IN THE HIGH COURT OF JHARKHAND AT RANCHI

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

Shyamanand Pandey, aged about 30 years, s/o Uday Nath Pandey, r/o village- Rakshi, PO & P.S- Ramkanda, District- Garhwa- 822114 (Jharkhand), Aadhar No: 7851 4592 1377, Mobile No. +91 8051032919, currently residing at Shri Sankat Mochan Hanuman Mandir, Main Road, P.O- G.P.O and P.S- Daily Market, District - Ranchi-834001 (Jharkhand) … … … Petitioner

Versus

1. The State of Jharkhand
2. The Secretary-cum-Food Safety Commissioner, Department of Health & Family Welfare, Government of Jharkhand, Nepal House, P.O & PS Doranda, District- Ranchi-83-4002 (Jharkhand)
3. The Deputy Commissioner, Ranchi having his office at the Collectorate Building. Kutchery Road, PO- GPO, PS- Kotwali, District- Ranchi-834001 (Jharkhand)
4. The Administrator, Ranchi Municipal Corporation, Kutchery Road, PO-GPO & PS- Kotwali, District- Ranchi-834001 (Jharkhand).
5. The Secretary, Urban Development & Housing Department, Government of Jharkhand, Project Building, Dhurwa, Ranchi.
6. M/s Arsh & Elham Livestock Exporters (AELE), through Partner/Director Shri Shahbaz Ahamed, S/O Shakeel Ahmed, R/o. Madhumati Apartment, Joda Talab Road, P.O & P.S- Bariatu, Ranchi, Current Office- Argora, Housing Complex, Room No. F-10, Argora Chowk, Ranchi, Permanent Office- Madhumati Apartment, Joda Talab Road, Bariatu Basti, Ranchi, Jharkhand.
7. M/s Micro Transmission System (M.T.S.), through Authorised Representative Shri Shahbaz Ahmad, S/o. Shakeel Ahmed, R/o. Inside Madhumati Apartment, Joda Talab Road, P.O & P.S- Bariatu, Ranchi, Jharkhand, Regd. Office- D-29, Site B, UBSIDC, Surajpur Industrial Area, Surajpur, Greater Noida, Uttar Pradesh- 201210.

... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Petitioner: Mr Shubham Kataruka, Advocate
For the State: Mr Yogesh Modi, A.C. to A.A.G.-IA
For the RMC: Dr (Mrs) Vandana Singh, Advocate
For the Intervener: Mr Bharti V. Kaushal, Advocate

Mr Pragati Prasad, Advocate
Mr Prabhakaran Munda, Advocate
For Resp. Nos.6&7: None

21/Dated: 01.10.2026

***Per* M. S. Sonak, C.J.**

1. Heard Mr Shubham Kataruka, learned counsel for the petitioner; Mr Yogesh Modi, learned A.C. to A.A.G.-1A for respondent nos. 1, 2, 3 and 5; Dr. Vandana Singh, learned counsel for the 4th respondent and Ms Bharti V. Kaushal for the applicant of I.A. No. 13925 of 2026.

2. Learned counsel for the petitioner states that the 6th and 7th respondents have been duly served; however, no one appears on their behalf today.

3. This petitioner, by way of purported public interest, seeks the following reliefs: -

(a) For directing the Respondents to prohibit the illegal culling of animals (including poultry birds) and displaying of carcasses to the general public on the roads of Ranchi.

(b) For directing the Respondent to implement the provisions of Food Safety and Standards (Licensing and Registration of Food Businesses), Regulations 2011, particularly Regulation 2.1.2 (5) read with Part IV whereby and whereunder slaughtering of animal / birds inside the shop premises is strictly prohibited and specific sanitary & hygienic requirements for the retail

meat shops including provision for location of the meat shops have been stipulated.

(c) For directing the Respondent to implement the provisions of Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, particularly Rule 6 whereby and whereunder slaughter of animals in the sight of other animals has been prohibited.

4. This Court has, from time to time, passed several orders in this petition regarding action taken, if any, against the operation of illegal slaughterhouses and meat shops within the municipal limits of the Ranchi Municipal Corporation.

5. Finally, it was noticed that the State did not have the requisite statutory structure to regulate the activity of those engaged in the manufacture, processing, storing, and selling of meat and meat products. Though powers were vested in the State authorities under the provisions of Food Safety Legislation and the Jharkhand Municipal Act, 2011, it was felt that some statutory framework dealing with this particular issue was wanting.

6. Accordingly, the State assured that it would frame regulations to address this issue of Food Business Operators engaged in the manufacture, processing, storing, and selling of meat and meat products. No specific timelines were indicated, and therefore, this Court was constrained to make orders from time to time.

7. One such order was made on 28.11.2025 by the Coordinate Bench and the same is transcribed below for the convenience of reference: -

> *"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."*

8. Further, since the Coordinate Bench was not satisfied with the status of compliance, the Urban Development and Housing Department, Government of Jharkhand was impleaded as the 5th respondent in these proceedings. A further order was made on 19.12.2025, which is also transcribed below for the convenience of reference:-

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:*
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> *(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.*
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> *(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."*

9. On 29.04.2026, this Court made a further order in this matter which is again transcribed below for the convenience of reference:-

"1. In paragraph 9 of our order dated 19.12.2025, we had observed the following: -

> *"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."*

2. After that, this Court was informed that State-wide Model Regulations are being framed and the same would be submitted before this Court.

3. Now, in the supplementary counter affidavit filed on behalf of the 2nd respondent, this is what is stated in paragraph No. 7, which reads as follows: -

> *"7. That it is humbly stated and submitted that in accordance with the directions of this Hon'ble Court, the respondent no.2, the Department of Health, Medical Education and Family Welfare, Government of Jharkhand, has officially communicated the directives to the Urban Development and Housing Department, Ranchi Municipal Corporation and enforcement officials (Food Safety Officers) vide Ref. No.189 (16) dated 24.12.2025 and Ref. No.194 (16) dated 29.12.2025. These letters were issued to ensure that the mandates of the order dated 19.12.2025 specifically regarding the strict enforcement of Schedule 4 of Part IV of the FSS Regulations, 2011 and the time bound formulation of State-wide Model Regulations."*

4. From the above statements, it appears that the State is not quite serious in formulating the State-wide Model Regulations. The departments referred to paragraph 7 above are the departments of the State Government itself. Therefore, it is a little unfortunate that the Under Secretary, Health Department, Government of Jharkhand, blames other departments, such as the Department of Health, the Urban Development Department, and the Ranchi Municipal Corporation, for not cooperating or even responding to the letter. This cannot be an excuse for not formulating the State-wide Model Regulations within a reasonable period.

5. The Model Regulations have to be formulated by the State Government, based upon which, the local bodies and Municipal Corporations/Councils will have to frame their regulations. The

learned counsel for the State is unclear as to which department will formulate these Model Regulations. This is again quite unfortunate.

6. Therefore, we direct the Secretary, Urban Development Department and the Secretary, Health Department, to formulate the Model Regulations within two months from today. The Secretary is requested to convene a meeting of all the concerned departments and the Municipal Commissioners so that these regulations can be formulated at the earliest. Such a meeting is necessary because the affidavit filed by the Under Secretary simply refers to reminders sent by him to various departments and reports that such departments, despite reminders, are offering no response.

7. Insofar as the issue of food safety is concerned, we refer to paragraphs 8 and 9 of the Under Secretary's affidavit dated 26.02.2026, which reads as follows:-

> *"8. That it is humbly stated and submitted that subsequent to the primary communication of the directions of this Hon'ble Court, the Deponent's Department (Health, Medical Education and Family Welfare) has issued periodic reminders vide Ref. No.03 (16) dated 07.01.2026, Ref. No.10 (16) dated 05.02.2026, Ref. No.12 (16) dated 09.02.2026, Ref. No.19(16) dated 19.02.2026 and Ref. No. 30(16) dated 24.02.2026 to the Urban Development and Housing Department, the Ranchi Municipal Corporation, and all concerned Food Safety Officers. The focus of these reminders is the immediate implementation of hygiene standards and the time bound framing of State-wide Model Regulations.*
>
> *9. That it is humbly stated and submitted that acting upon the aforementioned communications and reminders issued by the Deponent's Department, the concerned departments and authorities have initiated and undertaken requisite actions in compliance with the directions of this Hon'ble Court. The details and status of such actions have been summarizzed into a chart prepared by the Deponent's Department, which is based on the action - taken reports and feedback received from the respective departments/authorities.*

8. In paragraph 9 of the affidavit, there is a reference to a summarized chart. However, we agree with the learned counsel for the petitioner that there is no chart as such annexed to the affidavit. If indeed any steps have been taken or any action has been taken as

stated in the affidavit, the details of such action should be placed on record in the form of a chart or otherwise.

9. The Secretary, Urban Development Department and the Secretary, Health Department must file affidavits in this matter by 15th July, 2026. We clarify that this direction is to the Secretaries and therefore, the requirement of filing such an affidavit should not be delegated to the Under Secretaries.

10. List this matter on 22nd July, 2026."

10. Finally, on 22.07.2026, after hearing the learned counsel for the parties and perusing the supplementary counter affidavit dated 14.07.2026 filed by the Principal Secretary, Urban Development and Housing Department, Government of Jharkhand, we made the following order: -

"1. We have perused the averments in the supplementary counter affidavit sworn on 14.07.2026 by the Principal Secretary, Urban Development and Housing Department, Government of Jharkhand though, some steps seem to have been taken, the affidavit is mostly non-commital. In paragraph 11 it is stated that the necessary file for framing Jharkhand Municipal Regulations for issuance of N.O.C. for food business operators engaged in manufacture, processing, storing and selling of meat and meat products, 2026 shall be put up before the Cabinet for its approval. This paragraph also states that this will be done on obtaining the approval/consent from the Finance Department. Today, the learned counsel for the State is unable to say whether any consent from the Finance Department is obtained and whether the Rules are placed before the Cabinet. Though, this affidavit was sworn on 14.07.2026.

2. After that, in paragraph 12, there is a statement that the answering department is taking every steps diligently for final notification of the regulations and that the answering respondent needs eight weeks' more time to fully comply with the Court's order.

3. Given the above vague and non-commital statements, we post this matter on 20th August, 2026 under the same caption.

4. The Principal Secretary must, on or before the said date, file a further affidavit indicating the progress if any in the matter.

> *5. It is this time, we do not expect the usual excuses of bureaucratic delays and again, the Principal Secretary must himself file the affidavit without delegating the same to any other officer."*

11. Now, a supplementary counter affidavit has been filed by the Principal Secretary, Urban Development and Housing Department, Government of Jharkhand, with which he has enclosed the **"Jharkhand Municipal Regulations for issue of No Objection Certificate for Food Business Operators engaged in manufacture, processing, storing and selling of Meat and Meat Products, 2026"** (2026 Regulations). This notification has been issued under Sections 310, 315, 327 and 594 of the Jharkhand Municipal Act, 2011.

12. The 2026 Regulations, *inter alia,* specify that the provisions of Part-IV of the Food Safety and Standards (Licensing and Registration of Food Businesses), 2011, and Rules 5 and 6 of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, shall apply in their true letter and spirit. Further, the prohibitions on slaughter of bovine animals contained in the Jharkhand Bovine Animal Prohibition of Slaughter Act, 2005 and regulations/circulars issued by the Department of Agriculture, Animal Husbandry and Co-operative, Government of Jharkhand, will also apply. The 2026 Regulations also refer to fixing places for slaughter of animals for sale and the need to obtain a No Objection Certificate, followed by the procedure therefor. The 2026 Regulations specify that should there be any conflict between the provisions of these Regulations and the Food Safety and

Standards (Licensing and Registration of Food Businesses) Regulations, 2011, the latter Regulations of 2011 shall have an overriding effect.

13. Mr Yogesh Modi, learned A.C. to A.A.G.-IA, submitted that, since the statutory framework is in place, it will be complied with when dealing with the issue of Food Business Operators engaged in the manufacture, processing, storing, and selling of meat and meat products. In other words, the 2026 Regulations, along with other regulations and statutory provisions referred to therein, will apply and will be adhered to.

14. With the issue of 2026 Regulations and the assurance about compliance, the reliefs sought in this petition stand suitably addressed. In a petition of this nature, it is not possible to address individual violations. This is more so because the alleged violators have not been impleaded as parties in this matter.

15. Similarly, the grievance raised by the Intervener by filing I.A. No. 13925 of 2026 also cannot be addressed in this petition, especially since the alleged violators have not been impleaded. In any event, it is open to the petitioner as well as the proposed intervener to file complaints before the appropriate authorities in case of non-compliance with the statutory provisions, and if such complaints are filed, the concerned authorities are expected to address such complaints in accordance with law and after giving a reasonable opportunity to the alleged violators.

16. This petition has achieved its purpose now that a statutory framework is in place, with the assurance that it will be adhered to in both letter and spirit. Accordingly, we see no necessity to keep this petition pending any further.

17. By accepting the statement made on behalf of the State Government, we dispose of this petition without any order for costs.

18. The pending IAs are also disposed of.

(M. S. Sonak, C.J.)

(Manoj Prasad, J.)

October 01, 2026

N.A.F.R.

M.Kr./Sharda/Cp.2

Uploaded on 06.10.2026