



## Assam Cattle Preservation (Amendment) Act, 2021

**For Prelims:** Directive Principles of State Policy (Article 48)

**For Mains:** Cow protection law, Assam Cattle Preservation (Amendment) Act, 2021

### Why in News?

Recently, a **cow protection law (Assam Cattle Preservation (Amendment) Act, 2021)** that Assam enforced less than a year ago has led to an **acute beef crisis in Meghalaya**.

- It is important to note that [north-eastern states](#) such as **Arunachal Pradesh, Meghalaya, Mizoram and Nagaland** do not have any **such law regulating cattle slaughter**.

# North-Eastern India



## What are Key Features and Issues Associated with the Act?

key Features	key Issues
<ul style="list-style-type: none"> <li>▪ The Act prohibits the <b>slaughter of cows</b>.</li> <li>▪ It permits the slaughter of other cattle (bulls, bullocks and buffaloes) if the cattle is over <b>14 years of age or has become permanently</b> incapacitated due to injury or deformity.</li> <li>▪ It also restricts <b>intra-state and inter-state transport of cattle</b>, and sale of beef except at permitted locations.</li> <li>▪ The relevant authority may <b>inspect and seize cattle and vehicles</b> used for offences under the Act</li> <li>▪ Upon conviction, the <b>seized cattle and vehicles will be forfeited</b> to the state government.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Act unduly limit the <b>transport of cattle in the north-eastern region</b> of India due to restrictions on transport through Assam.</li> <li>▪ The Act restricts <b>cattle transport from Assam to states where slaughter is not regulated</b>.</li> <li>▪ Requirement for the accused to pay <b>maintenance costs of seized cattle during trial may be onerous</b>.</li> <li>▪ Restriction on places <b>where beef can be sold may be too broad</b> and may, in effect, amount to prohibition on sale of beef in the entire state.</li> </ul>

## Why is Cow Slaughter Banned?

- The [Directive Principles of State Policy \(Article 48\)](#) under the Constitution provides that the **state shall endeavor to organize agriculture and animal husbandry on modern and scientific lines**, take steps to improve breeds and prohibit the slaughter of **cows, calves, and other milch and draught cattle**.
- In pursuance of this, more than **20 states have passed laws restricting the slaughter of cattle (cows, bulls, and bullocks)** and buffaloes to various degrees.

## What the Judiciary's take on this?

- Over time, the extent of the prohibition under these state laws has been guided by [Supreme Court judgments](#).
  - Earlier state laws such as those in **Madhya Pradesh (1949), Bihar (1955), and Uttar Pradesh (1955)** completely prohibited the slaughter of cattle.
- In 1958, while examining these three laws, the **Supreme Court held that complete prohibition on slaughter of cattle** infringed upon the **fundamental right of butchers to practice their trade or profession**.
  - It held that while the complete prohibition on slaughter of cows was constitutionally valid, the **ban on slaughter of bulls, bullocks, and buffaloes can only be up to a certain age**, or be based on their usefulness (for milk, draught, or reproduction).
- In 1994, Gujarat passed an amended law to prohibit the slaughter of bulls and bullocks of all ages.
- In 2005, a **seven-judge constitutional bench of the Supreme Court** upheld this complete **prohibition on slaughter of bulls and bullocks under the Gujarat amendment law**, in contrast with the earlier judgments of the Court.
- In recent years, states such as **Chhattisgarh (2004), Madhya Pradesh (2004), Maharashtra (2015), Haryana (2015), and Karnataka (2021)** have also prohibited the slaughter of bulls and bullocks of all ages.

## What are Significant initiatives for Cow Protection?

- [Rashtriya Gokul Mission](#)
- [Gokul Gram](#)
- [Pashu Sanjivni](#)
- [National Bovine Genomic Center](#)

[Source: TH](#)