

GAHC010130422017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL 28/2017

1:SUNIL DEKA
S/O. LT. BHAGAWAN CH. DEKA, R/O. GANESH MANDIR PATH, BYELANE
NO.-5, NEW GUWAHATI, P.O. and P.S. NOONMATI, PIN-781020, DIST.
KAMRUPM, ASSAM.

VERSUS

1:THE STATE OF ASSAM and 3 ORS.
REP. HEREIN BY THE COMMISSIONER and SECRETARY OF THE GOVT. OF
ASSAM, AGRICULTURE DEPTT., SACHIVALAYA, DISPURE, ASSAM, PIN-
781006.

2:THE GUWAHATI MUNICIPAL CORPORATION
REP. BY COMMISSIONER
PANBAZAR
GUWAHATI-1.

3:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION
PANBAZAR
GUWAHATI-1.

4:ASSAM LIVESTOCK AND POULTRY CORPORATION LTD.
REP. TO ITS CHAIRMAN
KHANAPARA
GUWAHATI-22

Advocate for the Petitioner : MR.J ABBAS

Advocate for the Respondent : MR.V RAJKHOWAR-4

ORDER

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH
HON'BLE MR. JUSTICE MANOJIT BHUYAN**

31.1.2018

(Ajit Singh, C.J.)

Mr. J Abbas, learned counsel for the petitioner.

Mr. D Saikia, learned Senior Additional Advocate General, Assam assisted by Mr. S Bora, learned Standing Counsel, Guwahati Municipal Corporation for respondent Nos. 1,2,3 and 5. Mr. V Rajkhowa, learned counsel for respondent No.4.

In the present Public Interest Litigation, the petitioner has raised the issue of unregulated slaughtering of animals in Guwahati City for consumption. According to the petitioner, unregulated slaughtering of animals in large scale has become hazardous to public health.

It is heartening to learn that after receiving notice of this petition, the State Government has issued a Notification dated 1.1.2018, which reads as under:

“OFFICE OF THE GUWAHATI MUNICIPAL CORPORATION: GUWAHATI
VETERINARY BRANCH:FANCYBAZAR:GUWAHATI

No.GVT/F-14/09-10/127

Date: 01.01.2018

NOTIFICATION

Whereas the Guwahati Municipal Corporation Slaughter (Regulation) Bye Laws - 2012 notified in the year 2012 under the Guidelines of Central Slaughter House Act 2001 for G.M.C. area and the judgment passed by the Hon'ble Supreme Court of India vide WP(C) No. 309/2003 etc. empowers the Guwahati Municipal Corporation to regulate the slaughters of animals for supply of hygienic meats etc to consumers:

And, whereas, at present its seen that all meat sold in the GMC areas are totally unhygienic and slaughtered in butcher shops without following basic norms as laid down which is totally against the Bye Laws and also against the judgment passed by the Hon'ble Supreme Court of India.

Therefore, to ensure hygienic meat to the consumers and also to prevent cruelty to animals, it is hereby notified that all meat dealers under the Guwahati Municipal Corporation area must slaughter their animals only at the certified slaughter house.

No meat dealer will be allowed to slaughter animals outside the certified slaughter houses. Any violation to this notification will invite legal action including punishment under clause 61-(a),(b), (c) of the Bye Laws.

(M Goswami, IAS)
Commissioner
Guwahati Municipal Corporation
Guwahati

Subsequently, the State Government has also issued an addendum dated 09.01.2018, which reads as under:

“ OFFICE OF THE GUWAHATI MUNICIPAL CORPORATION: GUWAHATI
VETERINARY BRANCH:FANCYBAZAR:GUWAHATI

No.GVT/F-14/09-10/127

Date: 09.01.2018

ADDENDUM

In continuation of Notification No. GVT/F-14/09-10/127 dated 01.01.2018 regulating the slaughter of animals for human consumption, it is for the information of all concerned that no meat dealer will be allowed to slaughter any animal outside the certified slaughter house after 30th January, 2018.

(M Goswami, IAS)

Commissioner
Guwahati Municipal Corporation
Guwahati"

In view of the aforesaid Notification, we finally dispose of the petition with a direction to the district authorities to ensure that Notification is given effect to in letter and spirit. We also make it clear that any lapse on the part of authorities will be viewed seriously by this Court.

**Sd/-
JUDGE**

**Sd/-
CHIEF JUSTICE**

Comparing Assistant