



MAJESTY LEGAL

Advocates & Solicitors

WITHDRAWAL OF LIVESTOCK AND LIVESTOCK PRODUCTS

BILL, 2023

DRAFT OF LIVESTOCK AND LIVESTOCK PRODUCT BILL, 2023

- The Live-stock and Live-stock Products (Importation and Exportation) Bill-2023 has been proposed by the Department of Animal Husbandry and Dairying (DAHD), a part of the Ministry of Fisheries, Animal Husbandry and Dairying. This bill aims to replace two previous acts, namely the Live-stock Importation Act of 1898 and the Live-stock (Amendment) Act of 2001. Its primary focus is to provide guidelines for the import and export of live animals. This has caused concerns among animal enthusiasts due to three notable differences from the current law. Firstly, the bill permits the export of live animals. Secondly, it expands the scope of animal import-export to include cats and dogs under the category of 'live-stock'. Lastly, it reduces the authority of state governments in regulating this particular domain. To gather public feedback, the draft bill was made available for comments and suggestions, with a ten-day period for submission. The bill consists of ten sections and spans a total of four pages.

HISTORY OF LIVESTOCK BILL

- According to the Department of Animal Husbandry and Dairying (DAHD), the existing law governing the import of live-stock is outdated as it dates back 125 years to the Live-stock Importation Act of 1898. In order to align with present requirements and prevailing circumstances regarding sanitary and phyto-sanitary measures, as well as the extant Allocation of Business Rules in 1961, there is a recognized need to update and modernize the law.
- In 2001, during the tenure of Prime Minister Atal Bihari Vajpayee and the National Democratic Alliance (NDA) government, amendments were made to the 1898 law. Initially, the Vajpayee government introduced an ordinance called the Live-Stock Importation (Amendment) Ordinance in 2001, which was later replaced by the Live-Stock Importation (Amendment) Bill.
- One significant change implemented by the Vajpayee government was the inclusion of livestock products within the law. The previous legislation solely addressed the import of live-stock, whereas the ordinance expanded its scope to cover various livestock products. These included different types of meat and meat products, such as fresh, chilled, and frozen meat tissue, as well as organs of poultry, pigs, sheep, and goats. Additionally, it encompassed eggs and egg powder, milk and milk products, embryos, ova, and semen of bovine, ovine, and caprine species (sheep and goats), pet food products of animal origin, and any other animal product that the Central Government could specify through notification in the Official Gazette. Furthermore, the 2001 amendment granted the central government the authority to regulate, restrict, or prohibit the trade of any livestock product that may pose risks to human or

animal health.

CRITISIM OF LIVESTOCK AND LIVESTOCK PRODUCT BILL, 2023

- Various animal rights organizations strongly criticize the draft bill due to concerns over animal cruelty. They contend that permitting the export of live animals will inevitably result in widespread abuse and mistreatment of animals bred for food and other purposes. Detractors of the bill argue that it neglects the welfare of animals by prioritizing trade and economic interests over ethical considerations. The large-scale export of live animals can subject them to stressful and inhumane conditions both during transportation and upon reaching their destination countries.
- The Federation of Indian Animal Protection Organizations (FIAPO) and other animal welfare organizations vehemently oppose the draft bill. They highlight the global trend of phasing out live animal exports and emphasize the necessity for more stringent animal welfare regulations. Critics also expressed worries regarding the environmental repercussions of live animal exports. The transportation of large numbers of animals over long distances contributes to greenhouse gas emissions, deforestation, and other ecological issues. The proposed bill has sparked debates concerning the ethical and moral implications of exporting live animals. Some argue that it contradicts principles of compassion and respect for animal life, as well as India's cultural and religious traditions that emphasize non-violence and the protection of animals.

CONCLUSION

- In response to mounting criticism, the draft Live-stock and Live-stock Products [Importation and Exportation] Bill, 2023 has been withdrawn by the Centre. The Ministry issued an office memorandum on Tuesday officially retracting the bill.
- The memorandum stated that during the consultation process, it became evident that more time is necessary to comprehend the proposed draft and provide additional comments and suggestions. It further acknowledged representations expressing concerns related to animal welfare and other sensitive aspects, emphasizing the need for broader consultation.
- With the approval of the competent authority, the memorandum, issued by GN Singh, Joint Secretary of the Department of Animal Husbandry and Dairying, concluded by announcing the withdrawal of the proposed draft Bill.

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¹ Majesty legal is a LAW FIRM established in 2013 by Ms. Mahi Yadav. Objective of this legal update is to provide insights on law, statutes and is personal in nature, not to be deemed as legal advice.