

GUJARAT ANIMALS AND BIRDS SACRIFICES (PROHIBITION) ACT, 1972

19 of 1972

[30th August 1972]

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GUJARAT ANIMALS AND BIRDS SACRIFICES (PROHIBITION) ACT, 1972

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An Act to provide for prohibition of sacrifices of animals and birds in, or in the precincts of, Hindu Temples in the State of Gujarat. It is hereby enacted in the twenty third Year of the Republic of India as follows :-

1. Short title, extent and commencement. :-

(1) This Act may be called the Gujarat Animal and Birds Sacrifices (Prohibition) Act, 1972.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions. :-

In this Act, unless the context otherwise requires

(a) "precincts" in relation to a temple includes any Mandap, building and land appertaining to the temple and ordinarily used for any purpose connected with the worship in the temple or not, and the entire area of land appertaining to the temple on which Jatra or fair is held;

(b) "sacrifice" means the killing or maiming of any animal or bird for the purpose, or with the intention of, propitiating any deity;

(c) "temple" means a place, by whatever designation known, used as a place of public religious worship, and dedicated to, or for the benefit of, or used, as of right by the Hindu community or any section thereof, as a place of public religious worship.

3. Sacrifice of animal and birds in temples or its precincts prohibited. :-

No person shall sacrifice or cause to be sacrificed any animal or bird in any temple or its precincts.

4. Officiating at sacrifice, etc. prohibited :-

No person shall

(a) officiate or offer to officiate at, or

(b) perform or offer to perform, or

(c) serve, assist, or participate, or offer to serve, assist or participate, in any sacrifice in a temple or its precincts.

5. Temple or its precincts not to be allowed to be used for sacrifice. :-

No person shall knowingly allow any sacrifice to be performed at any place which

(a) is situated within any temple or its precincts, and

(b) is in his possession or under his control.

6. Penalties. :-

(1) Whoever contravenes, or abets the contravention of, the provision of Section 3 shall, on conviction, be punished with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or both.

(2) Whoever contravenes, or abets the contravention of, the provisions, of Section 4 or Section 5 shall, on conviction, be punished with imprisonment which may extend to three months or

with fine which may extend to three hundred rupees or with both.

7. Trial of Offences. :-

No offence under this Act shall be tried in any area outside the City of Ahmedabad by a court inferior to that of a Magistrate of the First Class.

8. Issue of injunction. :-

(1) If a court is satisfied on information laid before it through a complaint or otherwise that a sacrifice in contravention of the provisions of this Act has been arranged or is about to be performed, it may issue an injunction against any of the persons concerned in arranging or performing it, prohibiting the performing of such sacrifice.

(2) Whoever knowing that an injunction has been issued against him under sub-section (1) disobeys such injunction shall, on conviction, be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

9. Duty of officer-in-charge of police station to file complaint or apply for injunction. :-

On receipt of any information that a sacrifice in contravention of the provisions of this Act has been arranged or is about to be performed, the officer-in-charge of a police station shall, unless he has reasonable grounds which shall be recorded by him in writing, for not believing the information, forthwith file a complaint in the court for an offence which appears to him to have been committed, or as the case may be, make an application to the court for an injunction under Section 8 .