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Withdrawal of draft livestock and livestock products Bill

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Why in News: The Centre has withdrawn the proposed draft of the Live-stock and Live-stock Product (Importation and Exportation) Bill, 2023.

About the draft livestock and livestock products Bill

The Bill is meant to replace the Live-stock Importation Act, 1898, and the Live-stock (Amendment) Act, 2001. It frames guidelines for the import and export of live animals, which has raised concerns among animal lovers.

The Department of Animal Husbandry and Dairying (DAHD), which comes under the Ministry of Fisheries, Animal Husbandry and Dairying, prepared the draft of the Live-stock and Live-stock Products (Importation and Exportation) Bill-2023 and released it in the public domain recently seeking comments and suggestions. The department gave 10 days' time for the public to send their comments. The 4-page Bill has 10 sections.

It is different from the existing law in three key aspects — it allows export of live animals, it widens the scope of animal import-export (including cats and dogs among 'live-stock'), and takes away some powers of state governments to regulate this area.

The rationale behind the amendment

The present law that regulates import of live-stock is 125 years old. "The Live-stock Importation Act, 1898, being the pre-constitutional/pre-independence Central Act, a need has been felt to align it with the contemporary requirements and prevailing circumstances related to sanitary and phyto-sanitary measures, and its extant Allocation of Business Rules, 1961

In 2001, the then NDA government, headed by Prime Minister Atal Bihari Vajpayee, had amended the 1898 law. The Vajpayee government first promulgated an ordinance—The Live-Stock Importation (Amendment) Ordinance, 2001. Later, the ordinance was replaced by the Live-Stock Importation (Amendment) Bill, 2001.

One of the key changes introduced by the Vajpayee government in the law was inclusion of the import of livestock products. The earlier law dealt with only the import of live-stock.

According to the ordinance, the "live-stock products" included meat and meat products of all kinds including fresh, chilled and frozen meat tissue; organs of poultry, pig, sheep, goat; egg and egg powder; milk and milk products; bovine, ovine (the sheep family) and caprine (the goat family) embryos, ova and semen; pet food products of animal origin and any other animal product which may be specified by the Central Government by notification in the Official Gazette."

The 2001 amendment also empowered the Centre to "regulate, restrict or prohibit" the trade of any live-stock product that may be liable to affect human or animal health.

Features under the proposed law

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The Live-stock Importation Act, 1898, in force till date, has only 5 Sections: Section 1 (Short title and local extent); Section 2 (Definitions); Section 3 (Power to regulate importation of live-stock), Section 3A (Power to regulate Importation of live-stock products); Section 4 (Power of State Government to make rules); and Section 5 (Protection to persons acting under Act).

The earlier law regulates only importation of live-stock, while the proposed draft Bill has provisions to regulate live-stock exports also. The Section 4 of the proposed Bill provides the government the power to make arrangements for promotion and development of exports of live-stock and live-stock products.

The draft of the proposed Bill describes it as, “An Act to frame measures for the regulation of the importation of live-stock and live-stock products as well as promotion and development of exports of live-stock and live-stock products.”

The proposed draft of the Live-stock and Live-stock Product (importation and Exportation) Bill, 2023 has 10 Sections, and has expanded the definition of live-stock to include feline and canines also. According to the definition given in the existing law (The Live-stock Importation Act, 1898), “live-stock” includes horses, kine, camels, sheep and any other animal which may be specified by the Central Government by notification in the Official Gazette.”

However, the proposed draft Bill defines the live-stock as all equines (all live equine irrespective of purpose including donkey, horses, mule, assess, hinnies), bovines (all bovine animals including cattle, buffaloes, bullocks or any animals falling in the category of bovidae), caprines, ovines, swines, canines, felines, avian, laboratory animals, aquatic animals and any other animal which may be specified by the Central Government by notification in the Official Gazette from time to time, except those prohibited in any other act.”

Besides, the Centre has defined the live-stocks and live-stock products as commodity in the proposed draft Bill. ““Commodity” means live-stock, products of live-stock origin, live-stock genetic material, biological products and pathological material of live-stock origin,” says Section 2(a) of the proposed draft.

Criticism of the proposed bill

The proposed draft Bill has drawn sharp criticism from various stakeholders. Animal rights organisations have said that the draft Bill will open a “Pandora’s Box” of cruelties on animals.

The proposed Livestock and Livestock Products [Importation and Exportation] Bill, allowing the live export of animals from India, is a blanket free pass for the abuse of millions of animals farmed for food and other uses

According to 2021 figures released by the United Nations, almost 2 billion of the 80 billion land animals raised for food around the world are exported alive to different countries

Conclusion

Facing criticism, the Centre has withdrawn the draft Live-stock and Live-stock Products [Importation and Exportation] Bill, 2023. The ministry issued an office memorandum on Tuesday, withdrawing the bill.

However, during the consultation, it has been viewed that enough time is required to understand the proposed draft and to make further comments / suggestions.

Considering the aforesaid views and with the approval of the competent authority, the proposed draft Bill stands withdrawn