

CHAPTER XIX MARKETS AND SLAUGHTER HOUSES

What to be deemed municipal markets and slaughter-houses

Maintenance and Regulation of Markets and Slaughter-houses.
327. What to be deemed municipal markets and slaughter-houses.
All markets and slaughter-houses which belong to or are maintained by the Corporation shall be called "municipal markets" or "municipal slaughter-houses". All other markets and slaughter-houses shall be deemed to be private.

Provision of new municipal markets and slaughter-houses

328. Provision of new municipal markets and slaughter-houses.
(1) The Commissioner, when authorised by the Corporation in this behalf, may construct, purchase, take on lease or otherwise acquire any building or land for the purpose of establishing a municipal market or a municipal slaughter-house or stock- yard or of extending or improving any existing municipal market or slaughter- house, and may from time to time build and maintain such municipal markets, slaughter-houses and stock- yards and such stalls, shops, sheds, pens and other buildings or conveniences for the use of the persons carrying on trade or business in, or frequenting, such municipal markets, slaughter- houses or stock- yards, and provide and maintain in such municipal markets such buildings, places, machines, weights, scales and measures for weighing and measuring good sold therein as he shall think fit.

(2) Municipal slaughter-houses & stock- yards may be situated within or, with the sanction of the 1 [State] Government, without the City.

Municipal markets, slaughter-houses and stock-yards may be closed

329. Municipal markets, slaughter-houses and stock-yards may be closed.
The Commissioner may, with sanction of the Corporation, at any time, close any municipal market or slaughter- house or stock- yard or any portion thereof, and the premises occupied for any market or slaughter-house or stock- yard or any portion thereof so closed may be disposed of as the property of the Corporation.

Prohibition of sale of commodities sold in municipal markets

330. Prohibition of sale of commodities sold in municipal markets.
(1) It shall be lawful for the Commissioner, with the previous sanction of the Corporation, by public notice from time to time to prohibit within a distance of fifty yards of any municipal market the sale or exposure for sale of the commodities or of any of the commodities specified in the notice ordinarily sold in the said municipal market.
(2) Any notice issued under sub-section (1) may with like sanction at any time be cancelled or modified by the Commissioner.

Opening of private markets and of private slaughter-houses

331. Opening of private markets and of private slaughter-houses.
(1) The Corporation shall from time to time determine whether the establishment of new private markets or the establishment or maintenance of private slaughter- houses shall be permitted in the City or in any specified portion of the City.
(2) No person shall establish a private market for the sale of, or for the purpose of exposing for sale, animals intended for human food, or any

¹ This word was substituted for the word "Provincial" by the Adaptation of Laws order, 1950.

article of human food or live-stock or articles of food for live-stock or shall establish or maintain a private slaughter-house except with the sanction of the Commissioner who shall be guided in giving such sanction by the decisions of the Corporation at the time in force under sub-section (1).

(3) When the establishment of a private market or a slaughter-house has been so sanctioned, the Commissioner shall cause a notice of such sanction to be affixed in such language or languages as the Corporation may from time to time specify on some conspicuous spot on or near the building or place where such market is to be held.

Explanation.-For the purpose of sub-section (2) the owner or occupier of a place in which a private market or slaughter-house is established shall be deemed to have established such market.

332. Levy of stallages, rents and fees in municipal markets, slaughter-houses and stock-yards.

The Commissioner may-

(a) charge for the occupation or use of any stall, shop, standing, shed or pen or other building in a municipal market, slaughter-house or stock-yard and for the right to expose goods for sale in a municipal market, and for weighting and measuring goods sold in any such market and for the right to slaughter animals in any municipal slaughter-house, such stallages, rents and fees as shall from time to time be fixed by him, with the approval of the Standing Committee, in this behalf ;

(b) with the approval of the Standing Committee, farm the stallages, rents and fees leviable as aforesaid or any portion thereof, for any period not exceeding one year at a time; or

(c) put up to public auction, or, with the approval of the Standing Committee, dispose of, by private sale, the privilege of occupying or using any stall, shop, standing, shed or pen or other building in a municipal market, slaughter-house or stock-yard for such term and on such conditions as he shall think fit.

333. Removal of live cattle, sheep, goats or swine from any municipal slaughter-house, stock-yard, market or premises.

(1) No person shall, without the written permission of the Commissioner and without the payment of such fees as may be prescribed by him, remove any live cattle, sheep, goats or swine from any municipal slaughter-house or stock-yard or from any municipal market or premises use or intended to be used for or in connection with such slaughter- house or stock- yard :

Provided that such permission shall not be required for the removal of any animal which has not been sold within such slaughter- house, stock-yard, market or premises and which has not been within such slaughter-house, stock-yard, market or premises for a period longer than that prescribed under orders made by the Commissioner in this behalf, or which has in accordance with any by- law, been rejected as unfit for slaughter at such slaughter-house, market or premises.

(2) Any fee paid for permission under sub-section (1) in respect of any animal removed to a Panjrapole shall, subject to the orders made by the Commissioner in this behalf, be refunded on the production of a

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Power to expel persons contravening rules, by-laws or standing orders

certificate from the Panjrapole authorities that such animal has been received in their charge.

334. Power to expel persons contravening rules, by-laws or standing orders.

- (1) The Commissioner may expel from any municipal market, slaughter-house or stock- yard any person, who or whose servant has been convicted of contravening any rule, by- law or standing order in force in such market, slaughter-house or stock-yard and may prevent such person, by himself or his servants, from further carrying on any trade or business in such market, slaughter-house or stock- yard or occupying any stall, shop, standing, shed, pen or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop, standing, shed, pen or place.
- (2) If the owner of any private market or slaughter-house licensed under this Act or the lessee of such market or slaughter-house or any stall therein or any agent or servant of such owner or lessee has been convicted for contravention of any rule , by-law or landing order, the Commissioner may require such owner, lessee, agent or servant to remove himself from any such market or slaughter-house within such time as may be mentioned in the requisition and if he fails to comply with such requisition, he may in addition to any penalty which may be imposed on him under this Act. be summarily removed from such premises.
- (3) If it appears to the Commissioner that in any such case the owner or lessee is acting in collusion with a servant or agent convicted as aforesaid who fails to comply with a requisition under sub-section (2) the Commissioner may, if he thinks fit. cancel the licence of such owner or lessees in respect of such premises.

335. Prohibition of import of cattle, etc, into City without permission.

Prohibition of import of cattle, etc, into City without permission

- (1) No person shall without the written permission of the Commissioner bring into the City any cattle, sheep, goats or swine intended for human consumption, or the flesh of any such animal which has been slaughtered at any slaughter-house or place not maintained or licensed under this Act.
- (2) Any police officer may arrest without warrant any person bringing into the City any animal or flesh in contravention of sub-section (1).
- (3) Any animal brought into the City in contravention of this section may be seized by the Commissioner or by any municipal officer or servant or by any police officer or in or upon railway premises by any railway servant and any animal or flesh so seized may be sold or otherwise disposed of as the Commissioner shall direct and the proceeds, if any, shall belong to the Corporation.
- (4) Nothing in this section shall be deemed to apply to cured or preserved meat.

Inspection of places of Sales, etc.

336. Commissioner may enter any place where slaughter of animals or

Commissioner may enter any place where slaughter of animals or sale of flesh contrary to the provisions of this Act is unsuspected.

sale of flesh contrary to the provisions of this Act is unsuspected.

- (1) If the Commissioner shall have reason to believe that any animal intended for human consumption has been or is being or is likely to be slaughtered, or that the flesh of any such animal is being sold or

exposed for sale, in any place or manner not duly authorised under the provisions of this Act, the Commissioner may at any time, by day or by night, without notice, enter such place for the purpose of satisfying himself as to whether any provision of this Act or of any by-law is being contravened thereat and may seize any such animal or the carcass of such animal or such flesh found therein.

(2) The Commissioner may remove and sell by auction or otherwise dispose of any animal or the carcass of any animal or any flesh seized under sub-section (1).

(3) If within one month of such seizure the owner of the animal, carcass of flesh fails to appear and prove his claim to the satisfaction of the Commissioner or if such owner is convicted of an offence under this Act in respect of such animal or carcass or flesh the proceeds of any sale under sub-section (1) shall vest in the Corporation.

(4) No claim shall lie against any person for compensation for any damage necessarily caused by any entry made under sub-section (1) or by the use of any force necessary for effecting such entry.

337. Commissioner to provide for inspection of articles exposed

to for sale for human food.
provide for

It shall be the duty of the Commissioner to make provision for the **inspection of articles**

constant and vigilant inspection of animals, carcasses, meat, poultry, **exposed for sale for**

game, flesh, fish, fruit, vegetables, corn, bread, flour, dairy produce **human food** and any other article exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale or of preparation for sale and intended for human food or for medicine, the proof that the same was not exposed or hawked about or deposited or brought for any such purpose or was not intended for human food or for medicine resting with the party charged.

338. Unwholesome articles, etc. to be seized.

Unwholesome

articles, etc. to be (1) The Commissioner may at all reasonable times inspect and

examine any such animal or article as aforesaid and any utensil or **seized** vessel used for preparing manufacturing or containing the same.

(2) If any such animal or article appears to the Commissioner to be diseased or unsound or unwholesome or unfit for human consumption, as the case may be, or is not what it is represented to be, or if any such utensil or vessel is of such kind or in such state as to render any article prepared, manufactured or contained therein unwholesome or unfit for human consumption, he may seize and carry away such animal, article, utensil or vessel, in order that the same may be dealt with as herein after provided and he may arrest and take to the nearest police station any person in charge of any such animal or article.

339. Disposal of perishable articles seized under section 328.

Disposal of If any meat, fish, vegetable or other article of a perishable nature be **perishable articles** seized under section 338 and the same, is, in the opinion of the **seized under section** Commissioner, diseased, unsound, unwholesome or unfit for human **328**

consumption, as the case may be, the Commissioner shall cause the same to be forthwith destroyed in such manner as to prevent its being again exposed for sale or used for human consumption and the expenses thereof shall be paid by the person in whose possession such article was at the time of its seizure.

**Saving of Bombay
Animal
Preservation Act,
1948**

340. Saving of Bombay Animal Preservation Act, 1948.

Nothing in this Chapter shall be deemed to affect in any manner the operation of the provisions of the Bombay Animal Preservation Act, 1948. [Bom. LXX-XI of 1948.]