

Cow slaughter ban

A large section of Indian society holds cow a sacred animal. Besides this before mechanization of agriculture sector, the agricultural work in the fields was carried out with the help of bullocks, progeny of cow. Wealth of an agriculturist was measured on the basis of how many cows and bullocks he has besides his land holding. Earlier agricultural families use to stay independent by creating commodities required for daily life at home or in their fields. Cow use to help them to get all dairy products. Because of its usefulness cow was considered as integral part of agricultural economy. Because of these two reasons the citizens in India since the time of Independence were for asking for ban on slaughter of cow and trading in beef.

When the India was framing its Constitution the citizens and representatives of the citizens started to demand introduction of ban on cow slaughter in the Constitution. Some required that this ban should be included as fundamental right and many of them have put up their arguments and request before Mahatma Gandhi and Dr Rajendra Prasad. Gandhiji considering the letters and telegrams received by the people wrote in Harijan in August 1947 that cow worship is largely confined to some part of India and it will not be appropriate to legally enforce religious practice of some of the citizens on those who do not share their religion. The citizens desiring cow slaughter ban however continued to create pressure on the constituent assembly of the representatives to bring some sort of constitutional provision in respect of cow slaughter. After the prolonged and heated debates in the constituent assembly it was decided to include this aspect in the directive principles of fundamental state policy and that was introduced article 48 in the Constitution of India which runs as under,

48. Organization of agriculture and animal husbandry - The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle

In the post-independence era, the subject of ban on cow slaughter was used by the politicians to get political weightage and votes during elections.

Twenty-two states in India legislated laws providing cow slaughter as well as preventing the slaughter of progeny of cow. Prohibition of slaughter of cow and its progeny has given rise to the issue of taking care of cow and progeny when they become old and are not useful to an agriculturist and rather become economic burden which an agriculturist cannot bear. Some of the governments came up with the laws for creating shelter houses for cows and progeny with government and public funding. Large number of citizens belonging to particular sect believe in giving donations for such shelter houses for preservation of course. 80 crore people in India are living below poverty line and required to be provided ration by spending public exchequer. Humanitarians raise question regarding wideness of creating shelter houses by spending public money with the government by asking whether it is appropriate to feed an animal at the cost of keeping a poor person hungry. Nonetheless there is also large population of India which

is interested in using beef as the culinary dish and part of their eating habits. Beef is eaten in most of the countries in all continents.

India, being the country inhabiting people of different faiths, different religion and different eating habits, governments elected by the people of India shall have to take care of demands of all the people of India. When it comes to religious belief, it is required that citizens belonging to different religious beliefs shall respect the religious beliefs of each other and make coexistence of everyone sustainable. With the advent of technology and international trade the government is in a position to make the laws which will respect the religious sentiment of citizens, who require ban on cow slaughter and at the same time allow the people to fist on beef of bovine animals by bring clarity in the provisions of law. "The print" in its 26 March 2019 edition reported about the factual figures regarding export of beef by India. As per the report India is world's largest beef exporter exporting buffalo meat to various countries in Asia and Europe. As reported by economic times in May 2021 the Government of India considers export of beef as one of the prominent factors of foreign trade and the commerce and agricultural ministry assures the importing countries of beef from India that the buffalo meat exported from India is affordable and prepared and preserved as per international standards. If these are the states of affairs, then the government should have transparent policy regarding utilization of beef by the citizens, for whom the beef is an item of daily consumption.

Full bench of the Supreme Court in the case of **State of Gujarat versus Mirzapur Moti Kureshi** in the year 2005 upheld the validity of amendment to the Bombay Animal Preservation Act and put an end to challenges to the legislations enacted by different states prohibiting cow slaughter.

In the result many of the states in India enforce prohibition on cow slaughter and slaughter on its progeny and also made the laws for preservation of cows by state and public funding. there are some states which do not have any law prohibiting slaughter of cow. The people confuse that beef can only be obtained by slaughtering cow however as discussed above beef is also obtained from slaughtering other bovine animals like buffalo. What one eats in his house or what is eating habits of a particular person is a matter of privacy at the same time faith of particular person to respect particular animal is question of his faith and he's entitled to profess his faith in view of the fundamental right enshrined in the Constitution. It is for the people to respect rights of each other and make the India peaceful nation where people of different faiths, different ideas, different cultures stay together.

