



## The Uttar Pradesh Prevention of Cow Slaughter Act, 1955

Act 1 of 1956

**Keyword(s):**

Beef, Goshala, Cow-slaughter

Amendment appended: 14 of 2002, 20 of 2020

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EXTRAORDINARY

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प्रधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATIONS

New Delhi, the 14th December 1966

G.S.R. 1923.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi, the Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (Uttar Pradesh Act No. 1 of 1956), as in force in the State of Uttar Pradesh on the date of this notification, subject to the following modifications, namely:—

## Modifications

In the said Act,—

- (1) for the words "Uttar Pradesh" wherever they occur except in the long title, preamble and sub-section (1) of section 1, the word "Delhi" shall be substituted;
- (2) in section 2,—
  - (i) after clause (b), the following clause shall be inserted, namely:—  
“(bb) “Delhi” means the Union territory of Delhi;”;
  - (ii) for clause (e), the following clause shall be substituted, namely:—  
“(e) “State Government” means the Administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution;”.

## ANNEXURE

*The Uttar Pradesh Prevention of Cow Slaughter Act, 1955. Uttar Pradesh Act No. 1 of 1956) as Extended to the Union Territory of Delhi.*

An Act to prohibit the slaughter of cow and its progeny in Uttar Pradesh.

Whereas it is expedient to prohibit and prevent the slaughter of cow and its 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 Delhi.

(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 into Delhi;

(b) "Cow" includes a heifer or calf;

(bb) "Delhi" means the Union territory of Delhi;

(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 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;

(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 Administrator of Delhi appointed by the President under article 239 of the Constitution; and

(f) "uneconomic cow" includes stray, unprotected, infirm, disable, diseased or barren cow.

3. (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 Delhi; 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.

(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, 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 a bullock, it has become permanently unfit and unserviceable for the purposes of draught and any kind of agricultural operation;

Provided that the permanent unfitness or unserviceability 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.

(5) The State Government may, at any time, for the purpose of satisfying itself as to the legality or propriety of the action call for and examine the record of any case and may pass such orders thereon as it may deem fit.

(6) Subject to the provisions herein contained, any action taken under this section, shall be final and conclusive and shall not be called in question.

**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—

(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 or bullock 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 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 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.

**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 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) 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.

**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 are to be slaughtered under sub-section (1) of section 4;

(aa) form of certificate, and the procedure for disposal of the applications 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 or 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.

[No. F. 3/6/66-UTL-89.]

**G.S.R. 1924.**—In exercise of the powers conferred by section 16 of the Goa, Daman and Diu (Opinion Poll) Act, 1966 (38 of 1966), the President, in consultation with the Chief Election Commissioner, hereby fixes the 16th day of January, 1967, as the date on which an opinion poll shall be taken in accordance with the provisions of the said Act and the rules and orders made thereunder—

- (a) in relation to Goa, and
- (b) in relation to Daman and Diu.

[No. F. 10/52/66-SR.]

K. R. PRABHU, Jt. Secy.

*Dated Lucknow, September 12, 2002*

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Govadh Nivaran (Sanshodhan) Adhiniyam, 2002 (Uttar Pradesh Adhiniyam Sankhya 14 of 2002) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 11, 2002.

THE UTTAR PRADESH PREVENTION OF COW SLAUGHTER (AMENDMENT)

ACT, 2002 :

(U.P. Act no. 14 of 2002)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

*further to amend the Uttar Pradesh Prevention of Cow Slaughter Act, 1955.*

IT IS HEREBY enacted in the Fifty-third year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Prevention of Cow Slaughter (Amendment) Act, 2002. Short title

2. In section 2 of the Uttar Pradesh Prevention of Cow Slaughter Act, 1955, hereinafter referred to as the principal Act,— Amendment of section 2 of U.P. Act no. 1 of 1956

(i) for clauses (a), (c) and (cc) the following clauses shall be substituted, namely:—

“(a) ‘beef’ means flesh of cow but does not include such flesh contained in sealed containers and imported as such into Uttar Pradesh;

(c) ‘Goshala’ means a Goshala registered under the Uttar Pradesh Goshala Adhiniyam, 1964;

(cc) ‘Institution’ means an institution established under section 6”;

(ii) clause (f) shall be omitted.

3. For section 3 of the principal Act, the following section shall be substituted, namely:— Substitution of section 3

“3. No person shall slaughter or cause to be slaughtered, or offer or   
Prohibition of cause to be offered for slaughter, a cow, bull or bullock in   
Cow any place in Uttar Pradesh, anything contained in any   
Slaughter other law for the time being in force or any usage or custom,   
to the contrary notwithstanding.”

4. Section 4 of the principal Act shall be omitted. Omission of section 4

5. In section 5-A of the principal Act, in sub-section (2) for the words “five rupees” the words “five hundred rupees” shall be substituted. Amendment of section 5-A

Insertion of  
Section 6

6. After section 5-A of the Principal Act, the following section shall be *inserted*, namely :—

“6. There shall be establish by the State Government or by any Establishment local authority wherever so directed by the State of Institution Government or by a society registered under the Societies Registration Act, 1860 with prior permission of the State Government under such terms and conditions as may be prescribed, institutions as may be necessary for taking care of cows, bulls or bullocks.”

Substitution of  
section 7

7. For section 7 of the principal Act, the following section shall be *substituted*, namely:—

“7. (1) Any person may surrender his cow, bull or bullock to a Goshala or Maintenance of an institution which shall accept such cow, bull or cows, etc. bullock according to the availability of accommodation. Any cow, bull or bullock so surrendered shall not be returned to such person.

(2) The State Government may make such other alternative and additional arrangements for taking care of such cows, bulls or bullocks as it may deem necessary.

(3) Any Goshala or any institution may receive any cow, bull or bullock for custody from police or any other person which may be released to the owner on such terms and conditions and in such manner and on payment of such charges as may be prescribed.”

Substitution of  
section 8

8. For section 8 of the principal Act, the following section shall be *substituted*, namely:—

“8. (1) Whoever contravenes or abets the contravention of the provisions Penalty of section 3, section 5 or section 5-A shall be punished with rigorous imprisonment for a term which may extend to seven years and with fine which may extend to ten thousand rupees.

(2) Whoever attempts to commit an offence punishable under sub-section (1) shall be punished with imprisonment for a term which may extend to one-half of the longest term of imprisonment provided for that offence and with such fine as is provided for the offence.”

Amendment of  
section 10

9. In section 10 of the principal Act, in sub-section (2),—

(a) clauses (a), (aa), (b) and (c) shall be *omitted*.

(b) for clause (d) the following clauses shall be *substituted*, namely:—

“(d) the procedure for surrender, acceptance custody and release of cows, bulls or bullocks;

(dd) the terms and conditions of release of cows, bulls or bullocks.”

By order,  
A.B. SHUKLA,  
Pramukh Sachiv.

### STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (U.P. Act. no. 1 of 1956) has been enacted to prohibit and prevent the slaughter of cow and its progeny in the State of Uttar Pradesh. In the said Act the slaughter of bull and bullock is prohibited only upto a particular age. As the number of bulls and bullocks is consistently decreasing in the State, It has been decided to impose complete prohibition on the slaughter thereof in order to preserve these species by amending the said Act.

The Uttar Pradesh Prevention of Cow Slaughter (Amendment) Bill, 2002 is introduced accordingly.



# सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

## असाधारण

विधायी परिशिष्ट

भाग-1, खण्ड (क)

(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, 31 अगस्त, 2020

भाद्रपद 9, 1942 शक सम्वत्

उत्तर प्रदेश शासन

विधायी अनुभाग-1

संख्या 1558/79-वि-1-20-1(क) 23-20

लखनऊ, 31 अगस्त, 2020

### अधिसूचना

विविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश गो-वध निवारण (संशोधन) विधेयक, 2020 जिससे पशुधन अनुभाग-1 प्रशासनिक रूप से सम्बन्धित है, पर दिनांक 28 अगस्त, 2020 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 20 सन् 2020 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है :-

उत्तर प्रदेश गो-वध निवारण (संशोधन) अधिनियम, 2020

(उत्तर प्रदेश अधिनियम संख्या 20 सन् 2020)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 का अग्रतर संशोधन करने के लिये

### अधिनियम

भारत गणराज्य के इकहत्तरवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-

1-(1) यह अधिनियम उत्तर प्रदेश गो-वध निवारण (संशोधन) अधिनियम, 2020 संक्षिप्त नाम और कहा जायेगा। प्रारम्भ

(2) यह दिनांक 11 जून, 2020 से प्रवृत्त हुआ समझा जायेगा।



उत्तर प्रदेश  
अधिनियम संख्या 1  
सन् 1956 की  
धारा 5क का  
संशोधन

2-उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 जिसे आगे मूल अधिनियम कहा गया है, की धारा 5क में उपधारा (5) के पश्चात् निम्नलिखित उपधारा बढ़ा दी जायेगी, अर्थात् :-

(6) जहाँ उक्त वाहन इस अधिनियम के अधीन सक्षम प्राधिकारी या प्राधिकृत प्रयोगशाला द्वारा गोमांस से सम्बन्धित होना पुष्टिकृत कर दिया गया हो, वहाँ तब तक चालक, आपरेटर तथा परिवहन से सम्बन्धित स्वामी को इस अधिनियम के अधीन अपराध से आरोपित किया जायेगा, जब तक कि यह सिद्ध नहीं हो जाता है कि परिवहन के साधन की समस्त सावधानियों के होते हुए और उसकी जानकारी के बिना अपराध में प्रयुक्त परिवहन के साधन का प्रयोग अपराध करने के निमित्त किसी अन्य व्यक्ति द्वारा किया गया है।

(7) इस अधिनियम और सुसंगत नियमावली के उपबन्धों का उल्लंघन करके गोमांस या गाय और उसके वंशज का परिवहन करने वाला यान, विधि प्रवर्तन अधिकारियों द्वारा अधिहृत तथा जब्त कर लिया जायेगा। सम्बन्धित जिला मजिस्ट्रेट/पुलिस आयुक्त अधिहरण तथा निर्मुक्ति की समस्त कार्यवाहियाँ करेगा।

(8) अभिग्रहीत यान द्वारा परिवहन किये गये गाय तथा गोवंश या गोमांस, विधि प्रवर्तन अधिकारियों द्वारा अधिहृत एवं अभिग्रहीत किये जायेंगे। संबंधित जिला मजिस्ट्रेट/आयुक्त यथास्थिति अधिहरण तथा निर्मुक्ति की समस्त कार्यवाहियाँ करेगा।

(9) अभिग्रहीत गायों तथा उसके गोवंश के भरण-पोषण पर व्यय की वसूली अभियुक्त से एक वर्ष की अवधि तक अथवा गाय या गोवंश को निर्मुक्त किये जाने तक, जो भी पहले हो, स्वामी के पक्ष में की जायेगी।

(10) जहाँ कोई व्यक्ति, इस अधिनियम की धारा 3, 5 तथा 8 के अधीन कोई अपराध करने, उसका दुष्प्रेरण करने या प्रयास करने के लिये अभियोजित किया जाता है और अभियुक्त के पास गोमांस या गाय के होने की पुष्टि अभियोजन द्वारा कर दी गयी है और सक्षम प्राधिकारी या प्राधिकृत प्रयोगशाला द्वारा परिवहन की गई चीजों का गोमांस होना पुष्टि कर दिया गया हो वहाँ न्यायालय की यह उपधारणा होगी कि ऐसे व्यक्ति ने, यथास्थिति, ऐसा अपराध किया है या ऐसा अपराध करने का प्रयास या दुष्प्रेरण किया है, जब तक अन्यथा सिद्ध न हो जाये।

(11) जहाँ तलाशी, अधिग्रहण, व्ययन एवं जब्तीकरण के संबंध में इस अधिनियम अथवा सम्बन्धित नियमावली के उपबन्ध मौन हो, वहाँ दण्ड प्रक्रिया संहिता 1973 के सुसंगत उपबन्ध प्रभावी होंगे।

धारा 5ख का  
बढ़ाया जाना

3-मूल अधिनियम की धारा 5क के पश्चात् निम्नलिखित धारा बढ़ा दी जायेगी, अर्थात् :-

5 ख-जो कोई किसी गाय या उसके गोवंश को ऐसी शारीरिक क्षति कारित करता है जो उसके जीवन को संकटापन्न करे यथा गोवंश का अंग-भंग करना, उनके जीवन को संकटापन्न करने वाली किसी परिस्थिति में उनका परिवहन करना, उनके जीवन को संकटापन्न करने के आशय से भोजन पानी आदि का लोप करना, वह ऐसी अवधि के कठोर कारावास, जो अन्यून एक वर्ष होगी और जो सात वर्ष तक हो सकती है, से और ऐसे जुर्माना, जो अन्यून एक लाख रुपये होगा, और जो तीन लाख रुपये तक हो सकता है, से दण्डित किया जायेगा।

4-मूल अधिनियम की धारा 7 के पश्चात् निम्नलिखित धारा बढ़ा दी जायेगी, धारा 7क का अर्थात्:-  
बढ़ाया जाना

7क-(1) दण्ड प्रक्रिया संहिता, 1973 में अन्तर्विष्ट किसी बात के होते हुए भी, इस अधिनियम या तदधीन बनायी गयी नियमावली के अधीन किसी दण्डित अपराध से आरोपित किसी व्यक्ति को, अभिरक्षा में रहने के दौरान जमानत पर या उसके स्वयं के बन्धपत्र पर तब तक निर्मुक्त नहीं किया जायेगा, जब तक कि-

(क) विशेष लोक अभियोजक को ऐसी निर्मुक्ति के आवेदन का विरोध करने का अवसर प्रदान नहीं कर दिया जाता है, और

(ख) जहाँ विशेष लोक अभियोजक, आवेदन का विरोध करता है, न्यायालय का यह विश्वास न हो जाय कि यह विश्वास करने का युक्तियुक्त आधार है कि वह ऐसे अपराध का दोषी नहीं है और यह कि जमानत के दौरान कोई अपराध करना असम्भव है।

(2) उपधारा (1) के अधीन जमानत प्रदान किये जाने सम्बन्धी निर्बन्धन, दण्ड प्रक्रिया संहिता, 1973 के अधीन निर्बन्धनों के अतिरिक्त होंगे।

(3) इस अधिनियम के उपबन्धों के अधीन राज्य अभियोजन सेवा का ऐसा प्रत्येक अभियोजक, जिसने सात वर्ष तक अभियोजन कार्य किया हो, चाहे वह जिस भी नाम से ज्ञात हो, विशेष लोक अभियोजक समझा जायेगा।

5-मूल अधिनियम की धारा 8 के स्थान पर निम्नलिखित धारा रख दी जायेगी, धारा 8 का अर्थात्:-  
संशोधन

8 (1)-जो कोई धारा 3, धारा 5 या धारा 5क के उपबन्धों का उल्लंघन करता है या उल्लंघन करने का प्रयास करता है या उल्लंघन करने के लिए दुष्टेष्ट करता है वह ऐसी अवधि के कठोर कारावास, जो अन्यून तीन वर्ष होगी और जो दस वर्ष तक हो सकती है, से, और ऐसे जुर्माना, जो अन्यून तीन लाख रुपये होगा और जो पाँच लाख रुपये तक हो सकता है, से दण्डनीय किसी अपराध का दोषी होगा।

(2) जो कोई इस अधिनियम के अधीन किसी अपराध की दोषसिद्धि के पश्चात् इस अधिनियम के अधीन किसी अपराध का पुनः दोषी हो तो वह द्वितीय दोष सिद्धि हेतु उक्त अपराध के लिये उपबन्धित दोहरे दण्ड से दण्डित किया जायेगा।

(3) धारा-5क के उपबन्ध के उल्लंघन के अभियुक्त व्यक्ति का नाम तथा फोटोग्राफ मुहल्ला में ऐसे किसी महत्वपूर्ण स्थान पर जहाँ अभियुक्त सामान्यतः निवास करता हो अथवा ऐसे किसी सार्वजनिक स्थल पर जहाँ वह विधि प्रवर्तन अधिकारियों से स्वयं को छिपाता हो, प्रकाशित किया जायेगा।

6-मूल अधिनियम की धारा 9 के स्थान पर निम्नलिखित धारा रख दी जायेगी, धारा 9 का अर्थात्:-  
संशोधन

9-दण्ड प्रक्रिया संहिता, 1973 में अन्तर्विष्ट किसी बात के होते हुये भी धारा 5ख एवं धारा 8 की उपधारा (1) के अधीन दण्डनीय अपराध, संज्ञेय तथा अजमानतीय होगा।

निरसन और  
व्यावृत्ति

7-(1) उत्तर प्रदेश गो-वध निवारण (संशोधन) अध्यादेश,  
2020 एतद्वारा निरसित किया जाता है।

उत्तर प्रदेश  
अध्यादेश संख्या 11  
सन् 2020

(2) ऐसे निरसन के होते हुए भी उपधारा (1) में निर्दिष्ट अध्यादेश द्वारा यथा संशोधित मूल अधिनियम के उपबन्धों के अधीन कृत कोई कार्य या की गई कोई कार्यवाही, इस अधिनियम द्वारा यथा संशोधित मूल अधिनियम के सह प्रत्यर्थी उपबन्धों के अधीन कृत या की गई समझी जायेगी मानो इस अधिनियम के उपबन्ध सभी सारवान समयों में प्रवृत्त थे।

### उद्देश्य और कारण

उत्तर प्रदेश राज्य में गाय और गोवंश के वध का निषेध करने और उसको रोकने के लिए उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 (उत्तर प्रदेश अधिनियम संख्या 1 सन् 1956) अधिनियमित किया गया है। पूर्वोक्त अधिनियम में अनेक संशोधनों के पश्चात भी इस प्रकार की शिथिलता बनाये रखी गयी जिसके कारण इस अधिनियम का क्रियान्वयन जनाकांक्षाओं की प्रत्याशा के अनुरूप प्रभावी रूप से नहीं किया जा सका और गाय तथा गोवंश के अवैध वध एवं अवैध परिवहन की शिकायतें प्राप्त हो रही थीं। इस अधिनियम के वर्तमान उपबन्ध, गाय और गोवंश के इस प्रकार के अवैध वध, अवैध एवं अनियमित परिवहन कमजोर तथा अपर्याप्त सिद्ध हो रहे थे, अतएव गाय तथा गोवंश के अवैध परिवहन हेतु कड़े दण्ड का उपबन्ध करने के लिए पूर्वोक्त अधिनियम की धारा 5क, 7, 8 तथा 9 का संशोधन करने का विनिश्चय किया गया।

चूँकि राज्य विधानमण्डल सत्र में नहीं था और पूर्वोक्त विनिश्चय को क्रियान्वित करने के लिए तुरन्त विधायी कार्यवाही की जानी आवश्यक थी, अतः राज्यपाल द्वारा दिनांक 11 जून, 2020 को उत्तर प्रदेश गो-वध निवारण (संशोधन) अध्यादेश, 2020 प्रख्यापित किया गया।

यह विधेयक पूर्वोक्त अध्यादेश को प्रतिस्थापित करने के लिये पुरःस्थापित किया जाता है।

आज्ञा से,  
जे०पी० सिंह-II,  
प्रमुख सचिव।

No. 1558(2)/LXXIX-V-1-20-1(ka) 23-20

Dated Lucknow, August 31, 2020

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Go-Vadh Nivaran (Sanshodhan) Adhiniyam, 2020 (Uttar Pradesh Adhiniyam Sankhya 20 of 2020) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 28, 2020. The Pashudhan Anubhag-1, is administratively concerned with the said adhiniyam.

THE UTTAR PRADESH PREVENTION OF COW SLAUGHTER (AMENDMENT)  
ACT, 2020

(U. P. Act no. 20 of 2020)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

*further to amend the Uttar Pradesh Prevention of Cow Slaughter Act, 1955,*

IT IS HEREBY enacted in the Seventy First Year of the Republic of India as follows :-

1. (1) This Act may be called the Uttar Pradesh Prevention of Cow Slaughter (Amendment) Act, 2020. Short title and commencement

(2) It shall be deemed to have come into force with effect from June 11, 2020.

2. In section 5A of the Uttar Pradesh Cow Slaughter Prevention Act, 1955 here in after referred to as the principal Act, after sub-section 5 the following sub-sections shall be *inserted*, namely: Amendment of section 5A of U.P. Act No. 1 of 1956

(6) Where the said conveyance has been confirmed to be related to beef by the competent authority or authorized laboratory under this Act, the driver, operator and owner related to transport, shall be charged with the offence under this Act, unless it is not proved that the transport medium used in crime, despite all its precautions and without its knowledge, has been used by some other person for causing the offence.

(7) The vehicle by which the beef or cow and its progeny is transported in violation of the provisions of this Act and the relevant rules, shall be confiscated and seized by the law enforcement officers. The concerned District Magistrate/Commissioner of Police will do all proceedings of confiscation and release, as the case may be.

(8) The cow and its progeny or the beef transported by the seized vehicle shall also be confiscated and seized by the law enforcement officers. The concerned District Magistrate/Commissioner will do all proceedings of the confiscation and release, as the case may be.

(9) The expenditure on the maintenance of the seized cows and its progeny shall be recovered from the accused for a period of one year or till the release of the cow and its progeny in favour of the owner thereof whichever is earlier.

(10) Where a person is prosecuted for committing, abetting, or attempting to an offence under sections 3, 5 and 8 of this Act and the beef or cow-remains in the possession of accused has been proved by the prosecution and transported things are confirmed to be beef by the competent authority or authorized laboratory, then the court shall presume that such person has committed such offence or attempt or abetment of such offence, as the case may be, unless the contrary is proved.

(11) Where the provisions of this Act or the related rules in context of search, acquisition, disposal and seizure are silent, the relevant provisions of the Code of Criminal Procedure, 1973 shall be effective thereto.

Insertion of  
section 5B

3. After section 5 A of the principal Act, the following section shall be *inserted*, namely:-

5B. Whoever causes any physical injury to any cow or its progeny so as to endanger the life thereof such as to mutilate its body or to transport it in any situation whereby endangering the life thereof or with the intention of endangering the life thereof does not provide with food or water shall be punished with imprisonment for a term which shall not be less than one year and which may extend to seven years and with fine which shall not be less than one Lakh rupees and which may extend to three Lakh rupees.

Insertion of  
section 7A

4. After section 7 of the principal Act, the following section shall be *inserted*, namely:-

7A. (1) Notwithstanding, anything contained in the Code of Criminal Procedure, 1973, no person charged with a criminal offence under this Act or any rules made there under, while in custody, shall be released on bail or on his own bond unless,-

(a) the Special Public Prosecutor is given an opportunity to oppose the application to such release and

(b) where the Special Public Prosecutor opposes the application, the court is convinced that there is a reasonable basis for believing that he is not guilty of such an offence and that it is unlikely to commit any offence while on bail.

(2) The restrictions regarding grant of bail under sub-section (1) shall be in addition to the restrictions under the Code of Criminal Procedure, 1973.

(3) Under the provisions of this Act, every prosecutor of the State Prosecution Service, who has been engaged in the prosecution work for seven years, by whatever name it is known, shall be deemed to be a special public prosecutor.

Amendment  
of section 8

5. For section 8 of the principal Act, the following section shall be *inserted*, namely:-

8 (1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 3, section 5 or section 5A shall be guilty of an offence punishable with rigorous imprisonment for a term which shall not be less than three years and which may be extend to ten years and with fine which shall not be less than three Lakh rupees and which may extend to five Lakh rupees.

(2) Whoever after conviction of an offence under this Act is again guilty of an offence under this Act, shall be punished with double the punishment provided for the said offence for the second conviction.

(3) The names and the photograph of the person accused of the contravention of the provision of section-5A shall be published at some prominent place in locality where the accused ordinarily resides or to a public place, if he conceals himself from the law enforcement officers.

Amendment of  
section 9

6. For section 9 of the principal Act, the following section shall be *substituted*, namely :-

9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under section 5B and sub-section (1) of section 8 shall be cognizable and non-bailable.



Repeal and  
saving

7. (1) The Uttar Pradesh Prevention of Cow Slaughter (Amendment) Ordinance, 2020 is hereby repealed.

U. P.  
Ordinance  
no. 11 of 2020

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

### STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (U. P. Act no. 1 of 1956) has been enacted to prohibit and prevent the slaughter of cow and its progeny in the State of Uttar Pradesh. Even after several amendments in the aforesaid Act, such laxity was maintained, due to which this Act was not being implemented effectively as per the expectation of public sentiments and complaints of illegal slaughter and illegal transport of cow and its progeny were being received. The present provisions in the Act were proving to be weak and insufficient to stop such illegal slaughter, illegal and irregular transport of cow and its progeny therefore it was decided to amend section 5A, 7, 8 and 9 of the aforesaid Act to provide for stringent punishment for illegal transport of cow and its progeny.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Prevention of Cow Slaughter (Amendment) Ordinance, 2020 was promulgated by the Governor on June 11, 2020.

This Bill is introduced to replace the aforesaid Ordinance.

By order,  
J.P. SINGH-II,  
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 204 राजपत्र-(हिन्दी)-2020-(590)-599 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।

पी०एस०यू०पी०-ए०पी० 162 सा० विधायी-2020-(591)-300 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।





# सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

## असाधारण

विधायी परिशिष्ट

भाग-1, खण्ड (क)

(उत्तर प्रदेश अधिनियम)

लखनऊ, सोमवार, 31 अगस्त, 2020

भाद्रपद 9, 1942 शक सम्वत्

उत्तर प्रदेश शासन

विधायी अनुभाग-1

संख्या 1558/79-वि-1-20-1(क) 23-20

लखनऊ, 31 अगस्त, 2020

### अधिसूचना

विविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश गो-वध निवारण (संशोधन) विधेयक, 2020 जिससे पशुधन अनुभाग-1 प्रशासनिक रूप से सम्बन्धित है, पर दिनांक 28 अगस्त, 2020 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 20 सन् 2020 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है :-

उत्तर प्रदेश गो-वध निवारण (संशोधन) अधिनियम, 2020

(उत्तर प्रदेश अधिनियम संख्या 20 सन् 2020)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 का अग्रतर संशोधन करने के लिये

### अधिनियम

भारत गणराज्य के इकहत्तरवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-

1-(1) यह अधिनियम उत्तर प्रदेश गो-वध निवारण (संशोधन) अधिनियम, 2020 संक्षिप्त नाम और कहा जायेगा। प्रारम्भ

(2) यह दिनांक 11 जून, 2020 से प्रवृत्त हुआ समझा जायेगा।

उत्तर प्रदेश  
अधिनियम संख्या 1  
सन् 1956 की  
धारा 5क का  
संशोधन

2-उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 जिसे आगे मूल अधिनियम कहा गया है, की धारा 5क में उपधारा (5) के पश्चात् निम्नलिखित उपधारा बढ़ा दी जायेगी, अर्थात् :-

(6) जहाँ उक्त वाहन इस अधिनियम के अधीन सक्षम प्राधिकारी या प्राधिकृत प्रयोगशाला द्वारा गोमांस से सम्बन्धित होना पुष्टिकृत कर दिया गया हो, वहाँ तब तक चालक, आपरेटर तथा परिवहन से सम्बन्धित स्वामी को इस अधिनियम के अधीन अपराध से आरोपित किया जायेगा, जब तक कि यह सिद्ध नहीं हो जाता है कि परिवहन के साधन की समस्त सावधानियों के होते हुए और उसकी जानकारी के बिना अपराध में प्रयुक्त परिवहन के साधन का प्रयोग अपराध करने के निमित्त किसी अन्य व्यक्ति द्वारा किया गया है।

(7) इस अधिनियम और सुसंगत नियमावली के उपबन्धों का उल्लंघन करके गोमांस या गाय और उसके वंशज का परिवहन करने वाला यान, विधि प्रवर्तन अधिकारियों द्वारा अधिहृत तथा जब्त कर लिया जायेगा। सम्बन्धित जिला मजिस्ट्रेट/पुलिस आयुक्त अधिहरण तथा निर्मुक्ति की समस्त कार्यवाहियाँ करेगा।

(8) अभिग्रहीत यान द्वारा परिवहन किये गये गाय तथा गोवंश या गोमांस, विधि प्रवर्तन अधिकारियों द्वारा अधिहृत एवं अभिग्रहीत किये जायेंगे। संबंधित जिला मजिस्ट्रेट/आयुक्त यथास्थिति अधिहरण तथा निर्मुक्ति की समस्त कार्यवाहियाँ करेगा।

(9) अभिग्रहीत गायों तथा उसके गोवंश के भरण-पोषण पर व्यय की वसूली अभियुक्त से एक वर्ष की अवधि तक अथवा गाय या गोवंश को निर्मुक्त किये जाने तक, जो भी पहले हो, स्वामी के पक्ष में की जायेगी।

(10) जहाँ कोई व्यक्ति, इस अधिनियम की धारा 3, 5 तथा 8 के अधीन कोई अपराध करने, उसका दुष्प्रेरण करने या प्रयास करने के लिये अभियोजित किया जाता है और अभियुक्त के पास गोमांस या गाय के होने की पुष्टि अभियोजन द्वारा कर दी गयी है और सक्षम प्राधिकारी या प्राधिकृत प्रयोगशाला द्वारा परिवहन की गई चीजों का गोमांस होना पुष्टि कर दिया गया हो वहाँ न्यायालय की यह उपधारणा होगी कि ऐसे व्यक्ति ने, यथास्थिति, ऐसा अपराध किया है या ऐसा अपराध करने का प्रयास या दुष्प्रेरण किया है, जब तक अन्यथा सिद्ध न हो जाये।

(11) जहाँ तलाशी, अधिग्रहण, व्ययन एवं जब्तीकरण के संबंध में इस अधिनियम अथवा सम्बन्धित नियमावली के उपबन्ध मौन हो, वहाँ दण्ड प्रक्रिया संहिता 1973 के सुसंगत उपबन्ध प्रभावी होंगे।

धारा 5ख का  
बढ़ाया जाना

3-मूल अधिनियम की धारा 5क के पश्चात् निम्नलिखित धारा बढ़ा दी जायेगी, अर्थात् :-

5 ख-जो कोई किसी गाय या उसके गोवंश को ऐसी शारीरिक क्षति कारित करता है जो उसके जीवन को संकटापन्न करे यथा गोवंश का अंग-भंग करना, उनके जीवन को संकटापन्न करने वाली किसी परिस्थिति में उनका परिवहन करना, उनके जीवन को संकटापन्न करने के आशय से भोजन पानी आदि का लोप करना, वह ऐसी अवधि के कठोर कारावास, जो अन्यून एक वर्ष होगी और जो सात वर्ष तक हो सकती है, से और ऐसे जुर्माना, जो अन्यून एक लाख रुपये होगा, और जो तीन लाख रुपये तक हो सकता है, से दण्डित किया जायेगा।

4-मूल अधिनियम की धारा 7 के पश्चात् निम्नलिखित धारा बढ़ा दी जायेगी, धारा 7क का अर्थात्:-  
बढ़ाया जाना

7क-(1) दण्ड प्रक्रिया संहिता, 1973 में अन्तर्विष्ट किसी बात के होते हुए भी, इस अधिनियम या तदधीन बनायी गयी नियमावली के अधीन किसी दण्डित अपराध से आरोपित किसी व्यक्ति को, अभिरक्षा में रहने के दौरान जमानत पर या उसके स्वयं के बन्धपत्र पर तब तक निर्मुक्त नहीं किया जायेगा, जब तक कि-

(क) विशेष लोक अभियोजक को ऐसी निर्मुक्ति के आवेदन का विरोध करने का अवसर प्रदान नहीं कर दिया जाता है, और

(ख) जहाँ विशेष लोक अभियोजक, आवेदन का विरोध करता है, न्यायालय का यह विश्वास न हो जाय कि यह विश्वास करने का युक्तियुक्त आधार है कि वह ऐसे अपराध का दोषी नहीं है और यह कि जमानत के दौरान कोई अपराध करना असम्भव है।

(2) उपधारा (1) के अधीन जमानत प्रदान किये जाने सम्बन्धी निर्बन्धन, दण्ड प्रक्रिया संहिता, 1973 के अधीन निर्बन्धनों के अतिरिक्त होंगे।

(3) इस अधिनियम के उपबन्धों के अधीन राज्य अभियोजन सेवा का ऐसा प्रत्येक अभियोजक, जिसने सात वर्ष तक अभियोजन कार्य किया हो, चाहे वह जिस भी नाम से ज्ञात हो, विशेष लोक अभियोजक समझा जायेगा।

5-मूल अधिनियम की धारा 8 के स्थान पर निम्नलिखित धारा रख दी जायेगी, धारा 8 का अर्थात्:-  
संशोधन

8 (1)-जो कोई धारा 3, धारा 5 या धारा 5क के उपबन्धों का उल्लंघन करता है या उल्लंघन करने का प्रयास करता है या उल्लंघन करने के लिए दुष्टेष्ट करता है वह ऐसी अवधि के कठोर कारावास, जो अन्यून तीन वर्ष होगी और जो दस वर्ष तक हो सकती है, से, और ऐसे जुर्माना, जो अन्यून तीन लाख रुपये होगा और जो पाँच लाख रुपये तक हो सकता है, से दण्डनीय किसी अपराध का दोषी होगा।

(2) जो कोई इस अधिनियम के अधीन किसी अपराध की दोषसिद्धि के पश्चात् इस अधिनियम के अधीन किसी अपराध का पुनः दोषी हो तो वह द्वितीय दोष सिद्धि हेतु उक्त अपराध के लिये उपबन्धित दोहरे दण्ड से दण्डित किया जायेगा।

(3) धारा-5क के उपबन्ध के उल्लंघन के अभियुक्त व्यक्ति का नाम तथा फोटोग्राफ मुहल्ला में ऐसे किसी महत्वपूर्ण स्थान पर जहाँ अभियुक्त सामान्यतः निवास करता हो अथवा ऐसे किसी सार्वजनिक स्थल पर जहाँ वह विधि प्रवर्तन अधिकारियों से स्वयं को छिपाता हो, प्रकाशित किया जायेगा।

6-मूल अधिनियम की धारा 9 के स्थान पर निम्नलिखित धारा रख दी जायेगी, धारा 9 का अर्थात्:-  
संशोधन

9-दण्ड प्रक्रिया संहिता, 1973 में अन्तर्विष्ट किसी बात के होते हुये भी धारा 5ख एवं धारा 8 की उपधारा (1) के अधीन दण्डनीय अपराध, संज्ञेय तथा अजमानतीय होगा।



निरसन और  
व्यावृत्ति

7-(1) उत्तर प्रदेश गो-वध निवारण (संशोधन) अध्यादेश,  
2020 एतद्वारा निरसित किया जाता है।

उत्तर प्रदेश  
अध्यादेश संख्या 11  
सन् 2020

(2) ऐसे निरसन के होते हुए भी उपधारा (1) में निर्दिष्ट अध्यादेश द्वारा यथा संशोधित मूल अधिनियम के उपबन्धों के अधीन कृत कोई कार्य या की गई कोई कार्यवाही, इस अधिनियम द्वारा यथा संशोधित मूल अधिनियम के सह प्रत्यर्थी उपबन्धों के अधीन कृत या की गई समझी जायेगी मानो इस अधिनियम के उपबन्ध सभी सारवान समयों में प्रवृत्त थे।

### उद्देश्य और कारण

उत्तर प्रदेश राज्य में गाय और गोवंश के वध का निषेध करने और उसको रोकने के लिए उत्तर प्रदेश गो-वध निवारण अधिनियम, 1955 (उत्तर प्रदेश अधिनियम संख्या 1 सन् 1956) अधिनियमित किया गया है। पूर्वोक्त अधिनियम में अनेक संशोधनों के पश्चात भी इस प्रकार की शिथिलता बनाये रखी गयी जिसके कारण इस अधिनियम का क्रियान्वयन जनाकांक्षाओं की प्रत्याशा के अनुरूप प्रभावी रूप से नहीं किया जा सका और गाय तथा गोवंश के अवैध वध एवं अवैध परिवहन की शिकायतें प्राप्त हो रही थीं। इस अधिनियम के वर्तमान उपबन्ध, गाय और गोवंश के इस प्रकार के अवैध वध, अवैध एवं अनियमित परिवहन कमजोर तथा अपर्याप्त सिद्ध हो रहे थे, अतएव गाय तथा गोवंश के अवैध परिवहन हेतु कड़े दण्ड का उपबन्ध करने के लिए पूर्वोक्त अधिनियम की धारा 5क, 7, 8 तथा 9 का संशोधन करने का विनिश्चय किया गया।

चूँकि राज्य विधानमण्डल सत्र में नहीं था और पूर्वोक्त विनिश्चय को क्रियान्वित करने के लिए तुरन्त विधायी कार्यवाही की जानी आवश्यक थी, अतः राज्यपाल द्वारा दिनांक 11 जून, 2020 को उत्तर प्रदेश गो-वध निवारण (संशोधन) अध्यादेश, 2020 प्रख्यापित किया गया।

यह विधेयक पूर्वोक्त अध्यादेश को प्रतिस्थापित करने के लिये पुरःस्थापित किया जाता है।

आज्ञा से,  
जे०पी० सिंह-II,  
प्रमुख सचिव।

No. 1558(2)/LXXIX-V-1-20-1(ka) 23-20

Dated Lucknow, August 31, 2020

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Go-Vadh Nivaran (Sanshodhan) Adhiniyam, 2020 (Uttar Pradesh Adhiniyam Sankhya 20 of 2020) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 28, 2020. The Pashudhan Anubhag-1, is administratively concerned with the said adhiniyam.

THE UTTAR PRADESH PREVENTION OF COW SLAUGHTER (AMENDMENT)  
ACT, 2020

(U. P. Act no. 20 of 2020)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

*further to amend the Uttar Pradesh Prevention of Cow Slaughter Act, 1955,*

IT IS HEREBY enacted in the Seventy First Year of the Republic of India as follows :-

1. (1) This Act may be called the Uttar Pradesh Prevention of Cow Slaughter (Amendment) Act, 2020. Short title and commencement

(2) It shall be deemed to have come into force with effect from June 11, 2020.

2. In section 5A of the Uttar Pradesh Cow Slaughter Prevention Act, 1955 here in after referred to as the principal Act, after sub-section 5 the following sub-sections shall be *inserted*, namely: Amendment of section 5A of U.P. Act No. 1 of 1956

(6) Where the said conveyance has been confirmed to be related to beef by the competent authority or authorized laboratory under this Act, the driver, operator and owner related to transport, shall be charged with the offence under this Act, unless it is not proved that the transport medium used in crime, despite all its precautions and without its knowledge, has been used by some other person for causing the offence.

(7) The vehicle by which the beef or cow and its progeny is transported in violation of the provisions of this Act and the relevant rules, shall be confiscated and seized by the law enforcement officers. The concerned District Magistrate/Commissioner of Police will do all proceedings of confiscation and release, as the case may be.

(8) The cow and its progeny or the beef transported by the seized vehicle shall also be confiscated and seized by the law enforcement officers. The concerned District Magistrate/Commissioner will do all proceedings of the confiscation and release, as the case may be.

(9) The expenditure on the maintenance of the seized cows and its progeny shall be recovered from the accused for a period of one year or till the release of the cow and its progeny in favour of the owner thereof whichever is earlier.

(10) Where a person is prosecuted for committing, abetting, or attempting to an offence under sections 3, 5 and 8 of this Act and the beef or cow-remains in the possession of accused has been proved by the prosecution and transported things are confirmed to be beef by the competent authority or authorized laboratory, then the court shall presume that such person has committed such offence or attempt or abetment of such offence, as the case may be, unless the contrary is proved.

(11) Where the provisions of this Act or the related rules in context of search, acquisition, disposal and seizure are silent, the relevant provisions of the Code of Criminal Procedure, 1973 shall be effective thereto.

Insertion of  
section 5B

3. After section 5 A of the principal Act, the following section shall be *inserted*, namely:-

5B. Whoever causes any physical injury to any cow or its progeny so as to endanger the life thereof such as to mutilate its body or to transport it in any situation whereby endangering the life thereof or with the intention of endangering the life thereof does not provide with food or water shall be punished with imprisonment for a term which shall not be less than one year and which may extend to seven years and with fine which shall not be less than one Lakh rupees and which may extend to three Lakh rupees.

Insertion of  
section 7A

4. After section 7 of the principal Act, the following section shall be *inserted*, namely:-

7A. (1) Notwithstanding, anything contained in the Code of Criminal Procedure, 1973, no person charged with a criminal offence under this Act or any rules made there under, while in custody, shall be released on bail or on his own bond unless,-

(a) the Special Public Prosecutor is given an opportunity to oppose the application to such release and

(b) where the Special Public Prosecutor opposes the application, the court is convinced that there is a reasonable basis for believing that he is not guilty of such an offence and that it is unlikely to commit any offence while on bail.

(2) The restrictions regarding grant of bail under sub-section (1) shall be in addition to the restrictions under the Code of Criminal Procedure, 1973.

(3) Under the provisions of this Act, every prosecutor of the State Prosecution Service, who has been engaged in the prosecution work for seven years, by whatever name it is known, shall be deemed to be a special public prosecutor.

Amendment  
of section 8

5. For section 8 of the principal Act, the following section shall be *inserted*, namely:-

8 (1) Whoever, contravenes or attempts to contravene or abets the contravention of the provisions of section 3, section 5 or section 5A shall be guilty of an offence punishable with rigorous imprisonment for a term which shall not be less than three years and which may be extend to ten years and with fine which shall not be less than three Lakh rupees and which may extend to five Lakh rupees.

(2) Whoever after conviction of an offence under this Act is again guilty of an offence under this Act, shall be punished with double the punishment provided for the said offence for the second conviction.

(3) The names and the photograph of the person accused of the contravention of the provision of section-5A shall be published at some prominent place in locality where the accused ordinarily resides or to a public place, if he conceals himself from the law enforcement officers.

Amendment of  
section 9

6. For section 9 of the principal Act, the following section shall be *substituted*, namely :-

9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under section 5B and sub-section (1) of section 8 shall be cognizable and non-bailable.

Repeal and  
saving

7. (1) The Uttar Pradesh Prevention of Cow Slaughter (Amendment) Ordinance, 2020 is hereby repealed.

U. P.  
Ordinance  
no. 11 of 2020

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

### STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (U. P. Act no. 1 of 1956) has been enacted to prohibit and prevent the slaughter of cow and its progeny in the State of Uttar Pradesh. Even after several amendments in the aforesaid Act, such laxity was maintained, due to which this Act was not being implemented effectively as per the expectation of public sentiments and complaints of illegal slaughter and illegal transport of cow and its progeny were being received. The present provisions in the Act were proving to be weak and insufficient to stop such illegal slaughter, illegal and irregular transport of cow and its progeny therefore it was decided to amend section 5A, 7, 8 and 9 of the aforesaid Act to provide for stringent punishment for illegal transport of cow and its progeny.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Prevention of Cow Slaughter (Amendment) Ordinance, 2020 was promulgated by the Governor on June 11, 2020.

This Bill is introduced to replace the aforesaid Ordinance.

By order,  
J.P. SINGH-II,  
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 204 राजपत्र-(हिन्दी)-2020-(590)-599 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।

पी०एस०यू०पी०-ए०पी० 162 सा० विधायी-2020-(591)-300 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।