

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 5169 of 2023

Shyamanand Pandey

..... **Petitioner**

Versus

The State of Jharkhand & others

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

HON'BLE MR. JUSTICE ARUN KUMAR RAI

For the Petitioner : Mr. Shubham Kataruka, Advocate

For the State : Mr. Yogesh Modi, AC to AAG-IA

For the RMC : Mr. L.C.N. Shahdeo, Advocate

Order No.04/ Dated: 11.03.2024

The writ petition has been filed under Article 226 of the Constitution of India by way of *pro bono publico* seeking therein the following reliefs:

- a) For directing the respondent to prohibit the illegal culling of animals (including poultry birds) and displaying of carcasses to the general public on the roads of Ranchi.
- b) For directing the respondent to implement the provisions of Food Safety and Standards (Licencing and Registration of Food Business), Regulations 2011, particularly Regulation 2.1.2 (5) read with Part IV whereby and whereunder slaughtering of animal / birds inside the shop premises is strictly prohibited and specific sanitary & hygienic requirements for the retail meat shops including provision for location of the meat shops have been stipulated.
- c) For directing the respondent to implement the provisions of Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, particularly Rule 6 whereby and whereunder slaughter of animals in the sight of other animals has been prohibited.
- d) For any other relief or reliefs as this Hon'ble Court may deem fit and proper in the light of the facts of this case.

2. Mr. Shubham Kataruka, learned counsel appearing for the petitioner has submitted that the illegal culling and display of animal carcasses is wide

in the State that can even be seen in capital town of the State i.e. Ranchi which is against the Food Safety and Standards (Licencing and Registration of Food Business), Regulations 2011 and Prevention of Cruelty to Animals (Slaughter House) Rules, 2001.

The concern has been shown by filing the instant PIL that such type of practice of killing the animal for the human taste that too in the open area just adjacent to the roads, which are visible from all sides cannot be said to be proper. But, the aforesaid aspect of the matter is not being looked into by the local municipal bodies as also the Food Commissioner of the State who is none but the Health Secretary of the State.

Learned counsel appearing for the petitioner in course of argument has shown the efforts having been taken by the then Administrator of the Ranchi Municipal Corporation in order to strengthen the argument, the aforesaid aspect of the matter is well known to Ranchi Municipal Corporation and although the steps have been taken by taking aid of the district and police administration but the grievance of the petitioner is that still the said practice is rampant which would be evident from the photographs appended to the paperbook.

3. Learned counsel for the State as also learned counsel for the Ranchi Municipal Corporation have sought for two weeks' time to file response.

4. Accordingly, and as prayed for, let this matter be posted on 03.04.2024 so that the response be filed.

5. However, in the meanwhile, the Deputy Commissioner of the concerned districts across the State and the Sr. Superintendent of Police/ Superintendent of Police of the concerned district and the local bodies are hereby directed to look into the matter by conducting wide spread inspection

of the area where shops are there.

The Sr. S.P/ S.P of the concerned districts are directed to hold the officer-in-charge of the concerned police station to be responsible if anybody is being found in killing the animals without giving any carcasses and doing the said business without any licence, the same be brought to the purview of the legal action.

6. The learned State counsel and the learned counsel for the Municipal Corporations are directed to communicate this order forthwith to all the concerned.

The aforesaid direction have been transmitted by taking into consideration the fact that there is no dispute on behalf of learned counsel appearing for the parties so far as the applicability of the regulation is concerned.

(Sujit Narayan Prasad, J.)

(Arun Kumar Rai, J.)