

Kerala Animals and Birds Sacrifices Prohibition Act, 1968

KERALA

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Act 20 of 1968

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Kerala Animals And Birds Sacrifices Prohibition Act, 1968[Act No. 20 of 1968][17th September, 1968]An Act to consolidate and amend the laws relating to prohibition of the sacrifice of animals and birds in or in the precincts of Hindu temples in the State of Kerala.WHEREAS it is expedient to consolidate and amend the laws relating to prohibition of the sacrifice of animals and birds in or in the precincts of Hindu temples in the State of Kerala;BE it enacted in the Nineteenth Year of the Republic of India as follows:-

1. Short title and extent

(1)This Act may be called the Kerala Animals and Birds Sacrifices Prohibition Act, 1968.(2)It extends to the whole of the State of Kerala.

2. Definitions

In this Act, unless the context otherwise requires,-(a)"precincts", in relation to a temple, includes all lands and buildings near a temple, whether belonging to the temple or not, which are ordinarily used for purposes connected with the worship conducted inside the temple or outside, and in particular the mandapams prakarams, back-yards front-yards and foot-yards of the temple, by whatever name called, and also the ground on which the temple car ordinarily stands;(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 animals and birds in temples or its precincts prohibited

No person shall sacrifice 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 the provisions of section 3 shall be punishable with fine which may extent to three hundred rupees.(2)Whoever contravenes the provisions of section 4 shall be punishable with fine which may extend to three hundred rupees:Provided that if the offender is an officer, servant, authority trustee or priest of the temple or the holder of any office in receipt of emoluments or prerequisites for the performance of any service in the temple, he shall be punishable with simple imprisonment for a terms which may extend to three months, or with fine which may extend to three hundred rupees, or with both.(3)Whoever contravenes the provisions of section 5 shall be punishable with simple imprisonment for a term which may extend to three months, or with fine which may extent to three hundred rupees, or with both.

7. Inquiry and trial

No offence punishable under this Act shall be inquired into or tried by a court inferior to that of a Magistrate of the first or second class.

8. Repeal

The Madras Animals and Birds Sacrifice Prohibition Act, 1950 (XXXII of 1950), as in force in the Malabar district referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) and the Travancore-Cochin Animals and Birds Sacrifices Prohibition Act, 1953, (VII of 1953), are hereby repealed.