A DOSSIER ON CENTRAL LAWS FOR FARM ANIMALS

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FIAPO (Federation of Indian Animal Protection Organisations) is India’s leading animal protection body. As a collective voice for the animal protection community in India, FIAPO unites all animal protection organisations nationwide to exchange ideas, build expertise and take action to strengthen the animal rights movement in the country. FIAPO works with over 160 member organisations, 200 supporter organisations and over 1000 activists in more than 70 cities across India. They are the largest Federation in the country and one of the largest movement-building organisations in the world.
Introduction: The following legal dossier contains relevant provisions and guidelines under various
central laws that have a potential to improve farm animal welfare.

Useful Information:
Farm animals (in India) include the following different species and their uses -
• “Chicken” – meat, eggs
• Cows – almost entirely for dairy and draught; In small numbers for meat – NE India; Leather;
• Buffalo – dairy, draught, leather, meat.
• Sheep – wool, meat.
• Goat – meat, milk, hair (pashm)
• Pigs – meat
• Other poultry - Turkey, Ducks, Ostrich, Emu – meat, eggs
Constitutional Provisions

Article 48 (Directive Principles)

This Article relates to the manner in which agriculture and animal husbandry should be organized, and has a special provision for taking steps for prohibiting the slaughter of cows, calves and other cattle. The Article, introduced as Article 38A after debate on an amendment motion presented in 1948 in the Constituent Assembly, reads as under:

“"The State shall endeavour to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular take steps for preserving and improving the breeds and prohibiting the slaughter of cows and calves and other milch and draught cattle.

Article 51A (Fundamental duties):

This Article in the Fundamental Duties Chapter of the Constitution, enjoins upon the citizens of this country to cherish the ideals, which inspired our freedom struggle (ban on cow slaughter being one, the first War of Independence having been triggered off by the Sepoy Mutiny, in which soldiers, led by Mangal Pandey, refused to open beef-coated cartridges with their mouth) and to have compassion for all living creatures. The Article reads as follows:

"It shall be the duty of every citizen of India
(a) ............
(b) To cherish and follow the noble ideals which inspired our national struggle for freedom” ............
(g) “To protect and improve the natural environment including forests and to have compassion for living creatures”.

Article 246 (Jurisdiction of Parliament and States)

Article 246 defines the jurisdiction of Parliament and State Legislatures in the matter of making laws and three Lists have been drawn up, the first relating to the powers of the Union Government, the second pertaining to the legislative powers of the State Governments and the third being the Concurrent List, where both Parliament and the States have powers to legislate. The Article 246 reads as under:

(1) Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (referred to as the "Union List").

(2) Notwithstanding anything in clause (3), Parliament, and subject to Clause (1) the Legislature of any State also, have powers to make laws with respect to any of the matters enumerated in List III in the Seventh Schedule (referred to as the "Concurrent List").

(3) Subject to Clause (1) and (2) the Legislature of any State has exclusive power to make laws for such State or any part thereof with respect to any of the matters enumerated in List II in the Seventh Schedule (referred to as the "State List").
Schedule VII, List II – State List
- Agriculture, including agricultural education and research, protection against pest and prevention of plant diseases.
- Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice.

Schedule VII List III – Concurrent List
- Prevention of cruelty to animals.
- Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.

Article 249 [Power of Parliament to legislate with respect to a matter in the State List in the National interest]

(1) Notwithstanding anything in the foregoing provisions of this chapter, if the Council of States has declared by resolution supported by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List specified in the resolution, it shall be lawful for Parliament to make laws for the whole or any part of the territory of India with respect to that matter while the resolution remains in force.

(2) A resolution passed under Clause (1) shall remain in force for such period not exceeding one year as may be specified therein:

Provided that, if and so often as resolution approving the continuance in force of any such resolution is passed in the manner provided in clause (1), such resolution shall continue in force for a further period of one year from the date on which under this clause it would otherwise have ceased to be in force.

(3) A law made by Parliament which Parliament would not but for the passing of a resolution under Clause (1) have been competent to make shall, to the extent of the incompetency, cease to have effect on the expiration of a period of six months after the resolution has ceased to be in force, except as respects things done or omitted to be done before the expiration of the said period.
Section 428: Mischief by killing or maiming animal of the value of ten rupees.- Whoever commits mischief by killing, poisoning, maiming or rendering useless any animal or animals of the value of ten rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section 429: Mischief by killing or maiming cattle, etc., of any value or any animal of the value of fifty rupees.- Whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.
Section 11 (1)(a) to (o) of The Prevention of Cruelty to Animals Act, 1960 prescribes and enumerates the forms of cruelty mentioned hereunder:

(a) Beating, Kicking, Over-riding, Over-driving, Over-loading, Torturing,
(b) Employing any animal which, by reason of its age or any disease, unfit to be so employed, and still making it work or labour or for any purpose;
(c) Wilfully and unreasonably administering any injurious drug or injurious substance;
(d) Conveying or carrying, either in or upon any vehicle in such a manner as to subject it to unnecessary pain or suffering;
(e) Keeping or confining any animal in any cage or any receptacle, which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement;
(f) Keeping for an unreasonable time any animal chained or tethered upon an unreasonably heavy chain or chord;
(g) Being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement;
(h) Being the owner of any animal fails to provide such animal with sufficient food, drink or shelter;
(i) Being the owner, without reasonable cause, abandons any animal in circumstances, which render it likely that it will suffer pain by reason of starvation or thirst;
(j) Wilfully permits any animal, of which he is the owner to go at large in any street while the animal is affected with a contagious or infectious disease, or without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street;
(k) Offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment
(l) Mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner;
(m) Solely with a view to providing entertainment -

(i) Confines or causes to be confined any animals (including tying of an animal as bait in a tiger or other sanctuary) so as to make it an object of prey for any other animal;
(ii) Incites any animal to fight or bait any other animal.
(n) Organizes, keeps, uses or acts in the management of any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes;

(o) Promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting.

Section 12 of The Prevention of Cruelty to Animals Act, 1960, penalizes practicing of phooka or doom dev or any other operation being performed upon any cow or other milch animal, to improve its lactation. This is injurious to health of the animal. It is a cognizable offence and the person shall be punishable with a fine, which may extend up to one thousand rupees, or with imprisonment for a term which may extend up to two years, or with both and the animal on which the operation was performed shall be forfeited to the Government.

Also, if a Police Officer, not below the rank of Sub-Inspector, has reason to believe that Phooka or any other operation of the nature referred to in Section 12, has been performed or will be performed on any animal within the limits of his jurisdiction, he may enter any place in which he has reason to believe such animal to be, and may seize the animal and produce it for the examination by the Veterinary Officer in charge of the area in which the animal is seized.

Use of Oxytocin Inj. on milching animal in order to induce milk is illegal and amounts to cruelty on animal under Section 12 of The Prevention of Cruelty to Animals Act, 1960. It is a cognizable offence and the person shall be punishable with the prescribed punishment under the section. The proprietor of the shop selling these drugs to a dairy shall be liable to lose his license as a pharmacist and shopkeeper in addition to criminal charges with punishment of up to 5 years in prison.

The Government of India has acknowledged the negative effects of oxytocin and has declared it as a scheduled substance. It is illegal under the Food and Drug Adulteration act to buy, sell or administer these injections without a physician’s permit. These rules apply to milkmen too.

Under the provisions of the Drugs and Cosmetics Act, Oxytocin has been classified as a prescription drug. No person/milkman can purchase the drug without having the requisite prescription from a Registered Medical Practitioner or Registered Veterinarian. But, despite this, Oxytocin ampoules are easily and readily available not only at chemists but also from other unauthorized outlets in market situated close to dairies.

Section 32 of the Act, states that if a police officer not below the rank of sub-inspector, has reason to believe that an offence of cruelty has been committed or that any person has in his possession the skin of any such animal with any part of the head attached thereto, he may enter and search place or any place in which he has reason to believe any such skin to be, and may seize such skin or any article or thing used or intended to be used in the commission of such offence.

Also, if a police officer, not below the rank of sub-inspector, has reason to believe that phooka or any other operation of the nature referred to in Section 12, has been performed or will be performed on any animal within the limits of his jurisdiction, he may enter any place in which he has reason to believe such animal to be, and may seize the animal and produce it for the examination by the Veterinary Officer in charge of the area in which the animal is seized.
Section 34 of The Prevention of Cruelty to Animals Act, 1960 provides the general power of seizure for examination to the police officer above the rank of constable. If the police officer comes to know about an offence against commission of any offence under PCA Act has been committed or is been committed on any animal, he can seize the animal and produce the same for examination by the nearest magistrate or by the Veterinary Officer. Whether it is the case of overloading of animals or beating of animal or any offences under this PCA Act, the police have the power to seize the animals and send them to infirmaries for the treatment and care of animals. This is provided u/s 35 of The Prevention of Cruelty to Animals Act, 1960.

Section 35 states that the animals are to be detained and have to be produced before the magistrate. Animals are to be treated and cared for in an infirmary, until they are fit for discharge. The animal sent for care and treatment to an infirmary cannot be released from such places unless the veterinary officer issues the certificate of its fitness for discharge. The cost of transporting the animal to an infirmary and its maintenance and treatment in an infirmary, has to be paid by the owner of the animal.
Section 98 of The Transport of Animals Rules, 1978 provides the general conditions for transport of animals.

1) Animals to be transported shall be healthy and in good condition. They should be examined by a veterinary doctor for freedom from infectious diseases and their fitness to undertake the journey, provided that the nature and duration of the proposed journey shall be taken into account while deciding upon the degree of fitness.

2) An animal which is unfit for transport shall not be transported and the animals that are newborn, diseased, blind, emaciated, lame, fatigued or having given birth during the preceding seventy-two hours or likely to give birth during transport shall not be transported.

3) Pregnant and very young animals shall not be mixed with other animals during transport.

4) Different classes of animals shall be kept separately during the transport.

5) Diseased animals, whenever transported for treatment, shall not be mixed with other animals.

The above general conditions laid down in Section 98 of the Transport of Animals Rules, 1978 should be strictly adhered to. And apart from that there are different rules for transporting different categories of animal, provided under the Transport of Animals Rules, 1978. Overloading of animals amounts to treating of animals cruelly under Section 11 of The Prevention Of Cruelty to Animals Act, 1960.

If the above general conditions with regard to the transportation of animals are not met, the animals should be immediately unloaded and sent to the nearest animal shelter. Some further conditions that must be observed are:

In the case of trucks whose wheelbase is over 142 inches shall not carry more than six cattle without calves or five with calves.

- The Vehicle transporting them should be large enough to carry animals comfortably and the animals should not be packed and jammed inside. The animals should also be protected from the weather.
- Animals are not allowed to be transported by tempo.
- Within the vehicle, partitions must be provided at every two or three metres across the width to prevent the crowding and trapping of animals.
- Sufficient food and water shall be carried to last during the journey and watering facility should be provided at regular intervals.
- First aid equipment should be available in the vehicle.
- Suitable ramps should be provided for loading and unloading the animals.
- Materials for padding such as straw, shall be placed on the floor to avoid injury and this shall be not less than 5 cm thick.
Apart from this, there are specific rules for transporting different categories of animals provided under The Transport of Animals Rules, 1978 which specifies the maximum number of animals that can be carried by different types of vehicles.

Following is the chart of transport of sheep and goats through railway wagon, for different gauge.

<table>
<thead>
<tr>
<th>Broad Gauge</th>
<th>Metre Gauge</th>
<th>Narrow Gauge</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the area of a wagon less than 21.1 sq Metres permissible number of sheep or goats is 70</td>
<td>In the area of a wagon less than 21.1 sq Metres permissible number of sheep or goats is 70</td>
<td>In the area of a Wagon less than 12.5 Sq Metres permissible number of sheep or goats is 50</td>
</tr>
<tr>
<td>Goods vehicle of capacity of 5 or 4.5 tons, which are generally used for transporting animals, shall not carry more than forty sheep or goats.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Containers are used for transporting poultry by rail, road and air. The crates used for transporting poultry must be sterilized and may not be piled one above the other. There are specific numbers of poultry that may be accommodated in such containers.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Poultry</th>
<th>Number in a container</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month old chicks</td>
<td>24</td>
</tr>
<tr>
<td>Three-month old chicks</td>
<td>12</td>
</tr>
<tr>
<td>Adult stock (excluding geese and turkeys)</td>
<td>12</td>
</tr>
<tr>
<td>Geese and turkeys</td>
<td>10 young 2 growing 1 adult</td>
</tr>
<tr>
<td>New born chicks</td>
<td>80</td>
</tr>
<tr>
<td>Poult</td>
<td>60</td>
</tr>
</tbody>
</table>
In transport of pigs by road, goods vehicles, which are generally used for transporting of animals, shall not carry more than twenty pigs.

While transporting pigs by rail, no railway wagon shall accommodate more than the number of pigs as provided in the following table:

<table>
<thead>
<tr>
<th>Broad Gauge</th>
<th>Metre Gauge</th>
<th>Narrow Gauge</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the area of a wagon less than 21.1 Sq Metres, number of pigs allowed is 35</td>
<td>In the area of a wagon more than 21.1 Sq Metres, number of pigs allowed is 50</td>
<td>In the area of a wagon less than 12.5 Sq Metres, number of pigs allowed is 25</td>
</tr>
<tr>
<td></td>
<td>In the area of a wagon more than 12.5 Sq Metres, number of pigs allowed is 30</td>
<td>Not Allowed</td>
</tr>
</tbody>
</table>

Only four passengers excluding the driver are allowed on a tonga or a total of 325 kgs.

The Prevention of Cruelty to Animals (Transport of Animals on Foot) Rules 2001 applies wherever the distance involved is 5 Km or more.

- Each animal must be certified healthy by a Vet in the prescribed form.
- The owner must provide first aid equipment to accompany the animals as well as make proper watering and fodder arrangements en route.
- Animals must be rested for 20 minutes after watering and one hour after feeding.
- No whip or stick may be used to hurry up the animals.
- No animals shall be tied by the nose or leg, only around the neck. Only two animals and only of the same size may be tied adjacent to one another using a single rope. The space between then shall be a minimum of two feet.
- No animals shall be transported on foot before sunrise or after sunset or during heavy rain or extremely dry conditions.
- Heavily pregnant, new born, blind, emaciated, diseased and lame animals may not be taken on foot.
- Animals who are not shod eg. goats, elephants etc cannot be transported on foot on hard cement or metal tarred roads or rocky terrain.
- Any police officer above the rank of constable or any other person authorized by Central or State Govt or AWBI can require any owner who is violating these rules to take the animals to the nearest magistrate.
Section 3(1)

(g) “contaminant” means any substance, whether or not added to food, but which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry or veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination and does not include insect fragments, rodent hairs and other extraneous matter;

(i) “extraneous matter” means any matter contained in an article of food which may be carried from the raw materials, packaging materials or process systems used for its manufacture or which is added to it, but such matter does not render such article of food unsafe;

(n) “Food business” means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of manufacture, processing, packaging, storage, transportation, distribution of food, import and includes food services, catering services, sale of food or food ingredients;

(zz) “unsafe food” means an article of food whose nature, substance or quality is so affected as to render it injurious to health:—

(i) by the article itself, or its package thereof, which is composed, whether wholly or in part, of poisonous or deleterious substance; or

(ii) by the article consisting, wholly or in part, of any filthy, putrid, rotten, decomposed or diseased animal substance or vegetable substance; or

(iii) by virtue of its unhygienic processing or the presence in that article of any harmful substance; or

(iv) by the substitution of any inferior or cheaper substance whether wholly or in part; or

(v) by addition of a substance directly or as an ingredient which is not permitted; or

(vi) by the abstraction, wholly or in part, of any of its constituents; or

(vii) by the article being so coloured, flavoured or coated, powdered or polished, as to damage or conceal the article or to make it appear better or of greater value than it really is; or

(viii) by the presence of any colouring matter or preservatives other than that specified in respect thereof; or

(ix) by the article having been infected or infested with worms, weevils, or insects; or

(x) by virtue of its being prepared, packed or kept under insanitary conditions; or

(xi) by virtue of its being mis-branded or sub-standard or food containing extraneous matter; or

(xii) by virtue of containing pesticides and other contaminants in excess of quantities specified by regulations.
Section 51. Penalty for sub-standard food-
Any person who whether by himself or by any other person on his behalf manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is sub-standard, shall be liable to a penalty which may extend to five lakh rupees.

Section 54. Penalty for food containing extraneous matter-
Any person whether by himself or by any other person on his behalf manufactures for sale or stores or sells or distributes or imports any article of food for human consumption containing extraneous matter, shall be liable to a penalty which may extend to one lakh rupees.

Section 55. Penalty for failure to comply with the directions of Food Safety Officer-
If a food business operator or importer without reasonable ground, fails to comply with the requirements of this Act or the rules or regulations or orders issued there under, as directed by the Food Safety Officer, he shall be liable to a penalty which may extend to two lakh rupees.

Section 56. Penalty for unhygienic or unsanitary processing or manufacturing of food-
Any person who, whether by himself or by any other person on his behalf, manufactures or processes any article of food for human consumption under unhygienic or unsanitary conditions, shall be liable to a penalty which may extend to one lakh rupees.

Section 59. Punishment for unsafe food-
Any person who, whether by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is unsafe, shall be punishable, –

(i) where such failure or contravention does not result in injury, with imprisonment for a term which may extend to six months and also with fine which may extend to one lakh rupees;

(ii) where such failure or contravention results in a non-grievous injury, with imprisonment for a term which may extend to one year and also with fine which may extend to three lakh rupees;

(iii) where such failure or contravention results in a grievous injury, with imprisonment for a term which may extend to six years and also with fine which may extend to five lakh rupees;

(iv) where such failure or contravention results in death, with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and also with fine which shall not be less than ten lakh Rupees.

Section 63. Punishment for carrying out a business without license-
If any person or food business operator (except the persons exempted from licensing under sub-section (2) of section 31 of this Act), himself or by any person on his behalf who is required to obtain license, manufacturers, sells, stores or distributes or imports any article of food without license, shall be punishable with imprisonment for a term which may extend to six months and also with a fine which may extend to five lakh rupees.
Relevant provisions under the Slaughter House Rules, 2001 (under the PCA Act, 1960) –

Section 2(c) of the above mentioned Act defines 'slaughterhouse' as a place wherein 10 or more than 10 animals are slaughtered per day and is duly licensed or recognized under a Central, State or Provincial Act or any rules or regulations made there under.

Section 3(1) of the above mentioned Act provides that animals cannot be slaughtered except in a recognized and licensed slaughter house.

Section 3(2), prohibits slaughtering of any animal

- which is pregnant or
- has an offspring less than three months old, or
- the animal which is under the age of three months or
- which has not been certified by a Veterinary Doctor that it is in a fit condition to be slaughtered.

Section 3(3) provides,

The municipal or other local authority specified by the Central Government for this purpose shall, having regard to the capacity of the slaughter house and the requirement of the local population of the area in which a slaughter house is situated, determine the maximum number of animals that may be slaughtered in a day.
Some information:

Wherever there is a Government slaughterhouse, slaughter cannot be done anywhere else. If there is no government slaughterhouse in that area then killing can only take place in licensed slaughterhouse, which should be situated, where they are not a public nuisance or an environmental hazard. These slaughterhouses have to follow all Municipal Corporation laws and the ISI regulations. No animals can be slaughtered in slums, in roadside meat shops or in dhabas or in private houses. Slaughtering of any animal at any place other than a licensed slaughterhouse is prohibited.

With regard to environmental hazard and public nuisance. **Smt. Maneka Gandhi moved the Delhi Court against the Idgah Slaughterhouse of Delhi, in the larger public interest.**

**The court gave the following directions, which apply, to all slaughterhouses:**

1. Children below the age of 18 years shall not be allowed to work in the slaughterhouse
2. Each Slaughterhouse has a license for a prescribed number of animals. The number of animals slaughtered may not exceed 2500 per day, i.e., 2,000 sheep and goats and 500 buffaloes.
3. There should be adequate number of veterinary doctors for the purpose of proper examination of animals thoroughly before issuing a fitness certificate for the animals to be slaughtered.
4. Compounding fee in respect of sheep/goats is increased from Rs 50 to Rs 500 and for buffaloes from Rs 200 to Rs 2000.
5. The maximum number of animals allowed to be carried in open trucks must not exceed 40 goats/sheep and 4 buffaloes.
6. The slaughterhouse should have proper light, electricity, fans and coolers in its various sections.
Prevention of Cruelty to Animals (Slaughter House) Rules, 2001 prescribes the following requirements for a slaughterhouse.

Section 4 (1) to (8) states that: -

The slaughterhouse shall have a reception area of adequate size sufficient for livestock subject to veterinary inspection.

- The veterinary doctor after examining the animal shall issue a fitness certificate for each animal.
- The veterinary doctor shall examine thoroughly not more than 12 animals in an hour and not more than 96 animals in a day.
- The reception area of slaughter house shall have proper ramps for direct unloading of animals from vehicles or railway wagons and the said reception area shall have adequate facility sufficient for feeding and watering of animals.
- Separate isolation pens shall be provided in slaughter house with watering and feeding arrangements for animals suspected to be suffering from contagious and infectious diseases, and fractious animals, in order to segregate them from the remaining animals.
- Adequate holding area shall be provided in slaughterhouse according to the class of animals to be slaughtered.
- Ante-mortem (before death) and pen area shall preferably be covered and shall be paved with material such as concrete non slippery herring bone type or brick suitable to stand wear and tear by hooves, and suitable drainage facilities shall be provided around the borders of the area except at the entrances.

Section 5 (1) to (5) states that: -

- Every animals after veterinary examination shall be passed on to a resting place, adequate in size and sufficient for the number of animals for resting for 24 hours before slaughtering.
- The space provided in the pens shall be not less than 2.8 sqm per large animal and 1.6 sqm per small animal.
- The animals shall be kept separately depending on their type and class and protected from heat and rain.
- The resting place shall have adequate facilities for watering and post-mortem inspection.

Section 5(11) states,

Every animal after it has been subjected to veterinary inspection shall be passed on to a lairage for resting for 24 hours before slaughter.

Section 6.

Slaughter- (1) No animal shall be slaughtered in a slaughter house in sight of other animals

(2) No animal shall be administered any chemical, drug or hormone before slaughter except drug for its treatment for any specific disease or ailment.

(3) The slaughter halls in a slaughter house shall provide separate sections of adequate dimensions sufficient for slaughter of individual animals to ensure that the animal to be slaughtered is not within the sight of other animals.
(4) Every slaughter house as soon as possible shall provide a separate space for stunning of animals prior to slaughter, bleeding and dressing of the carcasses.

(5) Knocking section in slaughter house may be so planned as to suit the animal and particularly the ritual slaughter; if any and such knocking section and dry landing area associated with it shall be so built that escape from this section can be easily carried out by an operator without allowing the animal to pass the escape barrier.

(6) A curbed-in bleeding area of adequate size as specified by the Central Government shall be provided in a slaughter house and it shall be so located that the blood could not be splashed on other animals being slaughtered or on the carcass being skinned.

(7) The blood drain and collection in a slaughter house shall be immediate and proper.

(8) A floor wash point shall be provided in a slaughter house for intermittent cleaning and a hand-wash basin and knife sterilizer shall also be provided for the sticker to sterilize knife and wash his hands periodically.

(9) Dressing of carcasses in a slaughter house shall not be done on floor and adequate means and tools for dehiding or belting of the animals shall be provided in a slaughter house with means for immediate disposal of hides or skins;

(10) Hides or skins shall be immediately transported from a slaughter house either in a closed wheelbarrow or by a chute provided with self-closing door and in no case such hides or skins shall be spread on slaughter floor for inspection.

(11) Floor wash point and adequate number of hand wash basins with sterilizer shall be provided in a dressing area of a slaughter house with means for immediate disposal of legs, horns, hooves and other parts of animals through spring load floor chutes or sidewall doors or closed wheelbarrows and in case wheelbarrows or trucks are used in a slaughterhouse, care shall be taken that no point wheelbarrow or truck has to ply under the dressing rails and a clear passage is provided for movement of the trucks.

12. Adequate space and suitable and properly located facilities shall be provided sufficient for inspection of the viscera of the various types of animals slaughtered in a slaughter house and it shall have adequate facilities for hand washing, tool sterilization and floor washing and contrivances for immediate separation and disposal of condemned material.

13. Adequate arrangements shall be made in a slaughter house by its owner for identification, inspection and correlation of carcass, viscera and head.

14. In a slaughter house, a curbed and separately drained area or an area of sufficient size, sloped 33mm per metre to a floor drain, where the carcasses may be washed with a jet of water, shall be provided by the owner of such slaughter house.
Useful to know:

- Technically, cow slaughter is not banned in India
- Some states have laws that prohibit and/or regulate cow slaughter
- No such protection to Buffalos
- There is no legislation regulating poultry industry, particularly rearing.
- Only local government regulations (such as municipal laws) apply on issues like waste disposal, location of poultry farms.

Meat shop refers to the shop that does not kill the animal but sells the meat. There are rules that regulate such outlets. The Bureau of Indian Standard rules deals with the basic requirements for a stall for sale of meat of small and large animals. It is the norm to be followed for licensing and regulating the sale of meat and maintenance of hygienic conditions of the meat stall. It states that:

- All meat stalls can only be set up in designated places, as a unit of a meat market and shall be located at a place away from vegetable
  - or other food markets
- The meat shall be free from undesirable odour, smoke, dust or other contaminants
- The main services, such as potable water supply, electricity and proper hygienic sewage disposal facilities are essential prerequisites
- A block shall consists of a number of meat stalls and shall be enclosed in compound walls which barricades entry of dogs, cats, birds and other undesirable elements into the block
- Each block shall be provided with potable water storage supply tank with taps to facilitate withdrawal of water by meat stalls
- A meat stall shall consist of a meat preparation room, sales counter or ante-room and covered passage in front or a verandah for customers
- The meat preparation room may be of minimum 3.75 x 3m x3m for small animals and 4.5 x 4.5 x 4.5 m for large animals depending on the stock
- Screened ventilators shall be provided near the ceiling for facilitating cross ventilations
- Care should be taken that no direct sunlight falls on the dressed carcasses.
- The room shall suitably be made fly-proof and provided with fly-traps
- The floors of all the rooms shall be of such construction that easy washing and cleaning with water is possible.
- A covered passage protected from the rain and sun shall be provided in the meat stall for the customers
- Each stall shall be provided with a water tap
- The Knives, tools, and hooks used shall be of stainless steel.
Position regarding implementation of existing slaughter laws:

- The fountain-head of animal welfare with regards to slaughter in the country is Article 48 of the Constitution. Unfortunately, this Article forms part of the Directive Principles of State Policy in Part IV of the Constitution and, as such, is not enforceable. Though it gives explicit directions to the States to prevent slaughter, in almost all the animal preservation laws of the country there are hardly any positive directions about preservation and protection of the cattle. On the contrary, the Animal Preservation Laws sound more like slaughter manuals.

- In the States where the cattle preservation laws have been enacted, the position regarding implementation of these laws is pathetic, as reported by various animal welfare organisations during the public hearings of the Commission. Most of the organisations reported that the laws exist only in statute books and they are observed more in breach. In almost all the States the meat trade has become a very strong lobby and has spread its tentacles over the administration as well as the law enforcing agencies. There is almost unchecked transportation of cattle for slaughter between neighboring States and in some cases from one corner of the country to the other, especially to Bengal and Bihar for onwards smuggling of the cattle for slaughter into

- The Animal Welfare Board of India had commissioned a study about transportation of cattle through Bihar and Bengal into Bangladesh. The Study revealed that untold numbers of cattle are being transported in miserable conditions and exported to Bangladesh for slaughter, some remaining in West Bengal itself, where beef-eating and illegal slaughter of cattle is rampant.

- In most of the States, during the public hearings held by the Commission, the animal welfare organisations reported that the law-enforcing agencies did not cooperate with them whenever they drew the attention of these agencies to the blatant violation of the State laws and illegal transportation and slaughter of cattle. On the contrary, whenever any animal welfare organisation takes some steps to apprehend the culprits, the State Administration, particularly the Police Department, sides with the violators of the law and oppresses the NGOS. There have been instances when animal welfare activists have been beaten up and put behind bars, though they have been trying to assist the State administration in proper implementation of the law.

- Though illegal transportation and slaughter is the routine thing, the level of such activity rises substantially on the occasion of Bakri-Id every year. Though the authorities are aware that large scale slaughter of young and healthy animals in violation of the local laws takes place on the occasion of Bakri-Id, they turn a Nelson’s eye to such activities. They not only ignore the protestations of the NGOs, they threaten them with dire consequences on the pretext of not permitting the law to be taken in their hands. The request of the NGOs to set up or constitute Special Task Forces in the Police Department to check illegal transportation and slaughter is also not conceded by the State Administrations. Though no concrete proof could be furnished for obvious reasons, it was widely reported by the local NGOs that the local politicians have financial stake in the meat trade and as a result full protection is given to this activity.

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