Supreme Court stays Cattle Ban Rules

Why in news?

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The Supreme Court has extended the Madras High Court's stay order on the Centre's notification of Regulation of Livestock Market rules, 2017.

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What was the centre's notification?

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- The centre notified the Regulation of Livestock Market Rules, 2017.
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- The rules mandates that no person shall bring cattle to an animal market without a written declaration signed by the owner of the cattle or a duly authorised agent stating that the cattle has not been brought to the market for sale for slaughter.
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- It calls for an Animal Market Committee to be set up in each district.
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- The rules also require the Animal Market Committee to ensure that the buyer of cattle does not further sell the animals for slaughter.
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- West Bengal and Kerala has opposed the ban and appealed to all other states to object to the covert attempt to violate the powers of the state legislature in the disguise of rules under a Central Act.
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- The validity of the rules was challenged in various high courts and the SC.
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What was the petitioner's stand?

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- The petitioner stated that the new Regulation of Livestock Market Rules should be quashed as it breached the principle of federalism and were

contrary to Prevention of Cruelty to Animals Act, 1960.
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- The Centre’s notification was against the fundamental rights of citizens, and the right to food and its choice is restricted.
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- The rules also interfered in the freedom of trade and business guaranteed under the Constitution.
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- The Madurai bench of Madras HC had stayed the rules.
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What was the court’s rationale?

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- It granted a four-week stay on the Centre’s notification banning sale and purchase of cattle for slaughter at animal markets.
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- The judges clarified that the delegated power to legislate by making rules cannot be exercised to bring into existence substantive rights or obligations or disabilities, which are not contemplated by the provisions of the original act.
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- The counsel for the Centre argued that the aim of the notification was to regulate animal markets.
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- However, the court stayed the Centre’s order.
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What is the present status?

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- The Supreme Court also upheld the Madurai bench’s order and stayed the centre’s rules banning cattle sale in livestock market.
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- It has directed the centre to keep the rules on hold till new amendments to the act are notified.
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Source: The Hindu

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