



GOVERNMENT OF KERALA

No.1173/DB2/09/LSGD

Local Self Government (DB) Department
Thiruvananthapuram, dtd.17/9/2009

Circular

Sub Local Self Government Department: Unauthorized slaughter house and slaughtering, meat vending stalls - Judgment of Hon'ble High Court in WP(c) Nos. 13805/04, 37093/04, 7000/2005, 2991, 3923, 8233, 9297 & 12998 of 2006, 704/09 & 6031/09 - Guidelines issued in compliance of High Court direction - reg.

- Ref:** 1. Order dated 10.12.08 in WP(C) Nos. 13805/2004, 37093/2004, 7000/2005, 2991, 3923, 8233, 9297 & 12998 of 2006 of the Hon'ble High Court of Kerala.
2. Order dated 17.12.2008 in WP(C) No.7000/2005 (G) of the Hon'ble High Court of Kerala.
3. Order dated 08.07.09 in WP(C) Nos. 13805/2004-R, 37093/2004-N, 7000/2005-G, 2991/2006-F, 8233/2006-E, 9297/2006-F, 12998/2006-V, 704/2009-H & 6031/2009-Y of the Hon'ble High Court of Kerala.
4. Order dated 12.08.09 in WP(C) Nos.13805 of 2004, 37093 of 2004, 7000 of 2005, 2991 of 2006, 8233 of 2006, 9297 of 2006, 2998 of 2006, 704 of 2009 and 6031 of 2009 of the Hon'ble High Court of Kerala.
5. Govt. letter no.1173/DB2/09/LSGD dtd.16/1/2009.
6. Govt. circular no.4279/DB2/09/LSGD dtd.21/4/2009.

The Hon'ble High Court as per reference 1 ordered all Local Self Government Institutions (LSGIs) to ensure closure of all unauthorized meat vending points and that no slaughtering shall be allowed in the places other than slaughter houses having butchers license or slaughter house license. It is further ordered that slaughtering operation shall be carried out only by persons who are duly licensed for that. It is also ordered that LSGIs should ensure that at the time of sale of meat or slaughtering operations, no animal carcass of whole or huge parcels of animal is allowed to be exhibited/displayed.

2. The Hon'ble High Court as per reference 2 has ordered that all the District Collectors, Revenue Divisional Officers and other authorities exercising the powers of the Executive Magistrate under the provisions of the Cr.P.C and also all Police Officers shall take immediate action for preventing cruelty to animals at the time of transit, including entry into the state of Kerala through different check posts. It is also ordered that the Animal Husbandry Department should conduct random check at the check post for preventing entry of sick or infected animal or animals having contagious diseases in to the State.

3. The Hon'ble High Court as per reference 3 has ordered that the District Panchayat shall perform immediate supervisory role in order to ensure that the LSGIs perform their duty of closing down of unauthorized slaughter houses and meat vending points and for avoidance of displayed sale of meat as ordered vide the order dated 10.12.2008 (ref 1). The Hon'ble High Court has also ordered that the State Government shall issue orders to superior police officers to provide support to respective LSGIs to perform their duties for complying the orders mentioned above as per the provisions of the Municipality Act, Panchayat Raj Act and Rules hereunder. It is also ordered that the LSGIs shall take actions for establishing slaughter house in their area on their own or in private sector as per the provision of the Act and Rules within a period of six months. The LSGIs shall also ensure that if a person applies for establishing a slaughter house in private sector, such application shall be duly processed and the decision communicated within a period of one month of receipt of such application. Further, all Corporations and Municipalities shall file a report to the Hon'ble Court disclosing the total number of cases booked and amount collected as fine for violating the law including unauthorized slaughtering and vending of meat.

4. The Hon'ble High Court as per reference 4 has ordered that the competent Government Secretary will issue a circular forthwith incorporating the clause on import of animals into the State of Kerala in order to ensure that sick or animals having,

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contagious diseases or animals having prohibited age are not transported to the State through check post for food or other purposes specifying such responsibility to the District Collectors, District Magistrate, Additional District Magistrate, Commissioner of Police and Superintendent of Police through out the State.

5. In compliance of High Court direction dtd. 10/12/06 Government have given necessary directions to all District Panchayats and Government in Home Department as per Government letter fifth cited. Government have also given circular direction to all LSGI's to provide pollution control facilities in existing slaughter house to keep the slaughter house hygienic and to take short term and long term steps by exploring the possibilities of using central/state financial assistance as per reference 6.

6. As per the judgment dtd.12/8/09, the Hon'ble High Court has directed Government to issue necessary circular incorporating the directions in order dtd. 17/12/2008. In compliance, the following directions are issued to all LSGI's/ all District Collectors/ all Superintendents of Police/ and all officers of Animal Husbandry and Home Departments and all other officers involved in this case to comply with the judgment in true spirit.

1. The LSGIs should close down all unauthorized meat vending points with immediate effect.
2. The LSGIs should not permit slaughtering anywhere under any area falling within their jurisdiction unless butchers license or slaughter license are issued. The slaughtering should also not be allowed outside the approved slaughter house.
3. The LSGIs should ensure, without fail, that slaughtering is carried out only by persons who are duly licensed.
4. The LSGIs should not allow the sale of meat at slaughtering point. The sale of meat should not also be exposed to public view by hanging the meat in the temporary shed/stall by the side of roads/public places.

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5. The LSGIs should not auction the right to vend meat in public market until public licensed slaughter house are established.
6. All the District Collectors, Revenue Divisional Officers and other authorities exercising the powers of Executive Magistrates under the provisions of the Cr.P.C as also all the police officers empowered under the provisions of the Kerala Police Act, should bestow immediate attention to prevent cruelty to animals in the matter of transit, including entry into the state of Kerala through different check posts. It should also be ensured that the prescriptions of the law governing prevention of cruelty to animals are strictly enforced to secure immediate obedience of all preventive measures, legislatively prescribed, for animals. Further, the source from where cattle are brought should also be ascertained in order to prevent unregulated and uncontrolled flow of animals with contagious disease to the state and selling of meat that is unfit for human consumption in the state as the health status of the cattle being brought into the state cannot be ascertained.
7. The Director, Animal Husbandry Department should set up a mechanism immediately to check the cattle movement through the check posts and ensure that there is at least a random check on the health status of cattle being brought into Kerala.
8. Those LSGIs, who have not established clean and hygienic slaughter house, should take urgent steps to establish slaughter house within their jurisdiction. The possibilities of establishing common slaughterhouse for neighborhood Panchayats should also be considered. The LSGIs can seek the administrative support required for this from the Director of Panchayats and Director of Urban Affairs and technical support from the Suchitwa Mission.
9. The LSGIs should fix a time schedule for various stages of establishing slaughter house such as identification of land, preparation of plan & estimate, approval of project starting & completion of work etc.

10. The LSGIs, having slaughterhouses, should ensure adequate pollution control facilities to keep the slaughterhouse clean and hygienic.
 11. The LSGIs should take the advice of veterinary doctor in the management of the slaughterhouse.
 12. The LSGIs should ensure that no animal with in the prohibited age as per the KPR (slaughter house and meat stalls)-rules 1996 is let in to the slaughterhouse.
 13. The District Panchayats should ensure immediately that they take supervisory role in this regard.
 14. The superior police officials should also provide adequate measure of support as may be required by the respective LSGIs to exercise their powers under the Municipality Act and Panchayathi Raj Act and the rules thereunder.
 15. The concerned Department/Officers should file report to the Hon'ble High Court regarding the action taken in the matter concerning them as directed in the judgment.
 16. The Director of Panchayats/Director of Urban Affairs should monitor the action taken in this regard by the Panchayats/Municipalities and file report to the Government on a monthly basis.
 17. All LSGIs should process individual applications for setting up of private slaughterhouse, if any received, and take a decision as per rules with in a period of one month.
7. This circular is issued in compliance of High court judgments read above.

S.M.Vijayanand
Principal Secretary

To

- All District Panchayats
- All Grama Panchayats (through DDPs)
- All Corporations /All Municipalities (through DUA)
- The Director of Panchayats, Thiruvananthapuram: for furnishing copies to all DDPs
- The Director of Urban Affairs, Thiruvananthapuram: for furnishing copies to all Municipalities

The Director of Animal Husbandry Department, Thiruvananthapuram

All District Collectors

The Director General of Police, Thiruvananthapuram

All Superintendents of Police

All Revenue Divisional Officers (through DC: The DC will furnish copies to RDOs)

The Advocate General, Ernakulam with (C/L)

All Deputy Director of Panchayats: for furnishing copies to all GPs in the District

All Regional Joint Directors, Urban affairs: for furnishing copies to all Municipalities in the region.

✓ The Executive Chairman & Director, ICM: for uploading in website

The Executive Director, Suchitwa Mission: to ensure that copies of this circular are received in all offices/institutions concerned

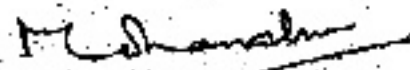
State Resource Group: for furnishing copies to all concerned

Stock file/Office copy

Copy to: The Secretary, Home Department (for giving necessary directions to DGP/SPs)

The Additions' Chief Secretary Animal Husbandry Department
(for necessary action)

Forwarded/By Order



Section Officer: