

The Goa, Daman and Diu Prevention of Cow Slaughter Act, 1978

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Act 13 of 1978

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The Goa, Daman And Diu Prevention Of Cow Slaughter Act, 1978[Act No. 13 of 1978][21st June, 1978]ANACTto prohibit slaughter of cows in the Union territory of Goa, Daman and Diu.Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-ninth Year of the Republic of India as follows:

1. Short title, extent and commencement.—

(1)This Act may be called the Goa, Daman and Diu Prevention of Cow Slaughter Act, 1978.(2)It extends to the whole of the Union territory of Goa, Daman and Diu.(3)It shall come into force at once.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a)“beef” means flesh of cow in any form but does not include flesh of cow contained in sealed containers and imported into the Union territory of Goa, Daman and Diu;(b)‘cow’ means and includes cow, heifer or calf;(c)‘Government’ means the Government of Goa, Daman and Diu;(d)‘slaughter’ means killing by any method whatsoever;(e)‘notification’ means a notification published in the Official Gazette and the word ‘notified’ shall be construed accordingly;(f)‘prescribed’ means prescribed by rules made under this Act.

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 the Union territory of Goa, Daman and Diu:Provided

that killing of a cow by accident or in self defence will not be considered as slaughter under the Act.

4. Exceptions.—

(1) Nothing in section 3 shall apply to the slaughter of a cow,—(a) whose suffering is such as to render its destruction desirable according to the certificate 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; or (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.

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

7. Levy of charges of fees.—

The 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 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 contravenes the provisions of 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 cognisable and non-bailable.—

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) an offence punishable under sub-section (1) of section 8 shall be cognisable and non-bailable.

10. Power to make rules.—

(1)The Government may make rules for the purpose of carrying into effect the provisions of this Act.(2)Without prejudice to the generality of the 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 clause (b) of sub-section (1) of section 4;(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 clause (a) of sub-section (1) of section 4 and the authorities competent to grant it;(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)any other matter which has to be or may be prescribed.(3)Every rule made under this Act shall be laid, as soon as may be after it is made, on the table of the Legislative Assembly while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in such rule or that the rule should not be made, the rule shall thereafter have effect, only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.