# Legality of Cow Slaughter Bans

***Prelims*** *– Indian Polity and Governance.*

***Mains*** *– GS II | Government policies and interventions.*

**Why in News?**

*The recent announcement of Maharashtra to invoke Maharashtra Control of Organized Crime Act against repeat offenders in cases of cow-slaughter rekindle debates on slaughter bans.*

- **Indian Constitution** – ***Article 48*** of the Direct Principles directs the *state to make efforts for banning animal slaughtering* of cows and calves and other milch and draught cattle.
- By virtue of ***Entry 15 of the State List under 7th Schedule***, the State Legislatures have given exclusive powers to make laws regarding the conservation of cattle including the prevention of cow slaughter.
- **Statutory provisions** – At present, many states have enacted legislation prohibiting the slaughter of cows or the sale of beef.
    - **For example**, Bihar Preservation and Improvement of Animals Act, 1955.
- **Supreme Court** – ***Mohammad Hanif Quareshi Vs State of Bihar (1958)*** marked a watershed moment to negotiate the centuries-old communally fraught issue of cattle slaughter.
- In this case, Supreme Court (SC) *partially upheld the state bans*, carving out key exceptions.
- The ban on slaughter of she-buffaloes, breeding bulls and working bullocks (cattle and buffalo) which are useful is reasonable but of those which are not useful is not valid.
- It mainly reframed the issue from its communal overtones *to bovine economics.*
- It said that cow slaughter was *prohibited for economic value and not entirely religious sentiments*.

*On the right to religion, cow slaughter was held not to be a core tenet of the religion while the Supreme court cited "interests of the general public" as a reasonable restriction on the right to trade and profession under Article 19(1)(g).*

- **Challenges** – The question as to when a she-buffalo, breeding bull or working bullock (cattle and buffalo) ceases to be useful and becomes useless and unserviceable is a matter for legislative determination.

**Reference**

[The Indian Express| Constitution and the Cow]

