

THE KARNATAKA PREVENTION OF ANIMAL SACRIFICES ACT, 1959

ARRANGEMENT OF SECTIONS.

[Statement of Object and Reasons](#)

Sections :

1. [Short title, extent and commencement.](#)
2. [Definitions.](#)
3. [Sacrifice in or in precincts of any place of public religious worship or adoration or in a congregation or procession connected with religious worship, prohibited.](#)
4. [Officiating at sacrifices prohibited.](#)
5. [Place of public religious worship or adoration or its precincts not to be allowed to be used for sacrifice.](#)
6. [Penalties.](#)
7. [General power to arrest without warrant.](#)
8. [Power to make rules.](#)
9. [Repeal.](#)

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STATEMENT OF OBJECTS AND REASONS

I

Act 3 of 1960.—The Mysore Prevention of Animal Sacrifices Act, 1948 and the Madras Animals and Birds Sacrifices Prohibition Act, 1950 are in force in the Mysore and Madras Areas respectively. These Acts prohibit animal sacrifices in or within the precincts of Hindu Temples. There are no similar Acts in other areas of the State. It is desirable to make the law on the subject uniform. Hence this Bill.

(Published in Karnataka Gazette Part IV-2A dated 23rd July 1959, at page 170.)

II

Amending Act 21 of 1975.—The Mysore Prevention of Animal Sacrifices Act, 1959 provides for the prohibition of sacrifices of animals or birds only in Hindu Temples or in the precincts thereof. The Government consider it necessary to extend the scope of the Act to any place of public religious worship or adoration and its precincts and to any congregation or procession connected with the religious worship in a public street by amending the Act suitably. Hence the Bill.

(Published in Karnataka Gazette (Extraordinary) Part IV-2A dated 17th May 1973 as No. 475)

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¹[KARNATAKA]¹ ACT No. 3 OF 1960

(First published in the ¹[Karnataka Gazette]¹ on the 4th February, 1960.)

THE ¹[KARNATAKA]¹ PREVENTION OF ANIMAL SACRIFICES ACT, 1959

(Received the assent of the President on the 27th January, 1960.)

(As Amended by Karnataka Act 21 of 1975.)

An Act to prevent animal sacrifices in or within the precincts of ²[any place of public religious worship or adoration and in any congregation or procession connected with religious worship]² in the ¹[State of Karnataka]¹.

WHEREAS it is expedient to provide for the prevention of animal sacrifices taking place in or within the precincts of ²[any place of public religious worship or adoration and in any congregation or procession connected with religious worship]² in the ¹[State of Karnataka]¹;

BE it enacted by the ¹[Karnataka]¹ State Legislature in the Tenth Year of the Republic of India as follows:—

1. Short title, extent and commencement.- (1) This Act may be called the ¹[Karnataka]¹ Prevention of Animal Sacrifices Act, 1959.

(2) It extends to the whole of the ¹[State of Karnataka]¹.

(3) It shall come into force at once.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

2. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

2. Definitions.- In this Act unless the context otherwise requires,—

(a) “animal” includes birds;

¹[(b) “precincts” in relation to a place of public religious worship or adoration includes all lands and buildings near such place which are ordinarily used for purposes connected with religious worship or adoration;]¹

(c) “sacrifice” means the killing or maiming of any animal for the purpose ²[of any religious worship or adoration]³;

¹[(d) “place of public religious worship or adoration” means any place intended for use by, or accessible to, the public or a section thereof for the purposes of religious worship or adoration.]¹

1. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

¹[3. Sacrifice in or in precincts of any place of public religious worship or adoration or in a congregation or procession connected with religious worship, prohibited.- No person shall sacrifice any animal in any place of public religious worship or adoration or its precincts or in any congregation or procession connected with any religious worship in a public street.

Explanation.—For the purposes of this section and section 4 “public street” means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass.]¹

1. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

4. Officiating at sacrifices 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 any ¹[place of public religious worship or adoration or its precincts or in any congregation or procession connected with any religious worship in a public street]¹.

1. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

5. ¹[Place of public religious worship or adoration]¹ 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 ¹[place of public religious worship or adoration]¹ or its precincts, and
- (b) is in his possession or under his control.

1. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

6. Penalties.- (1) Whoever contravenes the provisions of section 3 shall be punished with imprisonment, which may extend to six months or with fine which may extend to five hundred rupees or with both.

(2) Whoever contravenes the provisions of section 4 shall be punished with fine which may extend to five hundred rupees:

Provided that if the offender is an officer, servant, authority, trustee or priest of the ¹[institution related to the place of public religious worship or adoration]¹, or the holder of an office and in receipt of emoluments or perquisites for the performance of any service in the ¹[institution related to the place of public religious worship or adoration]¹, he shall be punished with imprisonment, which may extend to six months or with fine, which may extend to five hundred rupees, or with both.

(3) Whoever contravenes the provisions of section 5 shall be punished with imprisonment for a term which may extend to three months, or with fine, which may extend to three hundred rupees, or with both.

Explanation.—Any person who attempts to contravene or abets or attempts to abet a contravention of section 3, section 4 or section 5, shall be deemed to have contravened the said section.

1. Substituted by Act 21 of 1975 w.e.f. 15.5.1975

7. General power to arrest without warrant.- Any Police Officer, not below the rank of a Sub-Inspector, may arrest without warrant any person who contravenes the provisions of this Act.

8. Power to make Rules.- (1) The State Government may, subject to the condition of previous publication, make rules by notification in the Official Gazette, generally for the purpose of carrying into effect the provisions of this Act.

(2) The rules made under this Act shall be laid, as soon as may be after they are made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session, or in two or more sessions, and if before the expiry of the said period, either House of the State Legislature makes any modifications in the rules or directs that the rules shall not have effect and the

modifications or directions are agreed to by the other House, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be.

9. Repeal.- The Mysore Prevention of Animal Sacrifices Act 1948 (Mysore Act LI of 1948), as in force in the Mysore Area and the Madras Animals and Birds Sacrifices Prohibition Act, 1950 (Madras Act No. XXXII of 1950) as in force in the ¹[Mangalore and Kollegal Area]¹, are hereby repealed:

Provided that section 6 of the ¹[Karnataka]¹ General Clauses Act, 1899 ¹ [Karnataka]¹ Act III of 1899), shall be applicable in respect of the said repeal and section 8 and section 24 of the said Act shall be applicable as if the said Acts were repealed and re-enacted by a ¹[Karnataka Act]¹

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973