

Punjab Prohibition Of Cow Slaughter Act, 1955

15 of 1955

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[Received the assent of the President of India on the 21st June, 1956 and was first published in the Punjab Government Gazette (Extraordinary) of the 27th June, 1956]. Year No. Short title Whether repealed or otherwise affected by legislation 1956 15 The Punjab Prohibi- Amended by the Haryana Adaptation of Cow Laws (State and Concurrent Subjects) Slaughter Act, Order, 1968 2 1955. Amended by the Haryana Act 17 of 1971 3 Amended by Haryana Act 6 of 1980 5 Amended by Haryana Act 13 of 1981 6 AN ACT to prohibit the slaughter of cow and its progeny in 4 [Haryana] Be it enacted by the Legislature of the State of Punjab in the Seventh Year of the Republic of India as follows :- SLAUGHTER 1. For Statement of objects and reasons, see Punjab Government Gazette (Extraordinary), 1955 page 831. 2. See Haryana Government Gazette (Extraordinary), dated the 29th October, 1968. 3. For Statement of object and reasons, see Haryana Government Gazette (Extraordinary) 1971, page 200. 4.

Substituted for the word "Punjab" by Haryana Adaptation of Laws Order, 1968. 5. For Statement of object and reasons, see Haryana Government Gazette (Extraordinary) dated the 11th March, 1980 ; page 452. 6. For Statement of object and reasons, see Haryana Government Gazette (Extraordinary) dated the

1. Short Title, Extent And Commencement :-

(1) This Act may be called the Punjab Prohibition of Cow Slaughter Act, 1955.

(2) It extends to the whole of the State of 1 [Haryana]

(3) It shall come into force at once 2 [in the principal territories and on the 29th January, 1959, in the transferred territories]

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context-

(a) "beef" means flesh of cow in any form but does not include flesh of cow contained in sealed containers and imported into 1 [Haryana ;]

(b) "beef-products" include extraction from beef ;

(c) "cow" includes bull, bullock, ox, heifer, or calf ; 3 [(cc) "export" means to take out from the State of Haryana to any place outside the State of Haryana ;]

(d) "prescribed" means prescribed by rules made under this Act ;

(e) "slaughter" means killing by any method whatsoever and includes maiming and inflicting of physical injury which in the ordinary course will cause death ;

(f) "Government" means the Government of 1 [Haryana] ; and

(g) "uneconomic cow" includes stray, unprotected, infirm, disabled, diseased or barren cow.

3. Prohibition Of Cow Slaughter :-

Notwithstanding anything contained in any other law for the time being in force or any usage or custom to the contrary, no person shall slaughter or cause to be slaughtered or offer or cause to be offered for slaughter any cow in any place in 1 [Haryana] : Provided that killing of a cow by accident or in self defence will not be considered as slaughter under the Act. 1. Substituted for the word "Punjab" by Haryana Adaptation of Laws Order, 1968. 2. Added by ibid. 3. Inserted by Haryana Act 6 of 1980. Prohibition of cow slaughter.

4. Exceptions :-

- (1) Nothing in section 3 shall apply to the slaughter of a cow-
- (a) whose suffering is such as to renders its destruction desirable according to the certificated of the Veterinary Officer of the area or such other Officer of the Animal Husbandry Department as may be prescribed ; or
 - (b) which is suffering from any contagious or infectious disease notified as such by the Government ;
 - (c) which is subjected to experimentation in the interest of medical and public health research by a certified medical practitioner of the Animal Husbandry Department.
- (2) Where it is intended to slaughter a cow for the reasons specified in clause (a) or clause (b) of sub-section (1) it shall be incumbent for a person doing so to obtain the prior permission in writing of the Veterinary Officer of the area or such other Officer of the Animal Husbandry Department as may be prescribed.

4A. Section 4A :-

No person shall export or cause to be exported cow for the purpose of slaughter either directly or through his agent or servant or any other person acting on his behalf in contravention of the provisions of this Act or with the knowledge that it will be or it was likely to be slaughtered.

4B. Section 4B :-

(1) Any person desiring to export cows shall apply for a permit to such officer, as the Government may, by notification, appoint in this behalf, stating the reasons, for which they are to be exported together with the number of cows and the name of the State to which they are proposed to be exported. He shall also file a declaration that the cows for which the permit for export is required shall not be slaughtered.

(2) The officer appointed under sub-section

(1), after satisfying himself about the genuineness of the request of the applicant, shall grant him a permit for the export of cows specified in the application. 2 [Provided that no permit for export of cows, where cow slaughter is not banned by law, shall be issued.] 1. Inserted by Haryana Act 6 of 1980. 2. Added by Haryana Act 13 of 1981.

(3) The fee for issuing permits shall be such as may be prescribed.

4C. Section 4C :-

The Government shall have the power to issue special permits for export of cows in cases where it is of the opinion that it will be in the public interest to do so.]

5. Prohibition Of Sale Of Beef :-

Except as herein excepted and notwithstanding anything contained in any other law for the time being in force, no person shall sell or offer for sale or cause to be sold beef or beef products in any form except for such medicinal purposes as may be prescribed.

6. Establishment Of Institutions :-

There shall be established by the Government or by any local authority, when so directed by the Government, institutions for the reception, maintenance and care of uneconomic cows.

7. Levy Of Charges Of Fees :-

The State Government or the local authority, if so authorised, may levy such fees as may be prescribed for care and maintenance of uneconomic cows in the institution.

8. Penalty :-

(1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of 2 [section 3, 4A, 4B or 5] shall be guilty of an offence punishable with rigorous imprisonment for a term which may extend to 1 [five years and with fine which may extend to five thousand rupees.]

(2) Whoever fails to lodge the information in the manner and within the time stated in sub-section (2) of section 4 shall be guilty of an offence punishable with simple imprisonment for a term which may extend to one year or with fine which may extend to two hundred rupees or with both.

(3) In any trial for an offence punishable under sub-section (1) or sub-section (2) the burden of proving that the slaughtered cow belonged to the class specified in clause (a) or (b) of sub-section (1) of section 4 shall be on the accused.

9. Offences To Be Cognizable And Non-Bailable :-

Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under sub-section (1) of section 8 shall be cognizable and non-bailable. Prohibition of sale of beef. Establishment of institutions. Levy of charges of fees. Special permits. 1. Substituted for the words "two years or with fine which may extend to one thousand rupees of both" by Haryana Act 17 of 1971. 2. Substituted by Haryana 6 of 1980.

9A. Power To Enter, Seize Etc :-

Any police officer not below the rank of Head Constable, or any person authorised in this behalf by the Government, may, with a view to securing compliance with the provisions of this Act, or for satisfying himself that the provisions of this Act have been complied with,-

(a) enter, stop and search, or authorise any person to enter, stop and search any vehicle used or intended to be used for the export of cows;

(b) seize or authorise the seizure of cows in respect of which he suspects that any provision of this Act has been, is being or is about to be contravened, along with the vehicles in which such cows are found and thereafter take or authorise the

taking of all measures necessary for securing the production of the cows and vehicles so seized, in a court and for their safe custody pending such production;
(c) the provisions of section 100 of the Code of Criminal Procedure, 1973, relating to search and seizure shall, so far as may be, apply to searches and seizures under this sections.

9B. Protection Of Action Taken In Good Faith :-

No suit, prosecution or other legal proceedings shall lie against any officer of the Government for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.]

10. Power To Make Rules :-

(1) The State Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of foregoing powers, such rules may provide for-

(a) the conditions and the circumstances under which cows may be slaughtered under sub-section 1 of section 4 ;

(b) the manner in which diseases shall be notified under sub-section (1) (b) of section 4 ; 1. Inserted by Haryana Act 6 of 1980.

(c) the manner in which permission shall be obtained under sub-section (2) of section 4 ;

(d) the form and contents of the certificate mentioned in sub-clause (a) of sub-section (1) of section 4 and the authorities competent to grant it ; 1 [(dd) the form in which the permit under section 4B is to be granted and the fee in respect of issuing such permit ;]

(e) the manner in which and conditions under which beef or beef-products are to be sold under section 5 ;

(f) the matters relating to the establishment, maintenance, management, supervision and control of institutions referred to in section 6 ;

(g) the duties of any officer or authority having jurisdiction under this Act, the procedure to be followed by such officer or authority ; and

(h) the matters which are to be and may be prescribed. 1. Inserted by Haryana Act 6 of 1980.