

# West Bengal Act XXII of 1950

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

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette*, of the 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.

(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.

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

(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;

(iii) “President of a municipality” means any person presiding over the affairs of any municipal authority by whatever name he may be called, and includes any person nominated by him for the purposes of this Act;

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

(v) “Veterinary Assistant Surgeon” means,—

(a) in areas other than Calcutta, a Veterinary Assistant Surgeon, and

(b) in Calcutta, a Veterinary Assistant Surgeon of the West Bengal Civil Veterinary Department 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.

Short title, extent and commencement.

Application of Act.

Definitions.

(Sections 4—6.)

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) The President of a municipality and the Veterinary Assistant 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 the President of a municipality and the Veterinary Assistant 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 the issue of the certificate shall be signed by the Veterinary Officer.

(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 purpose of enforcing the provisions of this Act, the President of a municipality or the Veterinary Assistant 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.

(Sections 7—14.)

(2) Every person in occupation of any such premises as is specified in sub-section (1) shall allow the President of a municipality, the Veterinary Assistant 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 the President of a municipality, the Veterinary Assistant 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.

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. Abetments and attempts.

10. All Presidents of municipalities, Veterinary Assistant 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. Officers exercising powers under this Act deemed to be public servants.

Act XLV  
of 1860.

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. Protection of persons acting in good faith.

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. Power to grant exemptions.

13. The State Government may, by notification in the *Official Gazette*, 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. Delegation of functions.

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

(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;

*(The Schedule.)*

- (c) the places in which animals may be slaughtered 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.