



The Tamil Nadu Animals and Birds Sacrifices Prohibition Act, 1950

Act 32 of 1950

Keyword(s):

Act Repealed by 20 of 2004, Precincts, Sacrifice, Temple

Amendment appended: 20 of 2004

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¹[TAMIL NADU] ACT No. XXXII OF 1950.²

THE ¹[TAMIL NADU] ANIMALS AND BIRDS SACRIFICES
PROHIBITION ACT, 1950.]

(Received the assent of the Governor on the 12th December 1950; first published in the Fort St. George Gazette on the 19th December 1950.)

An Act to prohibit the sacrifice of animals and birds in or in the precincts of Hindu temples in the ³[State of Tamil Nadu].

WHEREAS it is expedient to prohibit the sacrifice of animals and birds in or in the precincts of Hindu temples in the ³[State of Tamil Nadu]; It is hereby enacted as follows :—

1. (1) This Act may be called the ¹[Tamil Nadu] Animals and Birds Sacrifices Prohibition Act, 1950.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the ³[State of Tamil Nadu].

* (3) This section shall come into force at once; and the rest of this Act shall come into force on such date as the State Government may, by notification in the †Fort St. George Gazette, appoint.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

²For Statement of Objects and Reasons, see Fort St. George Gazette, dated the 13th January 1948, Part IV-A, page 3.

This Act was extended with modifications to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 9 of the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1957 (Tamil Nadu Act XXII of 1957).

³This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

*Section 1 came into force on the 19th December 1950; the rest of the Act came into force on the 1st June 1951.

†Now the Tamil Nadu Government Gazette.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context—

(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 whether conducted inside the temple or outside and in particular the maudapams, prakarams, back-yards and front-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 ;

¹[(c) "temple" means, in any area in the State elsewhere than in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district, a temple as defined in section 6, clause (17) of the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951), and in any area in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district, a temple as defined in section 2, clause (1), of the Travancore-Cochin Temple Entry (Removal of Disabilities) Act, 1950 (Travancore-Cochin Act XXVII of 1950)].

Sacrifice in
temple or its
precincts
Prohibited.

3. No person shall sacrifice any animal or bird in any temple or its precincts.

Officiating at
sacrifice,
etc., Prohi-
bited.

4. 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 temple or its precincts.

¹This clause was substituted for the original clause (c) by section 9 (4) of the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1957 (Tamil Nadu Act XXII of 1957).

In so far as this Act applied to the added territories, this clause was substituted for the original clause (c) by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws Act, 1962 (Tamil Nadu Act 14 of 1962).

5. 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.

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

6. (1) Whoever contravenes the provisions of section 3 shall be punished with fine which may extend to three hundred rupees. Penalties.

(2) Whoever contravenes the provisions of section 4 shall be punished 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 an office in receipt of emoluments or perquisites for the performance of any service in the temple, he shall be punished with simple imprisonment for a term 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 punished with simple imprisonment for a term which may extend to three months or with fine which may extend to three hundred rupees or with both.

7. No offence punishable under this Act shall be inquired into or tried by any Court inferior to that of a *Presidency Magistrate or a Magistrate of the first or second class.* Enquiry and trial.

*According to clauses (a), (b) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), which came into force on the 1st April 1974, any reference to a Magistrate of the first class shall be construed as a reference to a Judicial Magistrate of the first class and any reference to a Magistrate of the second class shall be construed as a reference to a Judicial Magistrate of the second class and any reference to a Presidency Magistrate shall be construed as a reference to a Metropolitan Magistrate.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 5th August 2004 and is hereby published for general information:—

ACT No. 20 OF 2004.

An Act to repeal the Tamil Nadu Animals and Birds Sacrifices Prohibition Act, 1950.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fifth Year of the Republic of India as follows:—

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|---|--|
| <p>1. (1) This Act may be called the Tamil Nadu Animals and Birds Sacrifices Prohibition (Repeal) Act, 2004.</p> <p>(2) It shall be deemed to have come into force on the 20th day of February 2004.</p> | <p>Short title and commencement.</p> |
| <p>2. The Tamil Nadu Animals and Birds Sacrifices Prohibition Act, 1950 (hereinafter referred to as the principal Act), is hereby repealed.</p> | <p>Repeal.</p> |
| <p>3. All actions taken under the principal Act and all proceedings thereunder pending immediately before the 20th day of February 2004, before any Court or authority shall abate.</p> | <p>Abatement of action taken and of legal proceedings.</p> |
| <p>4. (1) The Tamil Nadu Animals and Birds Sacrifices Prohibition (Repeal) Ordinance, 2004 is hereby repealed.</p> <p>(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.</p> | <p>Repeal and saving.</p> |

(By order of the Governor)

L. JAYASANKARAN,
Secretary to Government-in-charge,
Law Department.

Tamil Nadu
Act XXXII of
1950.

Tamil Nadu
Ordinance
2 of 2004.