

The U.P. Prevention of Cow Slaughter Act, 1955

UTTAR PRADESH

India

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Act 1 of 1956

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The U.P. Prevention of Cow Slaughter Act, 1955(U.P. Act No. 1 of 1956)[Dated 30th December, 1955]Received the assent of the President on December 30, 1955, under article 201 of the Constitution of India, 1950 and was published in the Uttar Pradesh Gazette, Extraordinary, dated January 6, 1956. For Statement of Object and Reasons, see the Uttar Pradesh Gazette, Extraordinary, dated March 30, 1955. Passed in Hindi by the Uttar Pradesh Legislative Assembly on September 8, 1955 and by the Uttar Pradesh Legislative Council on September, 21, 1955, with certain amendments and then again by the U.P. Legislative Council on April, 1956.An Act to prohibit and prevent the slaughter Uttar Pradesh of cow and its progeny in Uttar PradeshWhereas it is expedient to prohibit and prevent the slaughter of cow and progeny in Uttar Pradesh:It is hereby enacted in the sixth year of the Republic of India as follows :

1. Short title, extent and commencement.

(1)This Act may be called the Uttar Pradesh Prevention of Cow Slaughter Act, 1955.(2)It extends to the whole of Uttar Pradesh.(3)It shall come into force at once.

2. Definitions.

- In this Act unless there is anything repugnant in the subject or context,-(a)["beef" means flesh of cow and of such bull or bullock, whose slaughter is prohibited under this Act, but does not include such flesh contained in sealed containers and imported as such into Uttar Pradesh;] [Substituted by U.P. Act XXXIII of 1958, Section 2 (i).](b)"cow" includes a [* * *] [The words 'bull, bullock', deleted by U.P. Act XXXIII of 1958, Section 2 (ii).] heifer, or calf;(c)"prescribed" means prescribed by rules made under this Act;(cc)["competent authority" means the person or persons appointed in this behalf by the State Government by notification in the official Gazette to exercise the powers and perform the functions of a competent authority under this Act or the Rules made thereunder for such area or areas and for such period as may be specified in the notification.] [Added by U.P. Act XXXIII of 1958, Section 2 (iii) for the original clause.](d)"slaughter" means killing by any method

whatsoever and includes maiming and inflicting of physical injury which in the ordinary course will cause death;(e)"State Government" means the Government of Uttar Pradesh, and(f)"uneconomic cow" includes stray, unprotected, infirm, disabled, diseased or barren cow.

3. Prohibition of cow slaughter.

(1)Except as hereinafter provided, no person shall slaughter or cause to be slaughtered, or offer or cause to be offered for slaughter-(a)a cow, or(b)a bull or bullock, unless he has obtained in respect thereof a certificate in writing, from the competent authority of the area in which the bull or bullock is to be slaughtered, certifying that it is fit for slaughter, in any place in Uttar Pradesh; anything contained in any other law for the time being in force or an usage or custom to the contrary notwithstanding.(2)No bull or bullock, in respect of which a certificate has been issued under sub-section (1) (b) shall be slaughtered at any place other than the place indicated in the certificate. [* * *] [The words for within twenty days of the date of issue of the certificate, deleted by U.P. Act XVII of 1961, Section 2.](3)A certificate under sub-section (1) (b) shall be issued by the competent authority, only after it has, for reasons to be recorded in writing; certified that-(a)the bull or bullock is over the age of [fifteen years] [Substituted by U.P. Act XVII of 1961.] or(b)in the case of a bull, it has become permanently unfit and unserviceable for the purpose of breeding and, in the case of bullock, it. has become permanently unfit and unserviceable for the purposes of daughter and any kind of agricultural operation :Provided that the permanent unfitness or un-serviceability has not been caused deliberately.(4)The competent authority, shall, before issuing the certificate under sub-section (3) or refusing to issue the same, record its order in writing [***] [The words 'any person aggrieved by the order of the competent authority under this section, may, within twenty days of the date of the order appeal against it to the State Government, which may pass such orders, thereon as it may deem fit' deleted, by U.P. Act XVII of 1961 vide Section 2.](5)The State Government may, at any time, for the purposes of satisfying itself as to the legality or propriety of the action taken under this section call for and examine the record of any case and may pass such order thereon as it may deem fit.(6)[Subject to the provisions herein contained, and action taken under this section, shall be final and conclusive and shall not be called in question.] [Substituted by U.P. Act XXXIII of 1958, Section 3.]

4. Section 3 not to apply to diseased, or under experimentation cows.

(1)Nothing in Section 3 shall apply to the slaughter of a [cow, bull or bullock] [Substituted by U.P. Act XXXIII of 1958, Section 4.]- (a)which is suffering from any contagious or infectious disease notified as such by the State Government; or(b)which is subjected to experimentation in the interest of medical and public health research;where the slaughtering is done in accordance with the conditions and circumstances to be prescribed.(2)Where a [cow, bull or bullock] [Substituted by U.P. Act XXXIII of 1958, Section 4.] is slaughtered for the reasons stated in clause (a) of sub-section (1) the person who slaughters or causes to be slaughtered such [cow, bull or bullock] [Substituted by U.P. Act XXXIII of 1958, Section 4.] shall within twenty-four hours of the slaughter, lodge information of the same at the nearest Police Station or before such Officer or authority as may be prescribed.(3)The carcass of the [cow, bull or bullock] [Substituted by U.P. Act XXXIII of 1958, Section 4.] slaughtered under clause (a) of sub-section (1) shall be buried or disposed of in such

manner as may be prescribed.

5. Prohibition on 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 transport or offer for sale or transport or cause to be sold or transported beef or beef-products in any form except for such medicinal purposes as may be prescribed. Exception. - A person may sell and serve or cause to be sold and served beef or beef-products for consumption by a bona fide passenger in an air-craft or railway train.

5A. [Regulation on transport of cow, etc. [Inserted by U.P. Act 24 of 1979, Section 2, (w.e.f. 29-6-1979).]

(1) No person shall transport or offer for transport or cause to be transported any cow, or bull or bullock, the slaughter whereof in any place in Uttar Pradesh is punishable under this Act, from any place within the State to any place outside the State, except under a permit issued by an officer authorised by the State Government in this behalf by notified order and except in accordance with the terms and conditions of such permit. (2) Such officer shall issue the permit on payment of such fee not exceeding five rupees for every cow, bull or bullock as may be prescribed : Provided that no fee shall be chargeable where the permit is for transport of the cow, bull or bullock for a limited period not exceeding six months as may be specified in the permit. (3) Where the person transporting a cow, bull or bullock on a permit for a limited period does not bring back such cow, bull or bullock into the State within the period specified in the permit, he shall be deemed to have contravened the provision of sub-section (1). (4) The form of permit, the form of application therefor and the procedure for disposal of such application shall be such as may be prescribed. (5) The State Government or any officer authorised by it in this behalf by general or special notified order, may, at any time, for the purpose of satisfying itself, or himself, as to the legality or propriety of the action taken under this section, call for and examine the record of any case and pass such orders thereon as it or he may deem fit].

6.

[* * *] [[Section 6 is deleted by the U.P. Act XXVIII of 1961, vide item 7 of the schedule. The old Section 6 runs as under:- '6. Establishment of institutions. - There shall be established by the State Government or by any local authority, wherever so directed by the State Government, institutions as may be necessary for taking care of uneconomic cows'.]]

7. Levy of charges or fees.

- The State Government or the local authority, as the case may be, may levy such charges or fees as may be prescribed for keeping uneconomic cows in the institutions.

8. Penalty.

(1)Whoever contravenes or attempts to contravene or abets the contravention of the provisions of Section 3 or 5 shall be guilty of an offence punishable with rigorous imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees or with both.(2)Whoever fails to lodge the information in the manner and within the time stated in sub-section (2) of Section 4 [or contravenes the provision of sub-section (1) of Section 5-A] [Inserted by U.P. Act 24 of 1979, (w.e.f. 29-6-1979).] shall be guilty of an offence punishable with simple imprisonment for a term which may be 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) 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] [Now Cr.P.C., 1973.], an offence punishable under sub-section (1) of Section 8 shall be cognizable and non-bailable.

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, bulls or bullocks] [Substituted by U.P. Act XXXIII of 1958, Section 5 (i).] are to be slaughtered under sub-section (1) of Section 4;(aa)[form of certificate, and the procedure for disposal of the applications [* * *] [Added by U.P. Act XXXIII of 1958, Section 6 (2).] under Section 3;](b)the manner in which diseases shall be notified under sub-section (1) (a) of Section 4;(c)the manner in which the information shall be lodged under sub-section (2) of Section 4;(d)the manner in which and conditions under which beef or beef-products are to be sold or sold and served under Section 5;(e)the matters relating to the establishment, maintenance, management, supervision and control of institutions referred to in Section 6;(f)the duties of any officer or authority having jurisdiction under this Act, the procedure to be followed by such officer or authority; and(g)the matters which are to be and may be prescribed.