



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**.



What are Key Features and Issues Associated with the Act?

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

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](#)