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GOVT. OF INDIA  
U.T of LAKSHADWEEP ADMINISTRATION  
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**MINISTRY OF LAW AND JUSTICE  
(LEGISLATIVE DEPARTMENT)  
New Delhi, February, 2021.**

**THE LAKSHADWEEP ANIMAL PRESERVATION REGULATION, 2021.**

**No.    of 2021**

**Promulgated by the President in the Seventy Second Year of Republic of India.**

*A Regulation to provide for the preservation of animals suitable for milch, breeding or for agricultural purposes.*

*In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him: -*

**Section 1 - Short title, extent and commencement.**

Bar & Bench (www.barandbench.com)

- (1) This Regulation may be called the Lakshadweep Animal Preservation Regulation, 2021.
- (2) It shall extend to the whole of the Union Territory of *Lakshadweep*.
- (3) It shall come in to force on such date, as the Central Government may, by notification, in the Official Gazette, appoint.

**Section 2 - Application of Regulation.**

- (1) This Regulation shall in the first instance apply to the animals specified in the Schedule.
- (2) The Administrator may, by notification in the Official Gazette, apply the provisions of this Regulation to any other animal, which in its opinion, it is desirable to preserve.

### **Section 3 – Definitions.**

In this Regulation, unless there is anything repugnant in the subject or context, -

- (1) "Administrator" means administrator of Union Territory of *Lakshadweep* appointed by the President under article 239 of the Constitution;
- (2) "Animal" means an animal to which this Regulation applies;
- (3) "Competent Authority " means a person or body of persons appointed under section 4 to perform the functions of a Competent Authority under this Regulation;
- (4) "Prescribed" means prescribed by rules made under this Regulation;
- (5) "Schedule" means a Schedule appended to this Regulation.

### **Section 4 - Appointment of Competent Authority.**

The Administrator may, by notification in the Official Gazette, appoint a person or a body of persons to perform the functions of a Competent Authority under this Regulation for such local area as may be specified in the notification.

### **Section 5 - Prohibition against slaughter without certificate from Competent Authority.**

- (1) Notwithstanding any law for the time being in force or any usage to the contrary, no person shall slaughter or cause to be slaughtered any animal unless, he has obtained in respect of such animal a certificate in writing from the Competent Authority appointed for the area that the animal is fit for slaughter.

(2) No certificate under sub-section (1) shall be granted in respect of—

(a) a cow;

(b) the calf of a cow, whether male or female and if male, whether castrated or not;

(c) a bull;

(d) a bullock;

(3) In respect of an animal to which sub-section (2) does not apply, no certificate shall be granted under sub-section (1) if in the opinion of the Competent Authority-

(a) the animal, whether male or female, is useful or likely to become useful for the purpose of draught or any kind of agricultural operations;

(b) the animal, if male, is useful or likely to become useful for the purpose of breeding;

(c) the animal, if female, is useful or likely to become useful for the purpose of giving milk or bearing offspring.

(4) Nothing in this section shall apply to-

(a) the slaughter of any of the following animals for such bonafide religious purposes, as may be prescribed, namely:-

(i) any animal above the age of fifteen years other than a cow, bull or bullock.

(b) the slaughter of any animal not being a cow or a calf of a cow, bull or bullock, on such religious days as may be prescribed:

Provided that a certificate in writing for the slaughter referred to in clause (a) or (b) has been obtained from the competent authority.

(5) The Administrator may, at any time for the purpose of satisfying itself as to the legality or propriety of any order passed by a Competent Authority

granting or refusing to grant any certificate under this section, call for and examine the records of the case and may pass such order in reference thereto as it thinks fit.

(6) A certificate under this section shall be granted in such form and on payment of such fee as may be prescribed.

(7) Subject to the provisions of sub-section (5) any order passed by the Competent Authority granting or refusing to grant a certificate, and any order passed by the Administrator under sub-section (5) shall be final and shall not be called in question in any Court.

**Section 6 - Prohibition of slaughter of animals in places not specified for the purpose.**

No animal in respect of which a certificate has been issued under section 5 shall be slaughtered in any place other than a place specified by such authority or officer as the Administrator may appoint in this behalf.

**Section 7 - Prohibition against transportation of specified animals for slaughter.**

(1) No person shall transport or offer for transport or cause to be transported any animal specified in sub-section (2) of section 5 from any place within the Union Territory to any another place within the Union Territory for the purpose of its slaughter in contravention of the provisions of this Regulation or with the knowledge that it will be or is likely to be so slaughtered:

Provided that a person shall be deemed to be transporting such animal for the purpose of slaughter unless contrary is proved thereto to the satisfaction of the concerned authority or officer by such person or he has obtained a permit under sub-section (2) for transporting animal for bona fide agricultural or animal husbandry purpose from such authority or officer as the Administrator may appoint in this behalf.

(2) (a) A person may make an application in the prescribed form to the authority or officer referred to in sub-section (1) for grant of permit in writing for transportation of any animal specified in subsection (2) of section 5 from any place within the Union Territory to any another place within the Union Territory.

(b) If, on receipt of any such application for grant of permit, such authority is of the opinion that grant of permit shall not be detrimental to the object of the Regulation, it may grant permit in such form and on payment of such fee as may be prescribed and subject to such conditions as it may think fit to impose in accordance with such rules as may be prescribed.

(3) Whenever any person transports or causes to be transported in contravention of provisions of sub-section (1) any animal as specified in sub-section (2) of section 5, such vehicle or any conveyance used in transporting such animal alongwith such animal shall be liable to be seized by such authority or officer as the Administrator may appoint in this behalf.

(4) The vehicle or any conveyance so seized under sub-section (3) shall stand forfeited to Union Territory Administration in the manner as may be prescribed.

#### **Section 8- Prohibition against selling or buying beef or beef products.**

(1) No person shall directly or indirectly sell, keep, store, transport, offer or expose for sell or buy beef or beef products in any form.

(2) Whenever any person transports or causes to be transported the beef or beef products, such vehicle or any conveyance used in transporting such beef or beef products alongwith such beef or beef products shall be liable to be seized by such authority or officer as the Administrator may appoint in this behalf.

(3) The vehicle or any conveyance so seized under sub-section (2) shall stand forfeited to Union Territory Administration in the manner as may be prescribed.

Explanation. - For the purpose of this section "beef" means flesh of any animal specified in sub-section (2) of section 5, in any form.

### **Section 9 - Power to enter and inspect premises.**

(1) For the purposes of this Regulation, the Competent Authority or any person authorised in this behalf by the Competent Authority (hereinafter referred to as the authorised person) shall have power to enter and inspect any premises where the Competent Authority or the authorised person has reason to believe that an offence under this Regulation has been or is likely to be committed.

(2) Every person in occupation of any such premises shall allow the Competent Authority or the authorised person such access to the premises as may be necessary for the aforesaid purpose and shall answer to the best of his knowledge and belief any question put to him by the Competent Authority or by the authorised person.

### **Section 10 – Penalties.**

(1) Whoever in contravention of the provisions of sub-section (1) of section 5, slaughters any animal without a certificate for which such certificate is required, shall, on conviction be punished with imprisonment for a term which may extend to one year and with fine which may extend to ten thousand rupees.

(2) Whoever in contravention of the provisions of sub-section (1) of section 5, slaughters any animal as specified in sub-section (2) of section 5 shall, on conviction, be punished with imprisonment for a term which may extend to

imprisonment for life but shall not be less than ten years and with fine which may extend to five lac rupees but shall not be less than one lac rupees.

(3) Whoever contravenes the provisions of sections 6 shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine which may extend to ten thousand rupees.

(4) Whoever contravenes the provisions of section 7 or 8 shall, on conviction, be punished with imprisonment for a term which may extend to ten years but shall not be less than seven years and with fine which may be extend to five lac rupees but shall not be less than one lakh rupees.

#### **Section 11 - Offences under the Regulation to be cognizable and non-bailable.**

Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Regulation shall be cognizable and 2 of 1974. non-bailable.

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#### **Section 12 - Abetments and attempts.**

Whoever abets any offence punishable under this Regulation or attempts to commit any such offence shall be punished with the punishment provided in this Regulation for such offence.

#### **Section 13 - Persons exercising powers under this Regulation deemed to be public servants.**

All persons exercising powers under this Regulation shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

**Section 14 - Protection of persons acting in good faith under the Regulation or rules.**

No suit, prosecution or other legal proceedings shall be instituted against any person for anything which is in good faith done or intended to be done under this Regulation or the rules made thereunder.

**Section 15- Exemption under this Regulation.**

Subject to any conditions prescribed in this behalf, this Regulation shall not apply to—

(1) any animal operated upon for vaccine lymph, serum, or for any experimental or research purposes at an institution established, conducted or recognised by the Administrator;

(2) any animal or class of animals—

(i) slaughter of which is certified by a Veterinary Surgeon authorized in this behalf by the Administrator to be necessary in the interest of the public health.

(ii) which are suffering from any disease which is certified by such Veterinary Surgeon as being contagious and dangerous to other animals.

**Section 16 - Delegation of powers.**

The Administrator may, by notification in the Official Gazette, delegate—

(1) to any local authority, its powers and functions under section 4 within the local area subject to the jurisdiction of such local authority;

(2) to any officer of the Administrator, its powers and functions under sub-section (5) of section 5.

## **Section 17 - Power to make rules.**

(1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for—

(a) the powers and duties of a Competent Authority, in addition to those, provided in this Regulation;

(b) the form of the certificate under section 5;

(c) the amount of the fee to be paid under section 5;

(d) the form of application, the form of permit, the fees to be paid and conditions for granting permit under section 7;

(e) the manner of forfeiture of the vehicle or any conveyance to Government under sub-section (3) of section 8;

(f) the manner of forfeiture of the vehicle or any conveyance to Government under sub-section (2) of section 8;

(g) the conditions subject to which the Regulation shall not apply to any animal under section 15;

(h) any other matter which is or may be prescribed.

(3) The rules made under this section shall be subject to the condition of previous publication in the Official Gazette.

Provided that if the Administrator is satisfied that circumstances exist which render it necessary to take immediate action, it may dispense with the previous publication of any rule to be made under this section.

## **Schedule – SCHEDULE**

SCHEDULE.

[Section 2(1).]

Bovine (bulls, bullocks, cows, calves, male and female buffaloes and buffalocalves).

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