

**Government of West Bengal**  
**Directorate of Animal & Resources & Animal Health**  
**Prani Sampad Bhavan, LB-2, Sector-III,**  
**Salt Lake City, Kolkata- 700 106**

No. 2120(23)/3S/1/80 (P-II)

Dated, Kolkata, the 5<sup>th</sup> June 2024

To,  
The Deputy Director,  
ARD & PO,  
All districts.

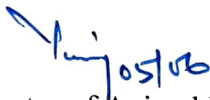
**Sub:** Notification published in compliance of the directives of the Hon'ble High Court, Calcutta in connection with the observance of Id-Uz-Zoha (Bakrid).

*Ref:* 791(6)-H(Law)- PE/15S-292/2019 dated 05.06.2024 of the Special Secretary to the Govt. of West Bengal, Home & Hill Affairs Department, GoWB

In continuation of the earlier communication vide no. 2017 dated 24.05.2024 and 2018 dated 24.05.2024 of this Directorate, enclosed please find herewith the letter vide no. 791(6)-H(Law)- PE/15S-292/2019 dated 05.06.2024 of the Special Secretary to the Govt. of West Bengal, Home & Hill Affairs Department, GoWB regarding 'Maintenance of Law & Order on ID-UZ-ZOHA' read with the directives of the Hon'ble High Court, Calcutta dated 17.07.2023 on WPA (P) 350 of 2023 and dated 05.07.2022 on WPO 372 of 2019 in connection with the observance of Id-Uz-Zoha which will speak for itself.

He is once again requested to strictly comply the instructions as provided therein. He is also requested to depute Veterinary Officers on the day of Id-Uz-Zoha (Bakrid) which is scheduled to be held on 17<sup>th</sup> June 2024 and instruct them to issue necessary certificates as per the provisions in the West Bengal Animal Slaughter Control Act 1950 keeping close contact with the authorities of the local bodies.

Encl: As stated.

  
Director of Animal Husbandry &  
Veterinary Services, West Bengal

No. 2120 /1(2)/3S/1/80 (P-II)

Dated, Kolkata, the 5<sup>th</sup> June 2024

Copy forwarded for information to the:

1. The Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.
2. The Sr. P.S. to the Additional Chief Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.

Director of Animal Husbandry &  
Veterinary Services, West Bengal



**GOVERNMENT OF WEST BENGAL  
HOME & HILL AFFAIRS DEPARTMENT  
LAW CELL  
NABANNA, HOWRAH**

No. 791(6)-H(Law)-PE/15S-292/2019

Date: 05.06.2024

- To:
- 1) Additional Chief Secretary, Animal Resources Development Department.
  - 2) Secretary, Urban Development & Municipal Affairs Department.
  - 3) Secretary, Panchayat & Rural Development Department.
  - 4) Director General & Inspector General of Police, West Bengal.
  - 5) Commissioner of Police, Kolkata.
  - 6) District Magistrate(s), All Districts.

**Sub: Maintenance of law and Order on ID-UZ-ZOHA**

Sir,

The ID-UZ-ZOHA is scheduled to be held on 17<sup>th</sup> June, 2024. In this connection, I am directed to send a copy of Notification regarding Guidelines to be followed in observance of ID-UZ-ZOHA, in compliance with directives of the Hon'ble High Court, Calcutta. The said Notification has been published in English, Bengali, Hindi and Urdu version newspapers today, which are also enclosed..

I am also directed to request you for adequate and proper precautions and appropriate steps for maintenance of Law and Order in compliance with the orders of the Hon'ble High Court, Kolkata in Writ Petition No. IA No. GA/1/2021 in WPO/372/2019 dated 8<sup>th</sup> June, 2022 read with Order dated 21.08.2018 in GA No. 2325 of 2018.

Yours faithfully,

Encl: As stated.

  
05/06/24  
**Special Secretary  
to the Govt. Of West Bengal**

NOTIFICATION PUBLISHED IN COMPLIANCE WITH DIRECTIVES  
OF THE HON'BLE HIGH COURT, CALCUTTA

In compliance with the orders passed by the Hon'ble High Court, Calcutta, this is to inform all concerned that in celebration of 'ID-UZ-ZOHA' on 17.06.2024, the following provisions are to be followed strictly.

- a) No person shall slaughter any animal (animal here means bulls, bullocks, cows, calves, male and female buffalos, buffalo calves and castrated buffalos) unless he has obtained in respect thereof a certificate that the animal is fit for slaughter.
- b) The Chairman of a Municipality or the *Sabhapati of a Panchayat Samity* and a Veterinary Surgeon may issue a certificate under their joint signatures regarding fitness of an animal for slaughter, if they are both of the opinion to be recorded in writing that the animal is over 14 (fourteen) years of age and unfit for work or breeding or the animal has become permanently incapacitated from work or breeding due to age, injury, deformity or any incurable disease.
- c) In case of refusal to issue such certificate, the aggrieved person may prefer an appeal to the State Government within 15 (fifteen) days of communication of such refusal .
- d) An animal, in respect of which such certificate has been issued, shall be slaughtered **only** in a Municipal Slaughter House or any other Slaughter House identified by the local administration.
- e) Slaughter of animals, for which a certificate has been issued, shall be strictly prohibited in any open public place.
- f) Nobody shall resist inspection of any premises by a person authorized, in writing, by the Chairman of a Municipality or the *Sabbapati of a Panchayat Samity* as the case may be or the Veterinary Surgeon for implementing the provisions of the West Bengal Animal Slaughter Control Act, 1950.
- g) Whoever contravenes any of the provisions contained in the West Bengal Animal Slaughter Control Act, 1950, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 1,000/- or with both. All offences under the 1950 Act shall be cognizable.
- h) Hon'ble Supreme Court of India in the case of Md. Hanif Quareshi and others-Vs-The State of Bihar held that sacrifice of a cow is no part of the festival of Id-Uz-Zoha and is not a religious requirement under Islam.
- i) The relevant decisions of the Hon'ble Supreme Court of India and the Calcutta High Court are available in the official website of the Department being <http://wbard.gov.in>

## মহামান্য কলকাতা হাইকোর্টের আদেশানুসারে প্রকাশিত বিজ্ঞপ্তি

মহামান্য কলকাতা হাইকোর্টের আদেশানুসারে সংশ্লিষ্ট সকলের অবগতির জন্য জানানো হচ্ছে যে, ১৭/০৬/২০২৪ তারিখে যে ঈদুজ্জাহা উৎসব অনুষ্ঠিত হবে, সে সম্পর্কে নিম্নোক্ত ব্যবস্থাগুলি কঠোরভাবে মেনে চলতে হবে।

ক) বলি দেওয়া যেতে পারে এই মর্মে শংসাপত্র নেওয়া হয়নি এমন কোনও পশু কেউ বলি দেবেন না। (পশু অর্থে এখানে ঘাঁড়, বলদ, গরু, বাছুর, পুং বা স্ত্রী মোষ, মোষের বাচ্চা ও মুক্ক- ছেদিত মোষ বলা হচ্ছে) :

খ) পুরসভার চেয়ারম্যান অথবা পঞ্চায়েত সমিতির সভাপতি এবং একজন পশু চিকিৎসক তাঁদের যৌথ স্বাক্ষরের অধীনে কোনও পশু বলি করার যোগ্য কিনা সে ব্যাপারে শংসাপত্র জারি করতে পারেন, যদি তাঁরা উভয়েই এই সম্পর্কে নিশ্চিত হন ও লিখিতভাবে মত প্রকাশ করেন যে পশুটি ১৪ বছরের বেশি বয়স্ক ও কাজ বা প্রজননের পক্ষে অনুপযুক্ত অথবা পশুটি বয়স, আঘাত, বিকলাঙ্গতা বা কোনও দুরারোগ্য অসুখের কারণে বরাবরের মতো কাজ বা প্রজননের পক্ষে অক্ষম হয়ে পড়েছে ;

গ) কোনও ব্যক্তিকে যদি এই শংসাপত্র দিতে কেউ অস্বীকার করেন তাহলে সেই ক্ষুণ্ণ ব্যক্তি উক্ত শংসাপত্র না পাওয়ার ঘটনার ১৫ দিনের মধ্যে রাজ্য সরকারের কাছে আবেদন জানাতে পারবেন ;

ঘ) একটি পশু যেটির সম্বন্ধে এই ধরনের শংসাপত্র দেওয়া হয়েছে, সেটি শুধুমাত্র পুরসভার কোনও কসাইখানায় বা স্থানীয় প্রশাসনের চিহ্নিত অন্য কোনও কসাইখানায় বলি দেওয়া যাবে ;

ঙ) যেসব পশুর বলির জন্য শংসাপত্র দেওয়া হয়েছে সেগুলিকে কোনও উন্মুক্ত স্থানে বলি দেওয়া কঠোরভাবে নিষিদ্ধ ;

চ) ১৯৫০ সালের পশ্চিমবঙ্গ পশু বলি নিয়ন্ত্রণ আইনের সংস্থানসমূহ রূপায়িত হচ্ছে কিনা তা পরিদর্শনের জন্য পুরসভার চেয়ারম্যান অথবা পঞ্চায়েত সমিতির সভাপতির বা প্রাণী চিকিৎসকের লিখিত প্রাধিকারপ্রাপ্ত কোনও ব্যক্তিকে কোনও প্রাঙ্গণ পরিদর্শনের ব্যাপারে বাধা দেওয়া যাবে না ;

ছ) যে বা যিনিই ১৯৫০ সালের পশ্চিমবঙ্গ পশুহত্যা নিয়ন্ত্রণ আইনের সংস্থানসমূহ লঙ্ঘন করবেন, তিনি কারাবাস, যার মেয়াদ ছয় মাস পর্যন্ত বর্ধিত হতে পারে বা জরিমানা, যার পরিমাণ ১০০০ টাকা পর্যন্ত হতে পারে, অথবা উভয় দণ্ডেই দণ্ডিত হতে পারেন ;

জ) মহামান্য সুপ্রিম কোর্টের রায়ে মহম্মদ হানিফ কুরেশি ও অন্যান্য বনাম বিহার রাজ্যের মামলায় ব্যক্ত করা হয়েছে যে, গোা হত্যা ঈদুজ্জাহা উৎসবের কোনও অঙ্গ নয় এবং এটি ইসলাম ধর্মের অধীনে পালনীয় কোনও ধর্মীয় প্রয়োজন নয় ;

ঝ) মহামান্য কলকাতা হাইকোর্টের ও সুপ্রিমকোর্টের প্রাসঙ্গিক সিদ্ধান্তসমূহ বিভাগীয় সরকারি ওয়েবসাইট <http://wbard.gov.in> - এ দেখতে পাওয়া যাবে।

৩৫ - ০৫ - ০৬ - ২০২৪

## মহামান্য কলকাতা হাইকোর্টের আদেশানুসারে প্রকাশিত বিজ্ঞপ্তি

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ক) বলি দেওয়া যেতে পারে এই মর্মে শংসাপত্র নেওয়া হয়নি এমন কোনও পশু কেউ বলি দেবেন না। (পশু অর্থে এখানে ঘাঁড়, বলদ, গরু, বাছুর, পুং বা স্ত্রী মোষ, মোষের বাচ্চা ও মুষ্- ছেদিত মোষ বলা হচ্ছে) ;

খ) পুরসভার চেয়ারম্যান অথবা পঞ্চায়েত সমিতির সভাপতি এবং একজন পশু চিকিৎসক তাঁদের যৌথ স্বাক্ষরের অধীনে কোনও পশু বলি করার যোগ্য কিনা সে ব্যাপারে শংসাপত্র জারি করতে পারেন, যদি তাঁরা উভয়েই এই সম্পর্কে নিশ্চিত হন ও লিখিতভাবে মত প্রকাশ করেন যে পশুটি ১৪ বছরের বেশি বয়স্ক ও কাজ বা প্রজননের পক্ষে অনুপযুক্ত অথবা পশুটি বয়স, আঘাত, বিকলাঙ্গতা বা কোনও দুরারোগ্য অসুখের কারণে বরাবরের মতো কাজ বা প্রজননের পক্ষে অক্ষম হয়েছে ;

গ) কোনও ব্যক্তিকে যদি এই শংসাপত্র দিতে কেউ অস্বীকার করেন তাহলে সেই ক্ষুদ্র ব্যক্তি উক্ত শংসাপত্র না পাওয়ার ঘটনার ১৫ দিনের মধ্যে রাজ্য সরকারের কাছে আবেদন জানাতে পারবেন ;

ঘ) একটি পশু যেটির সম্বন্ধে এই ধরনের শংসাপত্র দেওয়া হয়েছে, সেটি শুধুমাত্র পুরসভার কোনও কসাইখানায় বা স্থানীয় প্রশাসনের চিহ্নিত অন্য কোনও কসাইখানায় বলি দেওয়া যাবে ;

ঙ) যেসব পশুর বলির জন্য শংসাপত্র দেওয়া হয়েছে সেগুলিকে কোনও উন্মুক্ত স্থানে বলি দেওয়া কঠোরভাবে নিষিদ্ধ ;

চ) ১৯৫০ সালের পশ্চিমবঙ্গ পশু বলি নিয়ন্ত্রণ আইনের সংস্থানসমূহ রূপায়িত হচ্ছে কিনা তা পরিদর্শনের জন্য পুরসভার চেয়ারম্যান অথবা পঞ্চায়েত সমিতির সভাপতির বা প্রাণী চিকিৎসকের লিখিত প্রাধিকারপ্রাপ্ত কোনও ব্যক্তিকে কোনও প্রাঙ্গণ পরিদর্শনের ব্যাপারে বাধা দেওয়া যাবে না ;

ছ) যে বা যিনিই ১৯৫০ সালের পশ্চিমবঙ্গ পশুহত্যা নিয়ন্ত্রণ আইনের সংস্থানসমূহ লঙ্ঘন করবেন, তিনি কারাবাস, যার মেয়াদ ছয় মাস পর্যন্ত বর্ধিত হতে পারে বা জরিমানা, যার পরিমাণ ১০০০ টাকা পর্যন্ত হতে পারে, অথবা উভয় দণ্ডেই দণ্ডিত হতে পারেন ;

জ) মহামান্য সুপ্রিম কোর্টের রায়ে মহম্মদ হানিফ কুরেশি ও অন্যান্য বনাম বিহার রাজ্যের মামলায় ব্যক্ত করা হয়েছে যে, গোঁ হত্যা ঈদুজ্জাহা উৎসবের কোনও অঙ্গ নয় এবং এটি ইসলাম ধর্মের অধীনে পালনীয় কোনও ধর্মীয় প্রয়োজন নয় ;

ঝ) মহামান্য কলকাতা হাইকোর্টের ও সুপ্রিমকোর্টের প্রাসঙ্গিক সিদ্ধান্তসমূহ বিভাগীয় সরকারি ওয়েবসাইট <http://wbard.gov.in> - এ দেখতে পাওয়া যাবে।

বর্তমান তারিখ - ০৫-০৬-২০২৪

# माननीय उच्च न्यायालय, कलकत्ता के निर्देशों के अनुपालन में अधिसूचना प्रकाशित

माननीय उच्च न्यायालय, कलकत्ता द्वारा पारित आदेशों के अनुपालन में, सभी संबंधितों को सूचित किया जाता है कि दिनांक 17.06.2024 को 'ईद-उल-जुहा' के उपलक्ष्य में, निम्नलिखित प्रावधानों का कड़ाई से पालन किया जाना है।

- क) कोई भी व्यक्ति किसी जानवर का तब तक वध नहीं करेगा (यहां पशु का अर्थ हैं सांड, बैल, गाय, बछड़ा, नर और मादा भैंस, भैंस बछड़ा और बछड़ा भैंस) जब तक कि उसने इस संबंध में एक प्रमाण पत्र प्राप्त नहीं किया है कि जानवर वध के लिए उपयुक्त है।
- ख) नगरपालिका के अध्यक्ष या पंचायत समिति के सभापति और एक पशु चिकित्सा सर्जन पशु वध के फिटनेस के संबंध में अपने संयुक्त हस्ताक्षरयुक्त एक प्रमाण पत्र जारी कर सकते हैं, यदि दोनों की राय को लिखित रूप में दर्ज किया जाता है कि पशु 14 (चौदह) वर्ष से अधिक उम्र का है और काम या प्रजनन के लिए अयोग्य है या वह जानवर उम्र, चोट, विकृति या किसी लाइलाज बीमारी के कारण काम या प्रजनन में स्थायी रूप से अक्षम हो गया है।
- ग) इस तरह के प्रमाण पत्र को जारी करने से इनकार करने के मामले में, पीड़ित व्यक्ति 15 (पंद्रह) दिनों के भीतर राज्य सरकार को अपील कर सकता है।
- घ) एक जानवर, जिसके संबंध में ऐसा प्रमाण पत्र जारी किया गया है, का वध केवल नगरपालिका कसाईखाना या स्थानीय प्रशासन द्वारा चिह्नित किसी अन्य कसाईखाने में ही किया जाएगा।
- ङ) जानवरों का वध, जिसके लिए प्रमाण पत्र जारी किया गया है, किसी भी खुले सार्वजनिक स्थान पर सख्ती से प्रतिबंधित किया जाएगा।
- च) पश्चिम बंगाल पशु वध नियंत्रण अधिनियम, 1950 के प्रावधानों का ठीक से पालन हो रहा है या नहीं, इसके निरीक्षण का कोई विरोध नहीं करेगा। नगरपालिका अध्यक्ष या पंचायत समिति के सभापति या पशु चिकित्सा सर्जन द्वारा अधिकृत व्यक्ति ही किसी भी परिसर का निरीक्षण करेगा।
- छ) जो कोई भी पश्चिम बंगाल पशु वध नियंत्रण अधिनियम, 1950 में निहित प्रावधानों में से किसी का भी उल्लंघन करता है, उसे एक अवधि के लिए कारावास, जिसे छह महीने तक बढ़ाया जा सकता है या जुर्माना, जो 1000/- रुपये तक या दोनों हो सकता है, दंडनीय होगा। 1950 के अधिनियम के तहत सभी अपराध संज्ञय होंगे।
- ज) माननीय सर्वोच्च न्यायालय, भारत ने मोहम्मद हनीफ़ कुरैशी और अन्य-बनाम-बिहार राज्य के मामले में कहा कि, गाय की बलि ईद-उल-जुहा त्योहार का हिस्सा नहीं है और इस्लाम धर्म के अधीन इसके पालन का कोई धार्मिक प्रयोजन नहीं है।
- झ) माननीय सर्वोच्च न्यायालय, भारत और कलकत्ता उच्च न्यायालय के प्रासंगिक निर्णय विभाग की आधिकारिक वेबसाइट <http://wbard.gov.in> पर उपलब्ध हैं।

ICA-N231(5)/2024

Sanmay D. 05-06-2024

**NOTIFICATION PUBLISHED IN COMPLIANCE  
WITH DIRECTIVES OF THE HON'BLE HIGH COURT,  
CALCUTTA**

In compliance with the orders passed by the Hon'ble High Court, Calcutta, this is to inform all concerned that in celebration of 'ID-UZ-ZOHA' on 17.06.2024, the following provisions are to be followed strictly.

- a) No person shall slaughter any animal (animal here means bulls, bullocks, cows, calves, male and female buffalos, buffalo calves and castrated buffalos) unless he has obtained in respect thereof a certificate that the animal is fit for slaughter.
- b) The Chairman of a Municipality or the *Sabhapati* of a *Panchayat Samity* and a Veterinary Surgeon may issue a certificate under their joint signatures regarding fitness of an animal for slaughter, if they are both of the opinion to be recorded in writing that the animal is over 14 (fourteen) years of age and unfit for work or breeding or the animal has become permanently incapacitated from work or breeding due to age, injury, deformity or any incurable disease.
- c) In case of refusal to issue such certificate, the aggrieved person may prefer an appeal to the State Government within 15 (fifteen) days of communication of such refusal.
- d) An animal, in respect of which such certificate has been issued, shall be slaughtered only in a Municipal Slaughter House or any other Slaughter House identified by the local administration.
- e) Slaughter of animals, for which a certificate has been issued, shall be strictly prohibited in any open public place.
- f) Nobody shall resist inspection of any premises by a person authorized, in writing, by the Chairman of a Municipality or the *Sabhapati* of a *Panchayat Samity* as the case may be or the Veterinary Surgeon for implementing the provisions of the West Bengal Animal Slaughter Control Act, 1950.
- g) Whoever contravenes any of the provisions contained in the West Bengal Animal Slaughter Control Act, 1950, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs.1,000/- or with both. All offences under the 1950 Act shall be cognizable.
- h) Hon'ble Supreme Court of India in the case of Md. Hanif Quareshi and others-Vs-The State of Bihar held that sacrifice of a cow is no part of the festival of Id-Uz-Zoha and is not a religious requirement under Islam.
- i) The relevant decisions of the Hon'ble Supreme Court of India and the Calcutta High Court are available in the official website of the Department being <http://wbard.gov.in>

Times of India dt. 05/06/24

**Government of West Bengal**  
**Directorate of Animal & Resources & Animal Health**  
**Prani Sampad Bhavan, LB-2, Sector-III,**  
**Salt Lake City, Kolkata- 700 106**

No. 2017(23)/3S/1/80 (P-II)

Dated, Kolkata, the 24<sup>th</sup> May 2024

To,  
The Deputy Director,  
ARD & PO,  
All districts.

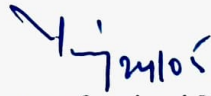
**Sub:** Compliance of the Order issued by the Hon'ble High Court, Calcutta in connection with the observance of Id-Uz-Zoha

Ref: 1. Order of the Hon'ble High Court dated 17.07.2023 on WPA (P) 350 of 2023  
2. The West Bengal Animal Slaughter Control Act 1950

Enclosed please find herewith the directives of the Hon'ble High Court, Calcutta dated 17.07.2023 on WPA (P) 350 of 2023 in connection with the observance of Id-Uz-Zoha which will speak for itself.

He is hereby requested to strictly comply the instructions as provided therein. He is also requested to depute Veterinary Officers on the day of Id-Uz-Zoha (Bakrid) which is scheduled to be held on 17<sup>th</sup> June 2024 and instruct them to issue necessary certificates as per the provisions in the West Bengal Animal Slaughter Control Act 1950 keeping close contact with the authorities of the local bodies.

Encl: As stated.

  
Director of Animal Husbandry &  
Veterinary Services, West Bengal

No. 2017/1(2)/3S/1/80 (P-II)

Dated, Kolkata, the 24<sup>th</sup> May 2024

Copy forwarded for information to the:

1. The Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.
2. The Sr. P.S. to the Additional Chief Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.

Director of Animal Husbandry &  
Veterinary Services, West Bengal

10 17.07.2023  
RP Ct. No. 01  
AN

**WPA (P) 350 of 2023**

Rama Prasad Sarkar  
Vs.  
The State of West Bengal & ors.

Mr. Rama Prasad Sarkar  
... For the petitioner (in-person)

Mr. Samrat Sen, Id. AAAG  
Mr. Sk. Md. Galib  
Ms. Sujata Mukherjee  
... For the State

**1.** The petitioner appearing in person, by this Public Interest Litigation seeks for strict implementation of the orders passed by the Hon'ble Division Bench in W.P. 328 of 2018 with W.P. 24315(W) of 2015 dated 16.08.2018 and also the orders in G.A. 2325 of 2018 in W.P. 328 of 2018 dated 21.08.2018.

**2.** From the writ petition, we find that there is no specific allegation made by the writ petitioner as regards violation of the directions issued in the earlier orders. Learned Additional Assistant Advocate General pointed out that there is an earlier order passed by the Division Bench in the case of Rajyashree Chaudhuri vs. The State of West Bengal & Ors. reported in (2017) SCC Online Cal 13016. The matter concerns slaughtering of animals including cows and buffalows in open public place. All the three earlier orders show that there is a prohibition of slaughtering of animals in public place and there is also observations made by the Hon'ble Division Bench in its order dated 21.08.2018

that sacrifice of a cow is no part of the festival Id-ud-Zoha and is not a religious requirement under Islam as held by the Hon'ble Supreme Court in the case of Md. Hanif Qureshi vs. State of Bihar. Further, the Division Bench directed that a public notice should be issued and such notice must be in line with the order which was passed by the Division Bench on 16.08.2021. Further, the State authorities to take necessary steps to ensure that the provisions of the West Bengal Animal slaughter Control Act, 1950 is implemented prior to the observance of the said festival during the ensuing year. Further, the State was directed to ensure that there is no slaughtering of animals in any open public place. Though, it is submitted by the learned counsel for the petitioner appearing in person that such order has been violated and there is nothing on record to support such submission.

**3.** Learned Additional Assistant Advocate General appearing for the State respondents produced the copies of the notification issued by the State Government in terms of the directions issued by the Division Bench of this Court in the earlier orders as well as the orders passed by the Hon'ble Supreme Court. He also submitted that the appropriate authority of the State Government has not received any single complaint alleging any violation of the notification which was published by the Government.

**4.** In the light of the above, for the next year, well

before the festival of Id-ud-Zoha, at least 10 days in advance, a wide publicity should be given that slaughtering of animals shall not be done in any open public place and the provision of Act of 1950 and also directions issued by the Hon'ble Supreme Court should be strictly adhered to. The concerned Department of the State Government shall form Vigilance Teams to visit various areas to ensure that the notification published by the State Government are strictly implemented without any violation.

5. With the above observations, the instant writ petition stands **disposed of**.

**(T. S. Sivagnanam)**  
**Chief Justice**

**(Hiranmay Bhattacharyya, J.)**



## The West Bengal Animal Slaughter Control Act, 1950

Act 22 of 1950

**Keyword(s):**

Animal, President, Veterinary Surgeon, Veterinary Officer

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## West Bengal Act XXII of 1950<sup>1</sup>

### THE WEST BENGAL ANIMAL SLAUGHTER CONTROL ACT, 1950.

AMENDED

West Ben. Act XIX of 1979.

[6th April, 1950.]

*An Act to control the slaughter of certain animals.*

WHEREAS it is expedient to control the slaughter of certain animals with a view to increase the supply of milk and to avoid the wastage of animal power necessary for improvement of agriculture;

It is hereby enacted as follows:—

1. (1) This Act may be called the West Bengal Animal Slaughter Control Act, 1950.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different parts of West Bengal.

2. This Act applies to the animals specified in the Schedule.

Application  
of Act.

3. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(i) "animal" means an animal to which this Act applies;

(ii) "Calcutta" has the same meaning as in clause (11) of section 3 of the Calcutta Municipal Act, 1923<sup>2</sup>;

<sup>4</sup>(iii) "President" means,—

(a) in relation to a municipality, any person presiding over the affairs of any municipal authority, and

(b) in relation to a *Panchayat Samiti*, any person presiding over the affairs of any *Panchayat Samiti*,

by whatever name called, and includes any person nominated by him for the purposes of this Act;

(iv) "prescribed" means prescribed by rules made under this Act;

<sup>1</sup>For Statement of Object and Reasons, see the *Calcutta Gazette, Extraordinary*, dated the 21st January, 1950, Pt. IV, page 85; for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meeting of the West Bengal Legislative Assembly, held on the 14th February, 1950.

<sup>2</sup>The Act came into force in Calcutta and several municipalities on the 15th March, 1952, vide notification No. 639, dated the 1st February, 1952, published in the *Calcutta Gazette, Extraordinary*, dated the 13th March, 1952, Part I, page 455. It also came into force in the Kalimpong Municipality, vide notification No. 7884 Vety., dated 5th August, 1953, published in the *Calcutta Gazette, Extraordinary*, 1953, Part I, page 965.

<sup>3</sup>The Calcutta Municipal Act, 1923 (Ben. Act III of 1923) was repealed and re-enacted by the Calcutta Municipal Act, 1951 (West Ben. Act XXXIII of 1951).

<sup>4</sup>Clause (iii) was substituted for the original clause by s. 2(a) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

*The West Bengal Animal Slaughter Control  
Act, 1950.*

[West Ben. Act

## (Section 4.)

(v) "Veterinary Surgeon" means,—

- (a) in areas other than Calcutta, a Veterinary Surgeon, and
- (b) in Calcutta, a Veterinary Surgeon of the Directorate of Veterinary Services, Government of West Bengal, acting within the local limits of his jurisdiction, and

(vi) "Veterinary Officer" means—

- (a) in areas other than Calcutta, a District Veterinary Officer, and
- (b) in Calcutta, a Superintendent of Veterinary Services (Headquarters) of the West Bengal Civil Veterinary Department acting within the local limits of his jurisdiction.

Prohibition  
of slaughter  
of animal  
without  
certificate.

4. (1) Notwithstanding anything in any other law for the time being in force or in any usage to the contrary, no person shall slaughter any animal unless he has obtained in respect thereof a certificate under sub-section (2) or sub-section (3) that the animal is fit for slaughter.

(2) <sup>1</sup>[The President of a municipality or a *Panchayat Samiti*, as the case may be, and the Veterinary Surgeon] may issue a certificate under their joint signatures that an animal is fit for slaughter if they are both of opinion (which shall be recorded) that—

- (a) the animal is over fourteen years of age and unfit for work or breeding, or
- (b) the animal has become permanently incapacitated from work or breeding due to age, injury, deformity or any incurable disease.

(3) Where there is a difference of opinion between <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, as the case may be, and the Veterinary Surgeon] as to the issue of a certificate under sub-section (2), the matter shall be referred to the Veterinary Officer and a certificate shall be issued or refused according as the Veterinary Officer is of opinion that the animal is fit to be slaughtered or is not so fit.

(4) Where under sub-section (3) a certificate is issued or refused, the order granting or refusing issue of the certificate shall be signed by the Veterinary Officer.

<sup>1</sup>Clause (v) was substituted for the original clause by s. 2(b) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>The words within the square brackets were substituted for the words "The President of a municipality and the Veterinary Assistant Surgeon" by s. 3(a), *ibid.*

<sup>3</sup>The words within the square brackets were substituted for the words "the President of a municipality and the Veterinary Assistant Surgeon" by s. 3(b), *ibid.*

XXII of 1950.]

(Sections 5-8.)

(5) Any person aggrieved by the refusal to issue a certificate under this section may, within fifteen days from the date of communication to him of such refusal, appeal to the State Government against the order of refusal, and the State Government may pass such orders thereon as it thinks fit.

(6) The State Government may, at any time for the purpose of satisfying itself as to the legality or propriety of any action taken under this section, call for and examine the record of any case, and may pass such orders thereon as it thinks fit.

(7) Subject to the provisions of this section, any action taken under this section shall be final and shall not be called in question in any court.

5. No animal in respect of which a certificate has been issued under section 4 shall be slaughtered in any place other than a place prescribed in this behalf.

Prohibition  
of slaughter  
of animals in  
places not  
prescribed  
for the  
purpose.  
Power to  
enter and  
inspect  
premises.

6. (1) For the purposes of enforcing the provisions of this Act, <sup>1</sup>[the President of a municipality or a *Panchayat Samiti*, as the case may be, or the Veterinary Surgeon or any person] authorised by the Veterinary Assistant Surgeon in writing in this behalf shall have power to enter and inspect any premises within the local limits of his jurisdiction where he has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises as is specified in sub-section (1) shall allow <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, the Veterinary Surgeon] or the person authorised, as the case may be, such access to the premises as he may require for the aforesaid purpose, and shall answer any question put to him by <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, the Veterinary Surgeon] or the person authorised, as the case may be, to the best of his knowledge or belief.

7. Whoever contravenes any of the provisions contained in this Act shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalties.

8. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences under this Act shall be cognizable.

Offences to  
be  
cognizable.

Act V of  
1898.

<sup>1</sup>The words within the square brackets were substituted for the words "the President of a municipality or the Veterinary Assistant Surgeon or any person" by s. 4(a) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>The words within the square brackets were substituted for the words "the President of a municipality, the Veterinary Assistant Surgeon" by s. 4(b). *ibid*

Abetments  
and  
attempts.

9. Whoever abets any offence punishable under this Act or attempts to commit any such offence shall be punished with the punishment provided in this Act for such offence.

Officers  
exercising  
powers  
under this  
Act deemed  
to be public  
servants.

10. <sup>1</sup>[All Presidents of municipalities or *Panchayat Samitis*, Veterinary Surgeons], Veterinary Officers and other persons exercising powers under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Act XLV of  
1860.

Protection of  
persons  
acting in  
good faith.

11. No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Power to  
grant  
exemptions.

12. The State Government may, by general or special order and subject to such conditions as it may think fit to impose, exempt from the operation of this Act the slaughter of any animal for any religious, medicinal or research purposes.

Delegation  
of functions.

13. The State Government may, by notification in the *Official Gazette*, <sup>2</sup>delegate to any officer of State Government all or any of its powers or functions under sub-sections (5) and (6) of section 4, or section 12.

Power to  
make rules.

14. (1) The State Government may, by notification in the *Official Gazette*, make <sup>3</sup>rules to carry out the purposes of this Act.

<sup>1</sup>The words within the square brackets were substituted for the words "All Presidents of municipalities. Veterinary Assistant Surgeons" by s. 5 of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>(1) For delegation of powers and functions under section 12 of the Act—

- (a) to certain officers in respect of certain areas, see notification No. 2151 Vety., dated 19.3.52, published in the *Calcutta Gazette*, of 1952, Part I, page 3369.
- (b) to the Sub-divisional Officer, Kalimpong, in respect of Kalimpong Municipality, see notification No. 8159 Vety., dated 11.8.53, published in the *Calcutta Gazette, Extraordinary* of 1953, Part I, page 966.
- (c) to the Superintendent of Veterinary Services, Eastern Range and the Assistant Professor of Comparative Anatomy, see notification No. 6709 Vety., dated 31.7.54, published in the *Calcutta Gazette, Extraordinary* of 1954, Part I, pages 1075-1076, as subsequently amended from time to time.

(2) For delegation of powers and functions under sub-sections (5) and (6) of section 4 of the Act—

- (a) to the Joint Director of Veterinary Services, West Bengal, see notification No. 9437 Vety., dated 10.11.54, published in the *Calcutta Gazette* of 1954, Part I, page 3870.
- (b) to the Director of Veterinary Services and Animal Husbandry, West Bengal, see notification No. 1539 Vety., dated 10.2.59, published in the *Calcutta Gazette* of 1959, Part I, page 909.

<sup>3</sup>For the West Bengal Animal Slaughter Control Rules, 1950, see notification No. 8794 Vety., dated 2.11.51, published in the *Calcutta Gazette* of 1951, Part I, pages 3205-3210, as subsequently amended from time to time.

XXII of 1950.]

*(The Schedule.)*

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the form and manner in which applications for certificates under section 4 shall be made;
- (b) the fees payable for any certificate which may be issued under section 4 and the form of such certificates;
- <sup>1</sup>(c) the time and the places at which animals may be slaughtered in a municipality or a Block in pursuance of this Act;
- (d) the conditions subject to which the slaughter of any animal may be permitted under section 12.

THE SCHEDULE.

*(See section 2.)*

Bulls.  
Bullocks.  
Cows.  
Calves.  
Male and female buffaloes.  
Buffalo calves.  
Castrated buffaloes.

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<sup>1</sup>Clause (c) was inserted by s. 6 of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

**Government of West Bengal**  
**Directorate of Animal & Resources & Animal Health**  
**Prani Sampad Bhavan, LB-2, Sector-III,**  
**Salt Lake City, Kolkata- 700 106**

No. 2018(23)/3S/1/80 (P-II)

Dated, Kolkata, the 24<sup>th</sup> May 2024

To,  
The Deputy Director,  
ARD & PO,  
All districts.


**Sub:** Compliance of the Orders issued by the Hon'ble High Court, Calcutta in connection with the observance of Id-Uz-Zoha (Bakrid).

- Ref: 1. Order of the Hon'ble High Court, Calcutta dated 17.07.2023 on WPA (P) 350 of 2023  
2. Order of the Hon'ble High Court, Calcutta dated 05.07.2022 on WPO 372 of 2019.  
3. The West Bengal Animal Slaughter Control Act 1950

Enclosed please find herewith the directives of the Hon'ble High Court, Calcutta dated 17.07.2023 on WPA (P) 350 of 2023 and dated 05.07.2022 on WPO 372 of 2019 in connection with the observance of Id-Uz-Zoha which will speak for itself.

He is hereby requested to strictly comply the instructions as provided therein. He is also requested to depute Veterinary Officers on the day of Id-Uz-Zoha (Bakrid) which is scheduled to be held on 17<sup>th</sup> June 2024 and instruct them to issue necessary certificates as per the provisions in the West Bengal Animal Slaughter Control Act 1950 keeping close contact with the authorities of the local bodies.

Encl: As stated.

  
Director of Animal Husbandry &  
Veterinary Services, West Bengal

No. 2018/1(2)/3S/1/80 (P-II)

Dated, Kolkata, the 24<sup>th</sup> May 2024

Copy forwarded for information to the:

1. The Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.
2. The Sr. P.S. to the Additional Chief Secretary to the Govt. of West Bengal, ARD Department, B-2, Sector-III, Salt Lake City, Kolkata- 700106.

Director of Animal Husbandry &  
Veterinary Services, West Bengal

10 17.07.2023  
RP Ct. No. 01  
AN

**WPA (P) 350 of 2023**

Rama Prasad Sarkar  
Vs.  
The State of West Bengal & ors.

Mr. Rama Prasad Sarkar  
... For the petitioner (in-person)

Mr. Samrat Sen, Id. AAAG  
Mr. Sk. Md. Galib  
Ms. Sujata Mukherjee  
... For the State

**1.** The petitioner appearing in person, by this Public Interest Litigation seeks for strict implementation of the orders passed by the Hon'ble Division Bench in W.P. 328 of 2018 with W.P. 24315(W) of 2015 dated 16.08.2018 and also the orders in G.A. 2325 of 2018 in W.P. 328 of 2018 dated 21.08.2018.

**2.** From the writ petition, we find that there is no specific allegation made by the writ petitioner as regards violation of the directions issued in the earlier orders. Learned Additional Assistant Advocate General pointed out that there is an earlier order passed by the Division Bench in the case of Rajyashree Chaudhuri vs. The State of West Bengal & Ors. reported in (2017) SCC Online Cal 13016. The matter concerns slaughtering of animals including cows and buffalows in open public place. All the three earlier orders show that there is a prohibition of slaughtering of animals in public place and there is also observations made by the Hon'ble Division Bench in its order dated 21.08.2018

that sacrifice of a cow is no part of the festival Id-ud-Zoha and is not a religious requirement under Islam as held by the Hon'ble Supreme Court in the case of Md. Hanif Qureshi vs. State of Bihar. Further, the Division Bench directed that a public notice should be issued and such notice must be in line with the order which was passed by the Division Bench on 16.08.2021. Further, the State authorities to take necessary steps to ensure that the provisions of the West Bengal Animal slaughter Control Act, 1950 is implemented prior to the observance of the said festival during the ensuing year. Further, the State was directed to ensure that there is no slaughtering of animals in any open public place. Though, it is submitted by the learned counsel for the petitioner appearing in person that such order has been violated and there is nothing on record to support such submission.

**3.** Learned Additional Assistant Advocate General appearing for the State respondents produced the copies of the notification issued by the State Government in terms of the directions issued by the Division Bench of this Court in the earlier orders as well as the orders passed by the Hon'ble Supreme Court. He also submitted that the appropriate authority of the State Government has not received any single complaint alleging any violation of the notification which was published by the Government.

**4.** In the light of the above, for the next year, well

before the festival of Id-ud-Zoha, at least 10 days in advance, a wide publicity should be given that slaughtering of animals shall not be done in any open public place and the provision of Act of 1950 and also directions issued by the Hon'ble Supreme Court should be strictly adhered to. The concerned Department of the State Government shall form Vigilance Teams to visit various areas to ensure that the notification published by the State Government are strictly implemented without any violation.

5. With the above observations, the instant writ petition stands **disposed of**.

**(T. S. Sivagnanam)**  
**Chief Justice**

**(Hiranmay Bhattacharyya, J.)**

**IN THE HIGH COURT AT CALCUTTA**  
**(Civil Appellate Jurisdiction)**  
**Original Side**

Present:

**The Hon'ble Justice Arijit Banerjee**  
**&**  
**The Hon'ble Justice Rai Chattopadhyay**

***G.A No. 1 of 2021***

***In***

***WPO 372 of 2019***

***Rajyashree Chaudhuri***

***Versus***

***The State of West Bengal & Ors***

the petitioner

: Mr. Mainak Bose,  
Mr. Rajesh Upadhyay,  
Mr. Meghnad Dutta,  
Ms. Surabita Biswas,

For the State

: Mr. T.M. Siddiqui,  
Mr. S. Bandopadhyay,  
(Jr. Standing Counsel)  
Mr. N. Chatterjee,  
Mr. A. Nag

For KMC

: Mr. Alak Kr. Ghosh  
Ms. Era Ghose

Hearing concluded on

: 27/06/2022

Judgment on

: 05/07/2022

**Rai Chattopadhyay, J. :**

1. The writ petitioner has filed the present application for recalling of the earlier order of this Court dated 26.02.2021 passed in WPO 372 of 2019 (***Rajyashree Chudhuri vs. The State of West Bengal & Ors.***)

2. Records reveal that by dint of the order dated 27.04.2022 this Court directed, on the prayer made on behalf of the writ petitioner/applicant that, the present application should be treated as one for modification and/or clarification of the aforesaid order dated 26.02.2021 passed in WPO 372 of 2019.

3. It is further revealed that the substance of the writ petition which was disposed of vide the aforesaid order dated 26.02.2021, was the grievance of the petitioner regarding indiscriminate, uncontrolled, unauthorized, large scale slaughtering of cattle including cows during the festival of Bakri-Eid, without adhering to the laws laid down by the legislature and the courts including the Hon'ble Supreme Court.

4. In the application, the applicant has stated inter alia that in the judgment and order dated 26.02.2021, the main issue in the writ petition has not been taken into consideration and the previous orders of this Court as well as of the Apex Court in connection with the same subject matter were not followed. The applicant has further contended that the order dated 26.02.2021 in fact has rendered the previous orders passed by this Court as well as the

Hon'ble Apex Court on the subject matter and also the provisions of West Bengal Animal Slaughter (Control) Act, 1950, nugatory or otiose. On such grounds the application was taken out by the writ petitioner/appellant to pray for the relief that the judgment and order dated 26.02.2021 in WPO 372 of 2019 be recalled and/or set aside.

5. It is profitable to mention in a nutshell the relevant orders with which this writ petitions/modification application may have some concern.

6. In W.P No.328 of 2018 by dint of order dated 16.08.2018, this Court held as follows:-

*“The members of the public need to be made aware of the restrictions on slaughter of animals and the consequence that they are likely to face if they violate the provisions of the said Statute. Public advertisement that was issued in the newspapers last year for implementing this Court’s order dated 1st September, 2017 was, in our opinion, not at all informative and did not serve the purpose for which such notification had been directed to be made. Hence, we indicate below certain points which must be highlighted in the public notice to be issued by the state respondents this year prior to celebration of “Id-Ud-Zoha” (Bakri Id) :-*

*a) No person shall slaughter any animal thereby meaning (Bulls, Bullocks, Cows, Calves, Male and Female Buffalos, Buffalo Calves and Castrated Buffalos) unless he has obtained in respect thereof a certificate that the animal is fit for slaughter;*

*b) The Chairman of a Municipality or the Sabhapati of a Panchayat Samity and a Vetrinary Surgeon may issue a joint certificate regarding fitness of an animal for slaughter, if they are both of the opinion to be recorded in writing that the animal is over 14 years of age for work or breeding or the animal has become*

*permanently incapacitated due to age, injury, deformity or any incurable disease.*

*c) In case of refusal to issue such certificate, the aggrieved person may prefer an appeal to the State Government within 15 days of communication of such refusal.*

*d) An animal, in respect of which a certificate has been issued, shall be slaughtered **only** in a Municipal Slaughter House or any other Slaughter House identified by the local administration.*

*e) Nobody shall resist inspection of any premises by a person authorized by the Chairman of a Municipality or the Sabhapati of a Panchayat Samity as the case may be or the Veterinary Surgeon for implementing the provisions of the West Bengal Animal Slaughter Control Act, 1950.*

*f) Whoever contravenes any of the above provisions of law, shall be punishable with imprisonment for upto six months or with fine upto Rs.1000/- or with both. All offences under the 1950 Act shall be cognizable offences. 5*

*g) The relevant decisions of the Hon'ble Supreme Court of India and the Calcutta High Court are available in the official website of the Department being <http://wbard.gov.in>.*

*Public notice that will be issued shall be in the electronic and print media widely circulated in West Bengal in Bengali, Urdu, Hindu and English languages in terms of the earlier order of this Court dated 1st September, 2017. We trust and believe that the state respondents shall implement the order dated 1st September, 2017 and this order in their true spirit and intent and shall also ensure compliance of the provisions of the West Bengal Animal Slaughter Control Act, 1950.”*

7. Ultimately W.P No.328 of 2018 was disposed of by dint of the order dated 21.08.2018 when the court held inter alia that:-

*“We modify our aforesaid order by permitting the State to issue public notice in the manner it was done last year. However, two*

*additional things must be mentioned in the said notice. Firstly, slaughter of animals including cows and buffalos in any open public place is strictly prohibited. Secondly, sacrifice of a cow is no part of the festival of ID-UZ-ZOHA and is not a religious requirement under Islam as held by the Supreme Court in the case of Mohd. Hanif Quareshi & Ors. Vs. The State of Bihar. So far as issuance of public notice for the next year before observance of IDUZ-ZOHA is concerned, such notice must be in line with the order that we had passed on 16th August, 2018 and must be published at least one month before the observance of the festival of ID-UZ-ZOHA. The State authorities shall take all necessary steps to ensure that the provisions of 1950 Act are implemented prior to observance of the festival of ID-UZZOHA next year. The State should also ensure that there is no slaughter of animals in any open public place”*

8. All the respondents have contested the matter by filing their respective affidavits-in-opposition stating inter alia that the Kolkata Municipal Corporation in accordance with the provisions of 1950 Act has made all possible endeavors to prohibit and/or control unlawful slaughter of animals, steps have been taken to issue public notices by the State Government in newspapers of vernacular and other languages for raising awareness of the public at large.

9. After disposal of the said writ petition the present petition being WPO 372 of 2019 was filed to pray for orders upon the State to ensure implementation of the provisions of the West Bengal Animal Slaughter Control Act, 1950 and also various orders of the Hon'ble Supreme Court of India and this Court, pertaining to slaughter of cattle, in particular cows and buffaloes, during the festival of Bakri-Eid.

10. In that case, as per direction of the Court, the Commissioner of Kolkata Municipal Corporation, in an affidavit filed on behalf of the Corporation, delineated the measures they proposed to take in the matter which may be reproduced as follows:-

*“12. It is stated that in view of the aforementioned provisions of the West Bengal Animal Slaughter Control Act, 1950 and the KMC Act, 1980 as well as the aforementioned orders both of the Hon’ble Supreme Court and also of this Hon’ble Court, the Corporation proposes to manage the situation and to ensure the compliance of the provisions of the Act in the manner as follows :-*

*(a) The KMC has already identified places/locations for slaughtering of animals on the occasion of Id-ul-Zoha and the such locations/places identified for slaughtering of 3 animals in the KMC area shall be notified to all concerned through newspaper publication and official website of Kolkata Municipal Corporation in each year at least one month before the date of holding Id-ul-Zoha (vide section 482(2)(a) of the Kolkata Municipal Corporation Act, 1980.*

*(b) Since the KMC has 5 slaughter houses namely: (i) Chitpur Slaughter House (for sheep and goat). (ii) Landsdowne Slaughter House (for sheep and goat). (iii) Pig Slaughter House (for pig). (iv) Tangra Slaughter House (for sheep, goat, cow and bullock). (v) Tangra Modern Abattoir (for buffalo).*

*No place other than the said Municipal Slaughter Houses shall be permitted to be used a slaughter house. This does not however restrict the slaughter of any animal on the occasion of any religious festival or ceremony, in any place to be specified by the Municipal Commissioner by Public or Special Notice, as may be imposed.*

*(c) No person is permitted and shall be permitted, without or otherwise than with conformity, with a license from the Municipal Commissioner to carry on the trade of a butcher, fishmonger, poulterer or importer of flesh.*

*(d) No person is permitted and shall be permitted to sell or expose for sale any flesh obtained from an animal unless the skinned carcass of the animal is stamped in a particular manner as a token of the fact that the animal has been slaughtered in a municipal or licensed slaughter house.*

*(e) The officers/employees concerned of the KMC exercise powers to inspect or examine any food or drug or any utensil or vessel used for preparing or storing any such food or drug. If on inspection or examined of any such food or drug any contravention of the provisions of the Act is detected, the persons found to have contravened the provision is prosecuted in accordance with law apart from seizure of the food/drugs etc.*

*(f) The KMC and its officials exercise the powers to inspect the places where unlawful slaughter of animals is suspected and the animal or carcass of such animal or such flesh are seized if contravention of the provisions is found.*

*(g) Slaughtering of animal is permitted and shall be permitted in Municipal slaughter houses only after the grant of certificate to the effect that the animal is fit slaughter.”*

11. It is found from the Court's order dated 26.02.2021 that the Kolkata Municipal Corporation was directed to strictly enforce the above stated measures to restrict any unauthorized or uncontrolled slaughtering of cattle including cows. The court further directed that if the Corporation authorities find any person violating the laws of the land with regard to slaughtering cattle including cows and/or exhibiting for sale flesh of slaughtered cattle and/or selling cattle meat or acting in breach of any restriction imposed by the Corporation, then the Corporation authorities shall take immediate steps to bring such violators to book in accordance with law including, if necessary, by taking assistance of the police.

12. With the direction as above W.P.O No.372 of 2019 was disposed of. The present application for modification arises mainly due to the apprehension of the applicant that the order dated 26.02.2021 disposing of WPO 372 of 2019 may be interpreted by the respondent authorities in a way to make the orders in the previous writ petition, that is, orders dated 16.08.2018, 17.08.2018, 21.08.2018 in W.P No.328 of 2018 inoperative, ineffective and to stand superseded.

13. By filing the present modification application the writ petitioner/applicant wants implementation of the orders passed in W.P No.328 of 2018 as mentioned above.

14. Records of the case and the respective submission of the parties satisfy this Court about prompt due and timely compliance of the Court's order so far as publication of general notice by the respondent municipal authority and the State in both the print and visual media, is concerned. It is found that due notice covering all necessary and required elements therein have been published in well circulated vernacular as well as English newspapers of the State and also in visual media. Needless to mention that the necessity for such news paper and other publication are for wide circulation of the relevant laws and rules to the public at large in order to raise awareness amongst them and also to get it circulated to as many citizens of the State as possible so that the same may act as a deterrent in the minds of people, so far as animal slaughtering is concerned. The way and manner in which the respondent

municipal authority and the State have acted in circulating the general notice, the said purpose appears to have been fulfilled and Court's order duly complied.

15. The State has filed two affidavits, affirmed on May 19, 2022 and June 22, 2022, respectively. Annexed to the said affidavits are copies of notices published in various newspapers to make the members of the public aware of the restrictions on slaughtering of animals imposed by statutes and orders of Court. We are of the view that the State and the Municipal Authorities have substantially complied with the orders of this Court.

16. On the basis of the aforesaid discussion we find that no further direction would be necessary upon the respondent corporation insofar as it continues the exercise of publication of such exhaustive general notice, as before, in well circulated newspapers in vernacular as well as other languages and also in visual media. Needless to mention that we have not been able to find any cogent ground justifying applicant's plea that the order dated 26.02.2021 delivered in WPO 372 of 2019 may by any way tantamount to superseding the orders passed in W.P No.328 of 2018 including the order dated 21.08.2018. However, in any event we clarify that the order dated 26.02.2021 in no manner supersedes or affects the validity of the orders passed by this Court in W.P No. 328 of 2018 including the order dated 21.08.2018. Such orders remain in full force and must be given effect to by the State and Municipal Authorities in their true spirit and intent.

17. We also emphasize that the restrictions imposed by law including the orders of Court on animal slaughter, must also be given due publicity through the audio-visual media like television. It has been noticed that the State Government uses the Mobile Phone including SMS (Short Message Service) to spread messages of public importance. The Government should explore that avenue also to make the general people aware of the restrictions on slaughter of animals during Bakri-Eid and in general.

18. With the direction as above G.A. No.1 of 2021 is disposed of.

19. There will be no order as to costs.

20. Urgent certified website copies of this judgment, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

**(Rai Chattopadhyay, J.)**

**I agree.**

**(Arijit Banerjee, J.)**



## The West Bengal Animal Slaughter Control Act, 1950

Act 22 of 1950

**Keyword(s):**

Animal, President, Veterinary Surgeon, Veterinary Officer

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## West Bengal Act XXII of 1950<sup>1</sup>

### THE WEST BENGAL ANIMAL SLAUGHTER CONTROL ACT, 1950.

AMENDED

West Ben. Act XIX of 1979.

[6th April, 1950.]

*An Act to control the slaughter of certain animals.*

WHEREAS it is expedient to control the slaughter of certain animals with a view to increase the supply of milk and to avoid the wastage of animal power necessary for improvement of agriculture;

It is hereby enacted as follows:—

1. (1) This Act may be called the West Bengal Animal Slaughter Control Act, 1950.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different parts of West Bengal.

2. This Act applies to the animals specified in the Schedule.

Application  
of Act.

3. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(i) "animal" means an animal to which this Act applies;

(ii) "Calcutta" has the same meaning as in clause (11) of section 3 of the Calcutta Municipal Act, 1923<sup>2</sup>;

<sup>4</sup>(iii) "President" means,—

(a) in relation to a municipality, any person presiding over the affairs of any municipal authority, and

(b) in relation to a *Panchayat Samiti*, any person presiding over the affairs of any *Panchayat Samiti*,

by whatever name called, and includes any person nominated by him for the purposes of this Act;

(iv) "prescribed" means prescribed by rules made under this Act;

<sup>1</sup>For Statement of Object and Reasons, see the *Calcutta Gazette, Extraordinary*, dated the 21st January, 1950, Pt. IV, page 85; for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meeting of the West Bengal Legislative Assembly, held on the 14th February, 1950.

<sup>2</sup>The Act came into force in Calcutta and several municipalities on the 15th March, 1952, vide notification No. 639, dated the 1st February, 1952, published in the *Calcutta Gazette, Extraordinary*, dated the 13th March, 1952, Part I, page 455. It also came into force in the Kalimpong Municipality, vide notification No. 7884 Vety., dated 5th August, 1953, published in the *Calcutta Gazette, Extraordinary*, 1953, Part I, page 965.

<sup>3</sup>The Calcutta Municipal Act, 1923 (Ben. Act III of 1923) was repealed and re-enacted by the Calcutta Municipal Act, 1951 (West Ben. Act XXXIII of 1951).

<sup>4</sup>Clause (iii) was substituted for the original clause by s. 2(a) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

*The West Bengal Animal Slaughter Control  
Act, 1950.*

[West Ben. Act

## (Section 4.)

(v) "Veterinary Surgeon" means,—

- (a) in areas other than Calcutta, a Veterinary Surgeon, and
- (b) in Calcutta, a Veterinary Surgeon of the Directorate of Veterinary Services, Government of West Bengal, acting within the local limits of his jurisdiction, and

(vi) "Veterinary Officer" means—

- (a) in areas other than Calcutta, a District Veterinary Officer, and
- (b) in Calcutta, a Superintendent of Veterinary Services (Headquarters) of the West Bengal Civil Veterinary Department acting within the local limits of his jurisdiction.

Prohibition  
of slaughter  
of animal  
without  
certificate.

4. (1) Notwithstanding anything in any other law for the time being in force or in any usage to the contrary, no person shall slaughter any animal unless he has obtained in respect thereof a certificate under sub-section (2) or sub-section (3) that the animal is fit for slaughter.

(2) <sup>1</sup>[The President of a municipality or a *Panchayat Samiti*, as the case may be, and the Veterinary Surgeon] may issue a certificate under their joint signatures that an animal is fit for slaughter if they are both of opinion (which shall be recorded) that—

- (a) the animal is over fourteen years of age and unfit for work or breeding, or
- (b) the animal has become permanently incapacitated from work or breeding due to age, injury, deformity or any incurable disease.

(3) Where there is a difference of opinion between <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, as the case may be, and the Veterinary Surgeon] as to the issue of a certificate under sub-section (2), the matter shall be referred to the Veterinary Officer and a certificate shall be issued or refused according as the Veterinary Officer is of opinion that the animal is fit to be slaughtered or is not so fit.

(4) Where under sub-section (3) a certificate is issued or refused, the order granting or refusing issue of the certificate shall be signed by the Veterinary Officer.

<sup>1</sup>Clause (v) was substituted for the original clause by s. 2(b) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>The words within the square brackets were substituted for the words "The President of a municipality and the Veterinary Assistant Surgeon" by s. 3(a), *ibid.*

<sup>3</sup>The words within the square brackets were substituted for the words "the President of a municipality and the Veterinary Assistant Surgeon" by s. 3(b), *ibid.*

XXII of 1950.]

(Sections 5-8.)

(5) Any person aggrieved by the refusal to issue a certificate under this section may, within fifteen days from the date of communication to him of such refusal, appeal to the State Government against the order of refusal, and the State Government may pass such orders thereon as it thinks fit.

(6) The State Government may, at any time for the purpose of satisfying itself as to the legality or propriety of any action taken under this section, call for and examine the record of any case, and may pass such orders thereon as it thinks fit.

(7) Subject to the provisions of this section, any action taken under this section shall be final and shall not be called in question in any court.

5. No animal in respect of which a certificate has been issued under section 4 shall be slaughtered in any place other than a place prescribed in this behalf.

Prohibition  
of slaughter  
of animals in  
places not  
prescribed  
for the  
purpose.  
Power to  
enter and  
inspect  
premises.

6. (1) For the purposes of enforcing the provisions of this Act, <sup>1</sup>[the President of a municipality or a *Panchayat Samiti*, as the case may be, or the Veterinary Surgeon or any person] authorised by the Veterinary Assistant Surgeon in writing in this behalf shall have power to enter and inspect any premises within the local limits of his jurisdiction where he has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises as is specified in sub-section (1) shall allow <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, the Veterinary Surgeon] or the person authorised, as the case may be, such access to the premises as he may require for the aforesaid purpose, and shall answer any question put to him by <sup>2</sup>[the President of a municipality or a *Panchayat Samiti*, the Veterinary Surgeon] or the person authorised, as the case may be, to the best of his knowledge or belief.

7. Whoever contravenes any of the provisions contained in this Act shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalties.

8. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences under this Act shall be cognizable.

Offences to  
be  
cognizable.

Act V of  
1898.

<sup>1</sup>The words within the square brackets were substituted for the words "the President of a municipality or the Veterinary Assistant Surgeon or any person" by s. 4(a) of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>The words within the square brackets were substituted for the words "the President of a municipality, the Veterinary Assistant Surgeon" by s. 4(b). *ibid*

Abetments  
and  
attempts.

9. Whoever abets any offence punishable under this Act or attempts to commit any such offence shall be punished with the punishment provided in this Act for such offence.

Officers  
exercising  
powers  
under this  
Act deemed  
to be public  
servants.

10. <sup>1</sup>[All Presidents of municipalities or *Panchayat Samitis*, Veterinary Surgeons], Veterinary Officers and other persons exercising powers under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Act XLV of  
1860.

Protection of  
persons  
acting in  
good faith.

11. No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Power to  
grant  
exemptions.

12. The State Government may, by general or special order and subject to such conditions as it may think fit to impose, exempt from the operation of this Act the slaughter of any animal for any religious, medicinal or research purposes.

Delegation  
of functions.

13. The State Government may, by notification in the *Official Gazette*, <sup>2</sup>delegate to any officer of State Government all or any of its powers or functions under sub-sections (5) and (6) of section 4, or section 12.

Power to  
make rules.

14. (1) The State Government may, by notification in the *Official Gazette*, make <sup>3</sup>rules to carry out the purposes of this Act.

<sup>1</sup>The words within the square brackets were substituted for the words "All Presidents of municipalities. Veterinary Assistant Surgeons" by s. 5 of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).

<sup>2</sup>(1) For delegation of powers and functions under section 12 of the Act—

- (a) to certain officers in respect of certain areas, see notification No. 2151 Vety., dated 19.3.52, published in the *Calcutta Gazette*, of 1952, Part I, page 3369.
- (b) to the Sub-divisional Officer, Kalimpong, in respect of Kalimpong Municipality, see notification No. 8159 Vety., dated 11.8.53, published in the *Calcutta Gazette, Extraordinary* of 1953, Part I, page 966.
- (c) to the Superintendent of Veterinary Services, Eastern Range and the Assistant Professor of Comparative Anatomy, see notification No. 6709 Vety., dated 31.7.54, published in the *Calcutta Gazette, Extraordinary* of 1954, Part I, pages 1075-1076, as subsequently amended from time to time.

(2) For delegation of powers and functions under sub-sections (5) and (6) of section 4 of the Act—

- (a) to the Joint Director of Veterinary Services, West Bengal, see notification No. 9437 Vety., dated 10.11.54, published in the *Calcutta Gazette* of 1954, Part I, page 3870.
- (b) to the Director of Veterinary Services and Animal Husbandry, West Bengal, see notification No. 1539 Vety., dated 10.2.59, published in the *Calcutta Gazette* of 1959, Part I, page 909.

<sup>3</sup>For the West Bengal Animal Slaughter Control Rules, 1950, see notification No. 8794 Vety., dated 2.11.51, published in the *Calcutta Gazette* of 1951, Part I, pages 3205-3210, as subsequently amended from time to time.

XXII of 1950.]

*(The Schedule.)*

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the form and manner in which applications for certificates under section 4 shall be made;
- (b) the fees payable for any certificate which may be issued under section 4 and the form of such certificates;
- <sup>1</sup>(c) the time and the places at which animals may be slaughtered in a municipality or a Block in pursuance of this Act;
- (d) the conditions subject to which the slaughter of any animal may be permitted under section 12.

THE SCHEDULE.

*(See section 2.)*

Bulls.  
Bullocks.  
Cows.  
Calves.  
Male and female buffaloes.  
Buffalo calves.  
Castrated buffaloes.

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<sup>1</sup>Clause (c) was inserted by s. 6 of the West Bengal Animal Slaughter Control (Amendment) Act, 1979 (West Ben. Act XIX of 1979).