

Bill No. 124 of 2022

THE HINDU RELIGIOUS PLACES OF WORSHIP (PROHIBITION
OF MARKETING, SLAUGHTERING, TRADING, COOKING,
SERVING AND CONSUMPTION OF MEAT AND OTHER
NON-VEGETARIAN FOOD) BILL, 2022

By

SHRI C.P. JOSHI, M.P.

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BILL

*to prohibit marketing, slaughtering, trading, cooking, serving and
consumption of meat and other non-vegetarian food within
100 square meter area from the places of Hindu religious
worship and for matters connected therewith or
incidental thereto.*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

5 1. (1) This Act may be called the Hindu Religious Places of Worship (Prohibition of marketing, Slaughtering, Trading, Cooking, Serving and Consumption of Meat and other non-Vegetarian Food) Act, 2022.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

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

- (a) “animal market” means a market place or sale-yards or any other premises or place to which animals are brought from other places and offered or displayed for sale or auction and includes animal fairs and cattle pounds, duly licensed or recognized under any Act or any other law for the time being in force or any rules or regulations made thereunder; 5
- (b) “appropriate Government” means in the case of a State, the Government of that State and in all other cases, the Central Government;
- (c) “beef” means flesh of the cattle in any form whose slaughter is prohibited under any Union or State Act; 10
- (d) “consumer” means a person who purchase and receive food in order to meet his personal needs;
- (e) “consumption” means the act of consuming food in any form including solid, liquid and gaseous state;
- (f) “cooking” means the act of preparing something as food by the application of heat; 15
- (g) “*devalya*” 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 class of section thereof, as a place of public religious worship and also includes any cultural institution or *mathh* or *mandap* or library connected with such a place of public religious worship; 20
- (h) “ingredient” means any substance, including a food additive used in the manufacture or preparation of food and present in the final product, possibly in a modified form;
- (i) “local area” means any area, whether urban or rural, notified by the appropriate Government, to be a local area for the purposes of this Act; 25
- (j) “marketing” means any audio or visual publicity, representation or pronouncement made by means of any light, sound, smoke, gas, notice, circular, label, wrapper, invoice or other documents;
- (k) “meat” includes the flesh or other edible parts of animals (usually domesticated cattle, swine, fish, beef and sheep) used for food, including not only the muscles and fat but also the tendons and ligaments; 30
- (l) “place of worship” means a temple or *devalya* or any other place of Hindu religious worship of any denomination or any section thereof, by whatever name called; 35
- (m) “premise” includes any residential, religious and commercial place including house, shop, stall, hotel, restaurant, airline services and food canteens, place or vehicle or vessel where any article of food is sold or manufactured or stored for sale;
- (n) “prescribed” means prescribed by rules made under this Act; 40

(o) “religious officer” means the officer appointed under section 7;

(p) “sale” with its grammatical variations and cognate expressions, means the sale of any article of food, whether for cash or on credit or by way of exchange and whether by wholesale or retail, for human consumption or use, or for analysis, and includes an agreement for sale, an offer for sale, the exposing for sale or having in possession for sale of any such article, and includes also an attempt to sell any such article;

(q) “slaughter” means killing by any method whatsoever and includes maiming and inflicting of physical injury which in the ordinary course shall cause death;

(r) “trading” means any transfer of property in goods by one person to another, whether for cash or on credit, or by way of exchange, and whether wholesale or retail, and includes an agreement for sale, and offer for sale and exposure for sale; and

(s) “vegetarian” means a person who consumes fruits, vegetables, grains and nuts exclusively and not the meat, fish or any other products in which animal flesh is being used.

3. No person shall directly or indirectly market, slaughter, trade, buy, cook, serve and consume any meat and non-vegetarian products or beef products in premises in any form within 100 square meters of hindu religious place of worship.

Prohibition of marketing, slaughtering, trading, cooking, serving and consumption of meat and other non-vegetarian products.

4. (1) The appropriate Government may, by notification in the Official Gazette, appoint or declare any person as Religious Officer for carrying out the purposes of this Act for such local areas as may be specified in that notification.

Appointment of Religious Officer.

(2) The salary and allowances payable to and other terms and conditions of services of Religious Officer appointed or declared under sub-section (1) shall be such as may be prescribed.

5. No person shall be eligible for the appointment of Religious Officer under section 4 unless he—

Qualification for Religious Officer.

- (a) is Graduate in any stream of education;
- (b) has completed the age of twenty-five years;
- (c) possess good moral character;
- (d) is not involved or booked in any criminal activity;
- (e) worship, preaches, practices or follows hindu religion;
- (f) is a vegetarian and has declare his eating preferences on an affidavit by notification in the Official Gazette; and
- (g) is the resident of the local area.

6. (1) For the purpose of enforcing the provisions of this Act, a police officer not below the rank of Sub-Inspector or a Religious Officer or any person authorized in this behalf by the appropriate Government, shall have the power to enter and inspect

Power to enter, inspect, search, seizure and detain.

any premises within the local limits of jurisdiction of such persons where he has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises as specified under sub-section (1) shall allow the police officer not below the rank of Sub-inspector or religious officer or the person authorized in this behalf by the appropriate Government, as the case may be, such access to the premises as he may require for the aforesaid purpose and shall answer any question put to him by such police officer or religious officer or the person authorized in this behalf by the appropriate Government, as the case may be, to the best of his knowledge and belief. 5

(3) A police officer not below the rank of sub-inspector or religious officer, as the case may be, upon access to the premises under sub-section (2), seize any vehicle, conveyance and cattle, if he is of the opinion that such vehicle, conveyance or cattle are being used in contravention with the provisions of this Act. 10

(4) After the seizure of any vehicle, conveyance or cattle under sub-section (3), such police officer shall report such seizure without unreasonable delay before the Judicial Magistrate 1st Class: 15

Provided that the authority or officer, other than police officer, seizing such vehicles or conveyance or cattle, shall maintain the seized cattle and hand over any other material, vehicles or persons detained to the jurisdictional police station along-with complaint and such Officer-in-charge of Jurisdictional police officer shall report such seizure without unreasonable delay before the judicial magistrate 1st class. 20

(5) On receipt of the report under sub-section (3), the Judicial magistrate 1st class may, on being satisfied that there is enough material to presume that a *prima-facie* offence under this Act has been committed or intended to be committed, release the seized materials including vehicle or conveyance except, to the satisfaction of the Court, pending disposal of the criminal proceedings instituted in respect of the alleged offence. 25

(6) The expenditure incurred on the maintenance of the seized cattle shall be recovered from such persons as may be prescribed.

(7) The cattle seized under this section may be handed over to an institution established under section 9 of this Act or any existing *gaushala* or similar institution after value assessment by the Animal husbandry and Veterinary Department of the appropriate Government. 30

Restriction on bail.

7. Notwithstanding anything contained in this Act, no person accused of any offence punishable under this Act shall, if in custody, be released on bail or on his own bond unless the public prosecutor has been given an opportunity of being heard on the application for such release. 35

Forfeiture of vehicle, etc.

8. On conviction, the vehicle or any conveyances or bank guarantee so furnished and cattle so seized under this Act shall stand forfeited to the appropriate Government in such manner as may be prescribed. 40

Establishment of an institution including Gaushalas for taking care of cattle.

9. The appropriate Government may establish or direct any local authority or permit organisations registered under the Societies Registration Act, 1960 or Indian Trust Act 1882 or non profit company established under the provisions of section 8 of Indian Companies Act 1956 to establish an institution including *gaushalas* at such places as may be deemed necessary for taking care of the seized cattle and to be housed thereto in such manner as may be prescribed. 21 of 1860
2 of 1882
1 of 1956
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5	<p>10. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the police officer not below the rank of superintendent of police, if has reason to believe that any person who is accused of an offence under this act and against whom a warrant has been issued, has absconded or concealing himself so that such warrant cannot be executed, the names and the photograph of such person may be published at some prominent places in locality where the accused ordinarily resides or to a public places.</p>	Publication of photographs etc. of absconding offenders.
10	<p>11. (1) Whoever contravenes any of the provisions contained in this Act shall be guilty of an offence punishable with imprisonment for a term which shall not less than three years but which may extend upto eight years and with fine, which shall not be less than three lakh rupees but may extend upto five lakh rupees or with both:</p> <p>Provided that after considering facts and circumstances of a case and after hearing the Public Prosecutor on the question of sentence, the trial court may, for the reasons to be recorded in writing, impose lesser punishment than the minimum prescribed penalty under this section.</p>	Penalties.
	<p>(2) Whoever after conviction of an offence under this Act is again found to be guilty of an offence under this Act, shall be punished with double the punishment provided for the said offence for the second and subsequent conviction.</p>	
20	<p>12. Whoever abets any offence punishable under this act or attempts to commit any such offence shall be punishable with the punishment provided in this Act for such offences.</p>	Abetments and attempts.
25	<p>13. (1) Any person aggrieved by any order passed under section 11 and section 12 may, within thirty days from the date of receipt of such order appeal to the sessions judge having jurisdiction over the area in which the property, to which such order relates, has been seized.</p> <p>(2) The sessions Judge may, after giving the persons affected a reasonable opportunity of being heard, pass such order as it deems fit.</p>	Appeals.
30	<p>14. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this act shall be cognizable and non-bailable.</p>	Offences to be cognizable.
	<p>15. Subject to such conditions as may be prescribed, this Act shall not apply to the places where a No Objection Certificate has been obtained from the place of worship.</p>	Exemptions.
35	<p>16. The Central Government shall render religious, scientific and technical advice and assistance to respective State Governments and Union territory administrations if so required to achieve the purposes of this Act.</p>	Central Government to render religious, scientific and technical advice.
40	<p>17. (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide financial assistance to the States and Union territories to meet the expenses for creating infrastructure to prohibit slaughtering, trading, cooking and consumption of meat with in 100 square meter area from the hindu religious places of worship.</p> <p>(2) The Central Government before releasing the money under sub-section (1) shall ensure that State Governments and Union territory administrations have complied with the provisions of this Act.</p>	Central Government to provide financial assistance to States and UTs.

Protection of
persons acting
in good faith.

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20. The appropriate Government may, by notification in the Official gazette, delegate to any officer of the appropriate Government all or any of its powers or functions under this Act.

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22. (1) The appropriate Government may, by notification in the Official gazette, make rules to carry out the purposes of this Act.

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(ii) rules for proper management and conditions and fees for registration of institution established under section 9;

(iii) the manner of forfeiture of the vehicle or any conveyance or animal to appropriate Government under section 8: 20

(iv) competent authority and its power and function; and

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

(3) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

Ahinsa, the law of non-injury, is the Sanatan Dharma's (Hinduism) first duty in fulfilling religious obligations to God and God's creation as defined by Vedic scripture. All of our actions, including our choice of food, have Karmic consequences. According to ancient Hindu scriptures, non-violence is the most important virtue. For this reason, millions of Hindus are lacto-vegetarians, as it is a diet that lessens harm to animals. It lies at the top of the hierarchy of Hindu dietary practices and is rooted in Indian customs. By involving oneself in the cycle of inflicting injury, pain and death, even indirectly by eating other creatures, one must in the future experience in equal measure the suffering caused.

Food is the source of the body's chemistry, and what we ingest affects our consciousness, emotions and experiential patterns. If one wants to live in higher consciousness, in peace and happiness and love for all creatures, then he cannot eat meat, fish, shellfish, fowl or eggs. By ingesting the grosser chemistries of animal foods, one introduces into the body and mind anger, jealousy, anxiety, suspicion and a terrible fear of death, all of which are locked into the flesh of the butchered creatures. For these reasons, vegetarians live in higher consciousness and meat-eaters abide in lower consciousness.

In Sanatan Dharma, the importance of purity and satvikta is considered to be special in worship. In such a situation, cutting of animals near a temple, hanging them in the open for publicity, buying, selling, making and eating meat destroys, purity and satvikta in worship. The worship of people who believe in Sanatan Dharma is destroyed due to coming in contact through seeing, smelling, hearing all the above mentioned acts.

Therefore, it is very important to ban 100 square meters area of Devalya or hindu religious places of worship and religious institutions for marketing, slaughtering, trading, cooking, serving and consumption of meat and other non-vegetarian items.

Hence this Bill.

NEW DELHI;
23 March, 2022

C.P. JOSHI

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for appointment of a Religious Officer for carrying out the provision of this Act. Clause 16 provides for rendering of religious, scientific and technical advice and assistance to the State Governments and Union territory Administrations. Clause 17 provides that there shall be paid such sums of money out of the Consolidated Fund of India, every year, as Parliament may be due appropriation provide, as special financial assistance to the States and Union territories of India to meet the costs of implementing of law, as may be undertaken by the States and Union territories with the approval of the Union Government. The Bill, therefore, on enactment, will involve expenditure out of the Consolidated Fund of India. As the sums of moneys which will be given to the States and Union territories as special financial assistance by appropriation by law made by Parliament will be known only after the plans to be implemented by the State Government and Union territories Administrations with the approval of Government of India are identified, it is not possible at present to give the estimates of recurring expenditure, which would be involved out of the Consolidated Fund of India at this stage.

No non-recurring expenditure is likely to be incurred from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 22 of this Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is, therefore, of a normal character.

LOK SABHA

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(Shri C.P. Joshi, M.P.)