sale, or preparatory to sale, or for hire, or for veterinary treatment, and may enter and search any field, building or other place where he has reason to believe that any live-stock such as are referred to in Rule 9 are to be found.

13. After arrival at the place set apart for their detention (hereinafter called the quarantine camp), no live-stock shall be removed therefrom except with the written permission of the Inspector.

14. The Inspector shall (subject to the approval of the Board of Revenue) provide such temporary shelter at the quarantine camp as he deems necessary, and the cost thereof shall be recoverable from the owner of the live-stock for which it is erected.

1898.

15. Horses detained in the quarantine camp shall be tethered in lines in the manner adopted for cavalry horses on active service.

16. The owner or consignee of horses so detained shall provide the necessary attendants, food, fodder, bedding, medicines, head-ropes, heel-ropes and other stable gear, and in default of his so doing the same shall be provided at the cost of Government, and be recoverable from the owner.

17. Every person volunteering to become an attendant in the quarantine camp shall have his name registered in a book to be kept for the purpose and shall not leave the camp without the permission of the officer in charge.

18. No person shall enter the quarantine camp without the permission of the officer in charge. All orders issued by such officer relative to the management, treatment and disinfection of any live-stock in the quarantine camp shall be binding on the owner of such live-stock and on the attendants.

19. The necessary Police guard for the quarantine camp shall be provided by the Commissioner of Police, and the cost shall be recoverable from the owner of the live-stock detained therein.

20. Any person who lands or unships or orders or assists or permits to be landed or unshipped any live-stock in contravention of a prohibition under Rule 6 or removes or orders or assists to be removed any live-stock from the place set apart for the detention of live-stock without due permission, or refuses to allow an Inspector to enter on any vessel or premises, or impedes or attempts to impede him in the execution of his duties, or does not when required give him full and true information with respect to any live-stock, fodder, fittings, or other effects for the purposes of his duty under these rules, or disobeys any order issued under these rules, or commits a breach of any of these rules shall be liable for each such offence to a penalty not exceeding Rs. 1,000.

21. When any offence specified in Rule 20 is committed on board a vessel, the master of the vessel and the person who is in charge of the live-stock on behalf of the owner or shipper shall both be held liable to the pecuniary penalties therein prescribed, unless they prove that they took all reasonable precautions in their power to prevent the commission of the offence.

22. The Magistrate may award such portion as he may think fit of any penalty recovered under these rules to any person through whose information or assistance the offence has been discovered or proved.

23. If any person to whom a written order is directed under these rules fail to comply with it within a reasonable period to be specified in the order, the Inspector may cause the order to be carried into effect, and any cost incurred in so doing shall be recoverable from the person to whom the order was addressed.

24. All costs recoverable under these rules, if incurred on board a vessel, shall be recoverable

8 BOARD OF REVENUE (REV. SETT., L. RDS. AND AGRI.), No. 300, 13TH AUG. 1898.

in the same manner as port-dues and charges payable under the Indian Ports Act X of 1889, and in all other cases shall be recoverable under the order of a Magistrate by summary distraint of the moveable property of the person liable.

25. All expenses incurred by Government in connection with the quarantine camp, and recoverable from the owners of the live-stock detained therein, shall be apportioned amongst the owners in proportion to the number of live-stock belonging to each, and the number of days each animal is under detention.

26. 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 has entered the port, as the case may be, or may be sent by registered post to that address, and in such case shall, in the absence of proof to the contrary, be deemed to have been duly served.

27. An appeal from every order of an Inspector under these rules shall lie to the Local Government, whose orders shall be final. But the fact that an appeal has been or is about to be preferred from an order in no way relieves any person from the responsibility of obedience to it.

Revenue dep.

B.O. No 300 of 13. 8. 1898
(C. No 5802)

G.O. No. 3419 of 20th Aug 98.

The Draft of the rules to be issued under the livestock importation Act submitted with the Board Prop read above should be referred for the consideration of the Committee appointed under G.O. No 3389 of 17. 8. 98 and resubmitted with any ^{suggestions} amendments that may be found necessary. The Committee may have offer & the Bd's remarks thereon

Wk
20/8/98
J. M. L.
19/8/98

2
The B. of Rev (R. & L. & A.)
19/8/98
Wk
20/8/98