

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 5169 of 2023

Shyamanand Pandey

..... Petitioner

Versus

The State of Jharkhand & Others

..... Respondents

CORAM

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:

Mr. Shubham Kataruka, Advocate

For the State:

Mr. Rajiv Ranjan, A.G.

Mr. Yogesh Modi, A.C. to A.A.G.-IA

For the R.M.C.:

Mr. L.C.N. Shahdeo, Advocate

Mr. Yash Raj Gupta, Advocate

For the Intervenors:

Mr. Praveen Chandra, Advocate

Mr. Atul Rai, Advocate

18/19.12.2025

1. At the oral request of learned counsel for the petitioner, we deem it appropriate to implead the Urban Development and Housing Department, Government of Jharkhand as a party respondent in this case, which shall now be figured as the respondent no. 5.
2. Impleaded as such.
3. On 28.11.2025, this Court had passed the following order:

"It appears that the respondents are simply dilly-dallying the implementation of the orders passed by this Court from time to time more particularly, the order dated 19.07.2023 passed by one of us (Sri Rajesh Shankar, Judge) in W.P.(C) No. 5175 of 2018 [Jharkhand Quraish Panchayat and Shopkeeper Welfare Society, Ranchi & Anr. Vs. The State of Jharkhand & Ors.], wherein the following directions were passed:

"64. In view of the aforesaid discussions, the present writ petition is disposed of in following manners:

- (i) The impugned public notice as contained in Letter No. 638/Swa. dated

01.10.2018 issued under the signature of the Municipal Commissioner, Ranchi Municipal Corporation, Ranchi is hereby quashed.

(ii) The RMC is directed to frame a regulation covering the subjects as mentioned in Sections 315 & 327 of the Act, 2011 including making provision to grant licence to private slaughter houses and to get approval on the same by the State Government as mandated under Section 594 of the Act, 2011.

(iii) The RMC while framing the Regulation shall consider the provisions of the Act, 2006 and the Regulations, 2011.

(iv) Till the Regulation is finally notified, the members of the petitioner No.1 as well as the other mutton sellers carrying on their business after obtaining licence/registration, as the case may be, under the Act, 2006 and the Regulations, 2011, shall not be compelled to get the animals slaughtered at the Municipal Slaughter House situated at Kanke, Ranchi.”

2. As already observed, no effective steps are being taken by the respondents to curb the menace of illegal slaughter houses/operators operating within the State of Jharkhand. Even the latest supplementary counter affidavit filed on behalf of the respondent – Ranchi Municipal Corporation dated 10.10.2025 does not at all touch upon any of the events which may have taken place after the year 2023 i.e., after passing of the judgment as referred to above.

3. Likewise, even the supplementary counter affidavit dated 16.10.2025 filed on behalf of the Under Secretary,

Department of Health, Medical Education & Family Welfare, Government of Jharkhand also does not delve into any of the developments that may have taken place after the year 2023, save and except referring to a letter dated 13.10.2025, which is nothing but a reiteration of the directions passed in W.P.(C) No. 5175 of 2018.

4. In the given facts and circumstances, we deem it appropriate to grant a week's time to the respondents to put their house in order and file a comprehensive affidavit with regard to the implementation of not only the said judgment passed by this Court, but also with regard to the implementation of the provisions of the municipal laws as well as the Food Safety and Standards Act, 2006 and the regulations framed thereunder, failing which the erring respondent(s) shall not only appear before this Court, but this Court may also be constrained to make adverse comment upon working of the respondents who, as observed above, have been simply dilly-dallying and shirking away from the duties and responsibilities.

5. List this case on 12.12.2025."

4. However, the said order has not been complied with constraining this Court to pass an order on 12.12.2025 calling upon presence of the Secretary, Health, Medical Education & Family Welfare and the Secretary, Urban Development and Housing Department, Government of Jharkhand, Ranchi as well as the Administrator, Ranchi Municipal Corporation, Ranchi.

5. In compliance of the above direction, all the aforesaid officers are physically present before this Court.

6. This Court has interacted with them for a sufficient long time and apprised them about the provisions of the Food Safety and Standards (Licencing and Registration of Food Businesses), Regulations, 2011 [hereinafter referred to as 'the Regulations, 2011'], the Judgement passed by the Hon'ble Supreme Court in the case of ***Laxmi Narain Modi Vs. Union of***

India & Ors., the judgement passed by the Uttarakhand High Court in **Writ Petition (PIL) No. 152 of 2018 [Parvez Alam Vs. State of Uttarakhand and Others]** decided on 20.09.2018 and above all, the judgment rendered by this Court by one of us (Hon'ble Mr. Justice Rajesh Shankar) in the case of **Jharkhand Quraish Panchayat and Shopkeeper Welfare Society, Ranchi and Another Vs. the State of Jharkhand & Others** in **W.P. (C) No. 5175 of 2018** decided on 19.07.2023 wherein the judgment passed by the Hon'ble Supreme Court along with the rules formulated in **Laxmi Narain Modi** case (supra) and the rules of other cases have been considered and thereafter the following directions have been issued:

"64. In view of the aforesaid discussions, the present writ petition is disposed of in following manners:

- (i) The impugned public notice as contained in Letter No. 638/Swa. dated 01.10.2018 issued under the signature of the Municipal Neutral Citation 2023:JHHC:24929 31 Commissioner, Ranchi Municipal Corporation, Ranchi is hereby quashed.
- (ii) The RMC is directed to frame a regulation covering the subjects as mentioned in Sections 315 & 327 of the Act, 2011 including making provision to grant licence to private slaughter houses and to get approval on the same by the State Government as mandated under Section 594 of the Act, 2011.
- (iii) The RMC while framing the Regulation shall consider the provisions of the Act, 2006 and the Regulations, 2011.
- (iv) Till the Regulation is finally notified, the members of the petitioner No.1 as well as the other mutton sellers carrying on their business after obtaining licence/registration, as the case

may be, under the Act, 2006 and the Regulations, 2011, shall not be compelled to get the animals slaughtered at the Municipal Slaughter House situated at Kanke, Ranchi.”

7. All the aforesaid three officers have assured this Court that the regulations as well as the directions passed by this Court along with the provisions made in various statutes would be implemented in its letters and spirit and the regulations as directed by this Court would be formulated within a period of two months from today.
8. The said statements are taken on record.
9. However, we are of the considered view that the regulations cannot be framed for only one local body and therefore model regulations need to be framed governing all urban local bodies including the Ranchi Municipal Corporation.
10. List this case on 27.02.2026.
11. In the meantime, the respondents are directed to ensure that the provisions of the regulations as well as the directions as issued by this Court more particularly as contained in paragraph no. 63 wherein the mutton sellers have been permitted to carry out their businesses only in terms of the registration provided under the Food Safety and Standards Act, 2006 read with the Regulations, 2011, are complied with. It shall further be ensured that no unauthorized person is permitted to sell mutton. It shall also be ensured that even the mutton that is sold, shall be permitted to be sold only after it complies with the provisions of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, the Regulations, 2011 more particularly Schedule-4 of Part IV, are complied with in its letters and spirit. Any violation of these instructions may entail serious consequences by this Court.

12. In the meantime, the respondents are directed to file an affidavit in compliance of today's order as well as the order dated 28.11.2025.

I.A. No. 4006 of 2024:

13. Since the applicants are necessary parties in this case, the present application seeking their impleadment is allowed.

14. The applicants shall now be figured as the respondent nos. 6 & 7.

(TARLOK SINGH CHAUHAN, C.J.)

(RAJESH SHANKAR, J.)

19.12.2025
Satish/Vikas/