

**ANIMAL WELFARE BOARD OF INDIA**

Ministry of Fisheries, Animal Husbandry and Dairying, Govt. of India
(Department of Animal Husbandry and Dairying)

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File No.:AC-01003/1/2024-AWBI

To

The Chief Secretary of all the States,
The Director General of Police of all the States

Subject: Stopping of illegal killing/sacrifices of Cows/calves, Camels and other Animals on the occasion of Bakrid – regarding.

Sir/Madam,

With reference to the above cited subject, it is stated that the Bakrid festival will be celebrated on 17th June, 2024, all over the Country. It is a fact that large numbers of animals are likely to be slaughtered during Bakrid festival. It is reported that during transportation of animals, the owner of the animals do not follow the animal welfare laws, which result in cruelty to the animals and even some of the animals die during transportation.

As you may be aware, cruelty to any animal is a punishable offence under the Prevention of Cruelty to Animals Act, 1960. Such violation is against the spirit of Article 48, 48 (a) and 51 A(g) of the Constitution of India.

Kindly note that as per Rule 3 of Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, no person shall slaughter any animal within a municipal area except in a slaughter house recognized or licensed by the concerned authority empowered under the law for the time being in force to do so. No animal shall be slaughtered, which is pregnant, or has an offspring less than 3 months old, or is under 3 months of age, or which has not been certified by a Veterinary Doctor that it is in a fit condition to be slaughtered. Slaughter means the killing or destruction of any animal for the purpose of food unless such destruction was accompanied by the infliction of unnecessary pain or suffering. The said Rules include the processes of humane slaughter of animals and operations performed on all such animals in order to prepare it for being slaughtered.

The Food Safety and Standards Authority of India under the Ministry of Health and Family Welfare has issued a direction through LrNo.1-988/FSSAI/Import/2014 dated 06.08.2014 that "animal" as an animal belonging to any of the species specified below: (i) Ovines (ii) Caprines (iii) Suillines (iv) Bovines and includes poultry & fish. It has also directed that the slaughtering of animals of any other species other than the one listed above is not permissible under the Food Safety and Standards Act, Rules and Regulations.

This effectively means that camels cannot be slaughtered for food at all. Also, wherever, the cow slaughter prohibition Act is in force, then slaughtering of cows will be the violation of the law.

I/4672/2024

Few judgments of the Hon'ble Supreme Court of India and High Court are mentioned in the Annexure.

Unscrupulous persons are carrying on the business of illegal slaughter in violation of the Prevention of Cruelty to Animals Act, 1960 and the Rules made there under. Such unlawful practice is also against the local Municipal Acts and Rules and also the violation of the directions of the Supreme Court of India in W.P. Laxmi Narain Modi Vs UoI & Ors.

The Board has also issued a circular no.9-2/2018-19/IC dated 30.05.2022 addressed to all the State Governments/UTs with a request to implement and circulate Regulatory compliance for slaughterhouses and meat shops. The copy of the same is enclosed.

Therefore, it is requested to kindly direct all the concerned authorities to take all precautionary measures for strict implementation of the Animal Welfare laws to stop illegal killing of animals during Bakrid festival and to take stringent action against the offenders violating the animal laws viz. PCA Act, 1960, Transport of Animals Rules 1978 (amended in 2001 & 2009), Transport of Animals on Foot Rule, 2001, Slaughter House Rules, 2001 (amended in 2010), Municipal laws, Act & Regulations of Food Safety & Standards Authority of India.

Action taken in this regard may kindly be intimated to the Board.

Yours sincerely,

(Dr. S. K. Dutta)
Secretary

Encl.: as above

Copy to:

1. The Director, Animal Husbandry Department of all the States.
2. The Secretary, AWBI for information.

ANNEXURE**Few judgments of the Hon'ble Supreme Court of India and High Courts regarding slaughter of animals are as below-**

1. Hon'ble Supreme Court of India in its judgment dated 16.11.1994 passed the order in the matter titled 'State of West Bengal' v. 'Ashutosh Lahiri and others', in Civil Appeals Nos. 6790 of 1983 with 6791 to 6794 of 1983.
2. Hon'ble Supreme Court of India judgment dated 7.5.2014 in the matter titled AWBI Vs Nagaraja & Ors-(SLP-(C). No. 11686 of 2007) has issued strong directions to all the agencies and instrumentalities of the State, including law enforcement authorities, to uphold animal right and protection laws. Failure to do so will be tantamount to failure to adhere to the same as well.
3. The Kerala High Court in its judgment dated 05.12.2005 passed the order in the Writ Petition No. 30754 of 2005 titled 'Siraj vs District Collector'.
4. The Karnataka High Court in its judgment dated 06.01.2009 passed the order in the matter Writ Petition No. 14432 of 2008 titled 'Animal Rights Fund Vs. State of Karnataka'.
5. The Hon'ble High Court of Madras in its order dated 6.8.2014 in W.P. No. 28313 of 2013, Blue Cross vs State of Tamil Nadu & Ors has given a Judgment that "the concerned authorities are directed to ensure compliance of the rules and norms of slaughtering."
6. The Hon'ble High Court of Madras in its order dated 06.04.2022 in, W.P.No.11519 of 2015, People for Cattle in India Vs State of Tamil Nadu and others stated that *we dispose of it with a direction to the respondents to take all the measures to stop illegal trafficking of Camel or slaughtering.*
7. The Hon'ble High Court of Andhra Pradesh in its order dated 05.07.2022 in WP (PIL) No. 92 of 2022, Stated that "*State to issue a Circular appointing a Nodal Officer for the entire State and District level Nodal Officers for ensuring that there is no illegal transportation/slaughtering of the animals during the festival of Bakrid.* "

All the above orders are available in our website: www.awbi.gov.in
