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22/10

ANIMAL WELFARE BOARD OF INDIA  
पशु जीव जन्तु कल्याण बोर्ड  
(Ministry of Environment and Forests, Govt. of India)  
(पर्यावरण एवं वन विभाग, भारत सरकार)

No. 9-2/2011-12-PCA

dated 12<sup>th</sup> October 2011



Sir/Madam,

Sub: Stopping of inhumane and illegal Killing/sacrifices of Cows/calves  
Camels and other animals on the occasion of Bakri-id -Reg

Bakrid festival is going to be celebrated on 07<sup>th</sup> November, 2011 all over the Country. It is a fact that large numbers of animals are being slaughtered on the eve of Bakrid festival.

It is reported that during the transportation of animals, the owner of the animals do not follow the animal welfare laws and Rules and thereby neglect care/management. It is therefore noticed that the animals suffer and subjected to various cruelties and some of the animal's death occur during transportation.

As you may be kindly aware cruelty to any animal is a punishable offence under the Prevention of Cruelty to Animals Act, 1960 and (Amended) in 1982 and violation is against the spirit of Article 48, 48 (a) and 51 A(g) of the Constitution of India.

A few judgments are reproduced herewith for your kind perusal banning the slaughter of animals:-

"Hon'ble Supreme Court of India in its Civil Appeal 4937-4940 of 1998 has given a judgment regarding of ban of Slaughter of Cow and its progeny in the Gujarat State". As per the directive principle of State Policy under Article 48 of Constitution of India it is clearly stated that "The State shall endeavour organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting of cows and calves and other milch and draught animals."

"As per the West Bengal Animal Slaughter Control Act, 1950 and Hon'ble Supreme Court Judgement in the State of West Bengal Vs Ashutosh Lahiri,(1995) 1 SCC 189, has stated that Slaughtering of Cow on Bakridi is neither essential nor necessarily required as part of religious ceremony.

Further it is stated that exemption under Section 12 cannot be given to slaughter of Cow for Bakrid festival in Civil Appeal No.6790 of 1983, the Apex Court on Cow Slaughter in West Bengal."

Hon'ble Smt. Indira Gandhi, Former Prime Minister of India in her letter dated 24<sup>th</sup> February, 1982 addressed to all the Chief Ministers has stated that "...the issue of Cow Slaughter arouses strong emotional feeling of large sections of our people. In spite of the ban on the slaughter of Cows and their progenies in most of the States, healthy bullocks are being slaughtered on one pretext or the other. It is also said that calves are sometimes maimed so that they may be declared useless and fit ultimately for slaughter. Having banned cow slaughter, we must assume that the ban is enforced in letter and spirit, and ban on cow slaughter is not allowed to be circumvented by devices...."

"Hon'ble High Court of Mumbai in its Writ Petition No. 1686 of 1995 has given a judgement regarding ban of Slaughter of Camel in the Maharashtra State".

"Hon'ble High Court of Kerala in its Writ Petition No. 30754 of 2005 has given a Judgement regarding slaughter of Camel in the Kerala State" "For slaughtering any animal for the purpose of using its meat as food, within the Corporation limits, an ante-mortem examination of the same by a competent Veterinary Surgeon and his certification, concerning the fitness of the animal for slaughtering, are necessary. For using the meat of the animal so slaughtered, a post-mortem examination of the meat and the certification by a competent Veterinary Surgeon are mandatory". It is clearly stated that this kind of illegal killing of camels by the meat shop owners constitutes illegal trade and punishable with fine and imprisonment or both under Prevention of Cruelty to Animals Act, 1960.

Besides, unscrupulous persons are carrying on the above business in violation of the Prevention of Cruelty to Animals Act, 1960. Such unlawful practice is also against the Municipal Rules as prescribed in the Municipality Act.

May I therefore, request you to kindly take all precautionary measures to strictly implement the animal laws for stopping illegal killing of animals during Bakrid festival and direct all the authorities concerned to take stringent action against the offenders violating the animal laws.

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

Yours faithfully,



(S. VINOD KUMAAR)  
Asst. Secretary

To  
The Chief Secretary of all the States,  
The Director General of Police of all the States  
The Director, Animal Husbandry Department of all the States  
The Hon'ble Chairman, AWBI /The Hon'ble Vice Chairman, AWBI  
The Members of the Board