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PROVINCIAL ASSEMBLY OF THE PUNJAB NOTIFICATION

April 20, 2016

No.PAP/Legis-2(121)/2016/1411. The Punjab Animals Slaughter Control (Amendment) Bill 2016, having been passed by the Provincial Assembly of the Punjab on April 13, 2016, and assented to by the Governor of the Punjab on April 19, 2016, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB ANIMALS SLAUGHTER CONTROL (AMENDMENT) ACT 2016

ACT XXV OF 2016

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated April 20, 2016.]

An Act

further to amend the Punjab Animals Slaughter Control Act, 1963.

It is necessary further to amend the Punjab Animals Slaughter Control Act, 1963 (III of 1963) for purposes of providing a system of more effective regulation, monitoring and control of slaughtering of animals and for purposes appearing in this Act;

Be it enacted by the Provincial Assembly of the Punjab as follows:

1. **Short title and commencement.**— (1) This Act may be cited as the Punjab Animals Slaughter Control (Amendment) Act 2016.
(2) It shall come into force at once.
2. **Amendments in section 2 of Act III of 1963.**— In the Punjab Animals Slaughter Control Act, 1963 (III of 1963), for brevity cited as the said Act, in section 2:
 - (a) for clause (b), the following shall be substituted:

“(b) “carcass” means a de-skinned body of an animal and includes a part of a de-skinned body of an animal;”
 - (b) after clause (b), the following clause (ba) shall be inserted:

- (ba) "Code" means the Code of Criminal Procedure, 1898 (V of 1898);
- (c) after clause (c), the following clause (ca) shall be inserted:
 "(ca) "gazetted officer" means an officer of the Government at Tehsil and District level authorized by the Government to act as gazetted officer for purposes of the Act;"
- (d) for clause (e), the following shall be substituted:
 "(e) "local authority" means a local government as defined under the Punjab Local Government Act 2013 (XII of 2013) or a Cantonment Board established under the Cantonment Act, 1924 (II of 1924) or a body constituted under any other law for the performance of the functions of local government;"
- (e) for clause (i), the following shall be substituted:
 "(i) "stock yard" means any enclosure, constructed, managed or approved by a local authority where animals are assembled for examination by the Veterinary Officer to determine their suitability for slaughtering or where animals approved for slaughtering are housed until they are removed to the slaughter-house;"
- (f) for clause (k), the following shall be substituted:
 "(k) "useful animal" means:
 - (i) a female sheep or goat below the age of one year and six months;
 - (ii) a male sheep or goat below the age of three months;
 - (iii) a calf below the age of four months;
 - (iv) a female sheep or goat of the age exceeding one year and six months but not exceeding four years, which is pregnant or fit for breeding purposes;
 - (v) a female animal, other than sheep or goat below three years of age;
 - (vi) a female animal, other than sheep or goat, which is pregnant or in milk or fit for breeding purposes;
 - (vii) a female animal, other than sheep or goat, between three to ten years of age which is fit for draught purposes;
 but does not include an animal which, on account of culling, injury or any other cause not adversely affecting the quality of meat for human consumption, is certified in writing by a Veterinary Officer or a gazetted officer as no longer a useful animal for purposes of the Act;" and
- (g) for clause (l), the following shall be substituted:
 "(l) "Veterinary Officer" means a Veterinary Officer under the administrative control of Livestock and Dairy Development Department of the Government."

3. Substitution of section 3 in Act III of 1963.— In the said Act, for section 3, the following shall be substituted:

"3. Restriction on slaughter of animals.— (1) A person shall not slaughter a useful animal.

(2) An animal shall not be slaughtered:

- (a) except in accordance with this Act and in a slaughter-house;
- (b) unless the animal is approved for slaughter in accordance with the Act; or

- (c) on Tuesday and Wednesday or on such other day or days as the Government may, by notification in the official Gazette, specify.
- (3) A person shall not:
 - (a) sell, keep, store, transport, supply, offer or expose for sale, or hawk any meat or carcass of a:
 - (i) haram animal or of an animal which died of, or has suffered from contagious diseases or has been poisoned to death, or died because of gunshot wound or electrocution;
 - (ii) meat or carcass of any animal which has been slaughtered in contravention of this Act or does not bear the stamp, mark, tag or certification of the slaughter-house specified by the concerned local authority; or
 - (b) sell or cause to be sold any meat at a place other than that set apart or approved for this purpose by the concerned local authority.
- (4) Nothing contained in this section shall apply to the slaughter of an animal by a Muslim on the day of Eid-ul-Azha and the two succeeding days of Eid-ul-Azha or any other religious ceremony.

4. **Substitution of section 3A in Act III of 1963.**— In the said Act, for section 3A, the following shall be substituted:

"3A. Presumptions.— In every prosecution under this Act, the court shall presume that any:

- (a) meat or carcass found in possession of any person who is, or has been, habitually selling, keeping, storing, transporting, offering or exposing for sale, or hawking the meat or carcass, was being sold, kept, stored, transported, offered or exposed for sale or hawked by such person;
- (b) meat or carcass which does not bear the stamp, mark, tag or certification of a slaughter-house has not been slaughtered in contravention of the Act;
- (c) person who is in possession of the premises, where an offence under the Act has been or is being committed by another person, has abetted the offence;
- (d) meat obtained from an animal slaughtered in contravention of the Act is unfit for human consumption;
- (e) animal captured from the premises, where other animal is illegally slaughtered, is being kept there for the purpose of illegal slaughtering; and
- (f) person dealing in, or processing skins and hides of dead or haram animals, without maintaining proper authentic record under section 9-A, is involved in sale of meat of dead or haram animals."

5. **Amendment in section 4 of Act III of 1963.**—In the said Act, in section 4, in subsection (3), the following shall be substituted:

"(3) A person aggrieved by a decision of the Veterinary Officer may, within twenty four hours of such decision, prefer an appeal against the decision to an officer notified, for the purpose, by the Government."

6. **Amendment in section 7 of Act III of 1963.**— In the said Act, in section 7, for subsection (2), the following shall be substituted:

"(2) A Veterinary Officer or a gazetted officer arresting or causing the arrest of any person, or seizing or causing the seizure of any animal, carcass or meat shall:

- (a) without unnecessary delay, send the person arrested to the police-officer along with a report, in writing,

- stating facts constituting the offence for which such person has been arrested;
- (b) dispose of the seized meat, carcass or other items under section 9;
 - (c) seal the premises for a period up to seven days being used for illegal slaughtering of animals, sale and storage point of illegally slaughtered meat to preserve evidence of the offence under intimation to local authority about illegal use of the premises; and
 - (d) send a complaint to the appropriate authority for suspension and cancellation of the license of the person."

7. **Substitution of section 8 in Act III of 1963.**—In the said Act, for section 8, the following shall be substituted:

"8. Penalty.— (1) If a person contravenes any provision of this Act, other than the provisions of clause (a) of subsection (3) of section 3, or the rules, he shall:

- (a) on first conviction, be punished with imprisonment for a term which may extend to six months but which shall not be less than fifteen days and with fine which may extend to one hundred thousand rupees but which shall not be less than twenty five thousand rupees;
- (b) on second conviction, be punished with imprisonment which may extend to one year but which shall not be less than one month and with fine which may extend to two hundred thousand rupees but which shall not be less than one hundred thousand rupees; and
- (c) on third or subsequent conviction, be punished with imprisonment which may extend to two years but which shall not be less than six months and with fine which may extend to five hundred thousand rupees but which shall not be less than two hundred thousand rupees.

(2) If a person contravenes any provision of clause (a) of subsection (3) of section 3, he shall be punished with imprisonment which may extend to eight years but which shall not be less than four years and with fine which may extend to five hundred thousand rupees but which shall not be less than three hundred thousand rupees.

(3) An attempt to contravene any provision of this Act or the rules and an abetment of such contravention shall be punished as an offence under this Act."

8. **Substitution of section 8A of in Act III of 1963.**—In the said Act, for section 8A, the following shall be substituted:

"8A. Cognizance, bail and summary trial.— (1) Notwithstanding anything contained in the Code, an offence punishable under this Act shall be cognizable and non-bailable.

(2) A magistrate of the first class shall conduct the trial of an offence under the Act in accordance with the provisions of Chapter XXII of the Code relating to the summary trials."

9. **Substitution of section 9 in Act III of 1963.**— In the said Act, for section 9, the following shall be substituted:

"9. Forfeiture.— (1) The court trying an offence under this Act may direct that any animal, carcass or meat in respect of which the court is satisfied that an offence under the Act has been committed, be forfeited to the Government in accordance with law .

(2) Any meat or its by-products slaughtered in contravention of the Act shall be forfeited to the Government and shall be disposed of through burial, incineration or any other manner, as may be prescribed.

(3) The police-officer, for earliest disposal of animal, carcass, meat or other by-product, shall immediately submit a request to the court for obtaining appropriate orders.

(4) Subject to subsection (3) an animal shall be auctioned by a gazetted officer at the designated slaughter-house, after making publicity in the prescribed manner."

10. Insertion of section 9A of Act III of 1963.— In the said Act, after section 9, the following section 9A shall be inserted:

"9A. Record of skins and hides.— Any person, dealing in or processing of skins and hides of dead or haram animals, shall keep a complete record of the procurements and supplies of the skins and hides in the prescribed manner and the Veterinary Officer or gazetted officer may inspect the premises where the person deals in or processes skins and hides of dead haram animals."

11. Substitution of section 10 in Act III of 1963.— In the said Act, in section 10, the following shall be substituted:

"10. Reward to informers.— The court trying an offence under this Act may direct that an amount not exceeding seventy five percent of such sum as may be realized by way of fine or under section 517 of the Code, be awarded to the person or persons supplying information relating to the commission of the offence under the Act."

12. Insertion of section 10A of Act III of 1963.— In the said Act, after section 10, the following section 10A shall be inserted:

"10A. Monitoring and evaluation.— (1) The Government shall, at least once in a year, conduct or cause to be conducted, the performance audit of the persons and authorities performing functions under this Act *inter alia* to assess and evaluate the performance of those persons and authorities in accomplishing the objectives of the Act.

(2) The Government shall evaluate the report mentioned in subsection (1) and shall, on the basis of the report, issue such directions to the concerned persons or authorities as may be necessary for accomplishing the objectives of the Act."

Rai Mumtaz Hussain Babar
Secretary