

Bill Summary

The Assam Cattle Preservation Bill, 2021

- The Assam Cattle Preservation Bill, 2021 was introduced in the Assam Legislative Assembly on July 12, 2021. The Bill seeks to repeal the Assam Cattle Preservation Act, 1950. The Act provides for the preservation of cattle by controlling their slaughter. The Bill seeks to regulate: (i) the slaughter and transportation of cattle, and (ii) the sale of beef.
- **Prohibition of slaughter of cattle:** The Act prohibits the slaughter of all cattle unless a fit-for-slaughter certificate is issued. The Bill seeks to prohibit the slaughter of: (i) cows of all ages, and (ii) other cattle (unless a fit-for-slaughter certificate is issued). Other cattle include bulls, bullocks, calves, male and female buffaloes, buffalo calves, and heifer (a cow that has borne zero or up to one calf only). However, accidental killing of cattle is exempted.
- **Procedure for permitting slaughter:** Under the Bill, a fit-for-slaughter certificate will be issued by the Veterinary Officer, if the cattle: (i) excluding cow, is over 14 years of age, or (ii) excluding cow, heifer, or calf, has become permanently incapacitated due to any accidental injury or deformity.
- Slaughter of certified cattle will be allowed only in licensed or recognised slaughter houses. The state government may also exempt certain places of worship or religious occasions for slaughter of cattle (excluding cows, heifer, and calves).
- **Prohibition on transport of cattle:** The Bill restricts the transport of cattle into, out of, through, and within the state of Assam. However, a competent authority (as notified by the state government) may issue a permit to transport cattle for bonafide agricultural or animal husbandry purposes as may be prescribed. Such a permit may be valid for one month and may be extended, subject to the satisfaction of the competent authority.
- No permission is required for transporting cattle within a district: (i) to a grazing field for agricultural or animal husbandry purposes, and (ii) to and from a registered Animal Market for sale and purchase of such cattle. An Animal Market is a licensed or recognised market place where animals are brought from other places and offered for sale or auction, including animal fairs and cattle pounds.
- **Prohibition on sale of beef and beef products:** The Bill prohibits persons from selling or offering to sell or buy beef or beef products in any form, except at permitted places. However, no such permission shall be granted: (i) in areas predominantly inhabited by Hindu, Sikh, Jain, or other non-beef eating communities, (ii) within a radius of five kilometres of religious institutions belonging to the Hindu religion, or (iii) any other notified area or institution.
- **Search and Seizure:** The Bill empowers authorities to enter and inspect premises, if they believe an offence has been or is likely to be committed. It also allows the: (i) seizure of any material or carcass or cattle so found, and (ii) detention of any accused persons. The cattle so seized may be handed over to any institution or Gaushala, and their maintenance expenditure recovered from the accused. A Gaushala is a registered shelter established for the protection and preservation of cattle, under any state or central law.
- **Penalties:** The Act provides for a fine of Rs 1,000 and an imprisonment term of six months for violating or abetting the violation of provisions of the Act. The Bill provides for an imprisonment term of between three and eight years, and a fine of between three and five lakh rupees. Under certain circumstances, the trial court may also decide to reduce the minimum penalty. Repeat offences will attract double the prescribed punishment. All offences under this Bill shall be cognisable and non-bailable.
- **Other Exemptions:** The Bill will not apply to slaughter of cattle: (i) if the cattle is operated upon for any experimental or research purpose, (ii) if it is required in the interest of public health or if the cattle is carrying an incurable or infectious or dangerous disease, and (iii) for the supply of flesh (excluding that of cows, heifer, and calves) to the state zoo or other similar set up, for the purpose of feeding animals there in.

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