



**KARNATAKA LEGISLATIVE COUNCIL
ONE HUNDRED AND FIFTY SIXTH SESSION
THE KARNATAKA TRADITIONAL MIGRATORY SHEPHERDS (WELFARE
MEASURES AND PROTECTION AGAINST ATROCITIES) BILL, 2025
(LA Bill No. 62 of 2025)**

(As passed by the Karnataka Legislative Assembly with Amendment)

A Bill to provide welfare measures for traditional migratory shepherds and prevent the commission of offences of atrocities against traditional migratory shepherds in the State of Karnataka.

Whereas it is expedient to provide welfare measures for traditional migratory shepherds, and to prevent the commission of offences of atrocities against traditional migratory shepherds in the State and for the matters connected therewith or incidental thereto.

Be it enacted by the Karnataka State Legislature in the Seventy sixth year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Traditional Migratory Shepherds (Welfare Measures and Protection Against Atrocities) Act, 2025.

(2) It shall come into force as the State Government may, by notification, appoint.

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

- (a) “Beneficiary” means a traditional migratory shepherd registered under section 4 of this Act;
- (b) “Commissioner” means the Commissioner of the Department of Animal Husbandry and Veterinary Services, Government of Karnataka;
- (c) “Department” means Department of Animal Husbandry and Veterinary Services, Government of Karnataka;
- (d) “Development Corporation” shall mean the Karnataka Sheep and Wool Development Corporation Ltd. registered under the Companies Act, 2013 (Central Act 18 of 2013) by the Department of Animal Husbandry and Veterinary Services, Government of Karnataka;

- (e) "Market" shall have the same meaning assigned to it under clause (18) of section 2 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966);
- (f) "Marketing" shall have the same meaning assigned to it under clause (18A) of section 2 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966);
- (g) "Market Fees" means a fee levied under section 7 of this Act;
- (h) "Prescribed" means prescribed by rules made under this Act;
- (i) "Traditional Migratory Shepherd" shall mean any person engaged primarily in traditional, migratory or seasonal rearing of sheep, goats or such livestock in search of fodder, water, and sustenance, along traditional routes; and
- (j) "Welfare Board" means the traditional migratory shepherd Welfare Board constituted under section 8 to administer the fund established under this Act;

3. Registration of traditional migratory shepherd.-(1) Every traditional migratory shepherd shall be eligible for registration as a beneficiary under this Act.

(2) An application for registration shall be made in such form, as may be prescribed to the officer authorised by the State Government in this behalf.

(3) Every application made under sub-section (2), shall be accompanied by such documents as may be prescribed.

(4) If the officer authorised by the State Government under sub-section (2) is satisfied that the applicant is eligible under the provisions of this Act and the rules made thereunder, he shall register the name of the such traditional migratory shepherd as a beneficiary under this Act:

Provided that, no application for registration shall be rejected by the authorised officer without giving an opportunity of being heard to the applicant.

(5) Any person aggrieved by the decision under sub-section (4) may, within thirty days from the date of such decision, prefer an appeal to the Commissioner of the Department of Animal Husbandry and Veterinary Services or any other officer authorised by the State Government in this behalf and the decision of the Commissioner or such authorised officer on such appeal shall be final:

Provided that, the Commissioner or any other officer authorised by the State Government in this behalf may entertain an appeal after the expiry of the said period of thirty days if he is satisfied that the applicant was prevented by sufficient cause from filing an appeal in time.

(6) The Commissioner of the Department of Animal Husbandry and Veterinary Services shall authorise the officer to maintain such registers as may be prescribed.

4. Entitlement to benefits.—Subject to the provisions of this Act, every traditional migratory shepherd registered as a beneficiary under this Act shall be entitled to the benefits provided under this Act.

5. Identity cards.—(1) The Government shall notify the competent authority responsible for providing an identity card to every beneficiary, with their photograph duly affixed thereon and with enough space for entering the details of their dependents and livestock in such manner as may be prescribed.

(2) A beneficiary who has been issued an identity card under this Act shall produce the same whenever required by any officer of the Government.

(3) The identity card issued to any beneficiary under this Act shall be valid for such period of time as may be prescribed.

(4) The paper and electronic records of traditional migratory shepherds shall be maintained by the authorised officer under sub-section (6) of section 3.

6. Framing of Schemes.— (1) The State Government shall frame and notify, from time to time, suitable welfare schemes for traditional migratory shepherds on matters relating to,—

- (i) affordable housing and grant of land for housing purposes;
- (ii) life insurance, health insurance, animal insurance and disability cover;
- (iii) health benefits;
- (iv) educational benefits;
- (v) skill upgradation;
- (vi) food security;
- (vii) livestock vaccination and treatment;

(viii) marketing support to traditional migratory shepherds for their products;

(ix) monetary compensation in the case of loss of livestock; and

(x) any other benefits as notified by the State Government from time-to-time.

(2) Any scheme notified by the State Government under this section may be,-

(a) wholly funded by the State Government; or

(b) partly funded by the State Government; or

(c) partly funded through contributions collected from the beneficiaries of the scheme as may be specified in the scheme by the State Government; or

(d) funded from any source including corporate social responsibility fund or any other such source as may be specified in the scheme.

(3) The State Government may seek financial assistance from the Central Government for the schemes framed by it.

7. Levy of Market Fees.-(1) Notwithstanding anything contained in this Act or any other law for time being in force, every person who buys sheep or goat from an authorised market shall pay to the market committee a market fee levied under the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966) on the total value of the transaction price.

(2) Where any person fails to pay the market fee payable under this section, the market committee shall have the power to impose a penalty under the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966) and rules made thereunder.

(3) The collected market fee under sub-section (1), shall be credited to the Traditional Migratory Shepherd Welfare Fund established under sub-section (1) of section 8 in such manner, as may be prescribed.

8. Traditional Migratory Shepherds Welfare Fund and Board.-(1) The State Government shall, by notification in the Official Gazette, constitute a fund to be called the Traditional Migratory Shepherds Welfare Fund that shall be utilised for such purposes as may be prescribed.

(2) The State Government may constitute and notify a Board, to be called the Karnataka Traditional Migratory Shepherds Welfare Board, to administer the fund specified in sub-section (1).

(3) The Welfare Board shall consist of a Chairperson and such other officers from the Development Corporation as may be prescribed, with effect from such date as the State Government may by notification appoint in this behalf.

(4) The Welfare Board shall be a body corporate having perpetual succession and a common seal and subject to such restrictions as are imposed by or under this Act or any other rules made under this Act, shall be vested with the capacity of suing or being sued in its corporate name, of acquiring, holding and disposing of, moveable or immoveable property, of entering into contracts, and of doing all things necessary, proper or expedient for the purpose for which it is constituted.

(5) All expenditure incurred by the Welfare Board shall be defrayed out of the said fund.

(6) The Fund may also be utilized to implement schemes notified by the State Government under section 6 and for any other purpose as may be prescribed.

9. Offences against traditional migratory shepherds.-Whoever,-

- (i) denies access of a traditional migratory shepherd to any public property, Government land or forest land (excluding reserve forest) without any lawful basis, such person shall be punishable with imprisonment for **a term of one year and with fine of rupees fifty thousand.**
- (ii) denies any customary right of passage to public resort or customary right of grazing or obstructs the passage of a traditional migratory shepherd to prevent them from using or having access to a place of public resort to which other members of public have a right to use or access, such person shall be punishable with imprisonment for **a term of two years and with fine of rupees one lakh.**
- (iii) intentionally insults or verbally abuses any traditional migratory shepherd, such person shall be punishable with imprisonment for **a term of six months but which may extend to five years and with fine of rupees one lakh.**

- (iv) causes death of a traditional migratory shepherd by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that it is likely by such act to cause death, such person shall be punishable under relevant criminal laws for time being in force.
- (v) behaves in a manner that constitutes sexual harassment, under the section 75 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023) such person shall be punishable in accordance with the provisions of relevant Criminal Laws, for the time being in force.
- (vi) prevents a traditional migratory shepherd from availing judicial recourse with regard to offences against traditional migratory shepherds and offences against property or any other offence under any law, for time being in force, such person shall be punishable with imprisonment for **a term of two years and fine of rupees fifty thousand.**
- (vii) violates the due process of law and claims damages from a traditional migratory shepherd without approaching the appropriate authority shall be punishable with imprisonment for **a term of three years and fine of rupees one lakh.**

10. Offences against property.-(1) Whoever, not being a traditional migratory shepherd,-

- (i) Causes damage to property, movable or otherwise, belonging to a traditional migratory shepherd; or
- (ii) Moves property belonging to a traditional migratory shepherd without their consent; or
- (iii) Dispossesses a traditional migratory shepherd of their property, is said to have committed an offence against the property of a traditional migratory shepherd,

- shall be punishable with imprisonment for **a term of two years** and with fine may be imposed equivalent to the value of damaged property.

(2) Whoever, not being a traditional migratory shepherd,-

- (i) intending to take dishonestly any livestock out of the possession of any traditional migratory shepherd without that person's consent, moves that livestock in order to carry out such taking, carries it away or misappropriates it; or
- (ii) intending to deny any livestock of a traditional migratory shepherd's access to any public property, government land or forest land (excluding reserve forest), causes any damage to the livestock of the traditional migratory shepherd, is said to have committed an offence against the property of a traditional migratory shepherd,

-shall be punishable with imprisonment for **a term of two years** and with fine of rupees fifty thousand.

11. Offences by public servants.-Whoever, being a public servant, wilfully neglects his duties required to be performed by him under any law in force with the intent of causing injury or monetary loss to a traditional migratory shepherd, shall be punished under relevant civil services rules:

Provided that, any police officer who wilfully refuses to act on complaints from traditional migratory shepherds or undertake investigation in accordance with the Bharatiya Nagrik Suraksha Sanhita, 2023 (Central Act 46 of 2023) is said to have committed an offence for the purposes of this section.

12. Offences to be cognisable and non-bailable.- (1)Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) no person accused of an offence under this Act shall be released on bail or on their own bond unless,-

- (i) the Public Prosecutor has been given an opportunity to oppose the application for such release; and
- (ii) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that they are not guilty of such offence and that they are not likely to commit any offence while on bail:

Provided that, a person, who is under the age of eighteen years, or is a woman or is sick or infirm, may be released on bail, if the Court so directs.

Provided further that this section is not applicable to traditionally migratory shepherd persons.

13. Order to pay compensation.- When a Court imposes a sentence, the Court shall, when passing judgment, order the whole or any part of the fine recovered to be applied to compensate the traditional migratory shepherds.

14. Power to make rules.- (1) The State Government may, by notification in the Official Gazette with previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (i) applications for registrations of traditional migratory shepherds under sub-section (2) of section 3 of the Act.
- (ii) documents to accompany the application under sub-section (3) of section 3 of the Act.
- (iii) registers to be maintained by the authorised person under sub-section (6) of section 3 of the Act.
- (iv) issuance of identity cards under sub-section (1) of section 5 of the Act.
- (v) validity of the identity cards under sub-section (3) of section 5 of the Act.
- (vi) collection of the market fee under sub-section (3) of section 7 of the Act.
- (vii) establishment of the Traditional Migratory Shepherd Welfare Fund under sub-section (1) of section 8 of the Act.
- (viii) constitution and notification of the Karnataka Traditional Migratory Shepherds Welfare Board under sub-section (2) and (3) of section 8 of the Act.
- (ix) utilisation and purposes of the Traditional Migratory Shepherds Welfare Fund under sub-section (6) of section 8 of the Act.

(3) Every rule or notification made under this Act shall be laid as soon as may be after it is made, before each House of the State Legislature while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session

immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made, the rule or notification shall, from the date on which the modification or annulment is notified 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 or notification.

15. Power to remove difficulties.-(1)If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall, as soon as may be after it is so made, be laid before the House of State Legislature.

16. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against the State Government or any officer, or other employees of the State Government for anything which is in good faith done or intended to be done under this Act or rules made thereunder.

STATEMENT OF OBJECTS AND REASONS**(As appended to at the time of introduction)**

It is considered necessary to give effect to the proposal made in the Budget Speech of 2024-25 to enact a legislation to provide for registration and identification of traditional migratory shepherds and to establish a Fund to be administered by a Welfare Board to implement schemes for the benefit of traditional migratory shepherds. Further, it is considered expedient to levy a market fee to finance the welfare fund.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause-3	<ul style="list-style-type: none"> (i) Sub-clause (2), empowers the State Government to make rules regarding making an application for registration of traditional migratory shepherd; (ii) Sub-clause (3), empowers the State Government to make rules to prescribe the documents and fees required for registration; and (iii) Sub-clause (6), empowers the State Government to make rules regarding maintaining of registers by the Commissioner of the Department of Animal Husbandry and Veterinary Services.
Clause -5	<ul style="list-style-type: none"> (i) Sub-clause (1), empowers the State Government to make rules to prescribe the such manner of issuing the identity card; and (ii) Sub-clause (3), empowers the State Government to make rules to prescribe the time period for the validity of identity card
Clause-7	Sub-clause (3), empowers the State Government to make rules to prescribe such manner of crediting the collected market fee to the Traditional Migratory Shepherd Welfare Fund established under sub-section (1) of section 8.
Clause-8	<ul style="list-style-type: none"> (i) Sub-clause (1) empowers the State Government to make rules to prescribe manner of utilization of fund collected in Traditional Migratory Shepherds Welfare Fund; (ii) Sub-clause (3) empowers the State Government to make rules to appoint such other officers from the Development Corporation to Welfare Board; and (iii) Sub-clause (6) empowers the State Government to make rules regarding utilization of welfare fund for any other purpose.
Clause-14	Empowers the State Government to make rules carrying out the purposes of the Act.

The proposed delegation of legislative power is normal in character.

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