

No. 24013/50 /Misc./2016-CSR.III
Government of India/Bharat Sarkar
Ministry of Home Affairs

N.D.C.C. II Building, Jai Singh Road,
New Delhi dated the 9th August, 2016.

To,

The Chief Secretaries,
All State Governments/ UT Administrations.

Subject: Advisory on untoward incidents in the country on cattle in the disturbance of law and order by miscreants in the name of protection of Cow.

Sir/Madam,

Historically cattle have a very special, respected and venerated status in Indian culture and history. In this regard, Father of the Nation had stated that "Cow protection to me is not mere protection of the cow. It means protection of that [which] lives, is helpless and weak in the world".

2. Further, Directive Principles of State Policy provide for the preservation of cows. Article 48 of the Constitution of India reads as under:-

"48. Organisation of agriculture and animal husbandry - The State shall endeavour to organise 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."

3. Entry 15 of the State list of the 7th Schedule allocates the work of "Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice" to the States. Consequently laws pertaining to cow preservation or prohibition of slaughter vary from State to State.

4. In States where slaughter of cows is prohibited by law, such slaughtering would be in violation of law, and an offence.

5. **However, that does not entitle any individual or group of persons to take action on their own to prevent the alleged slaughter or punish the alleged wrong doers.**

6. Section 39 of the Cr.PC requires that any person aware of the commission of certain offences or intention thereof, is required to give information to the nearest Magistrate or police officer of such commission or intention. Therefore, if an offence is committed, or about to be committed, such an offence, or possibility of offence is required to be brought to the notice of the concerned police authorities or magistrate for appropriate action as per law. **No person can, under any circumstances, take the law into their own hands.**

7. Any person, or persons, doing so have to be dealt with strictly under the relevant laws, and brought to justice in the quickest possible fashion, for the strictest punishment.

8. Recently some incidents have been reported where certain persons or groups have taken law into their own hands in the name of protecting cows and have committed crimes in pursuance thereof. This is not an acceptable situation.

9. The States are, therefore, enjoined upon, and expected, to ensure that any person who takes law into his/her own hands is dealt with promptly, and punished as per law. There should be no tolerance at all for such persons and full majesty of law must come to bear on them, without exception.

Yours faithfully,

Dilip Kumar

(Dilip Kumar)
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Copy for information and necessary compliance to:-

1. The Principal Secretary/ Secretary Home – All State Governments/UT Administrations.
2. The Director General of Police – All State Governments/UT Administrations.

Mani Ram

(Mani Ram)
Under Secretary to the Government of India.