

AS INTRODUCED IN THE RAJYA SABHA
ON THE 24TH MARCH, 2017

Bill No. VI of 2017

THE COW PROTECTION BILL, 2017

A

BILL

to create an Authority to ensure stabilization of population of cows (Bos indicus) and to suggest such measures to comply with Articles 37 and 48 of the Constitution, to ban the slaughter of cows and to provide for deterrent punishment including death penalty for slaughter of cow and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Cow Protection Act, 2017.

(2) It extends to the whole of India.

5 (3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Short title,
extent and
commencement.

Definitions.	<p>2. In this Act, unless the context otherwise requires,—</p> <p>(a) "Authority" means the National Cow Protection Authority established under section 3.</p> <p>(b) "Cow Protection" means total ban in any form of injury or slaughter or enforced starvation of the breed of Indian cow (<i>Bos Indicus</i>.)</p> <p>(c) "Gowshalas" means health compliant hygenic comfortable shelters for Indian cow.</p> <p>(d) "prescribed" means prescribed by the rules made under this Act.</p>	
Constitution of National Cow Protection Authority.	<p>3. (1) With effect from such dates as the Central Government may, by notification, appoint, there shall be constituted, for the purposes of this Act, an Authority, to be known as the National Cow Protection Authority consisting of the following members, namely,—</p> <p>(a) Secretary, Department of Animal Husbandary in the Ministry of Agriculture-Chairperson, ex-officio; and</p> <p>(b) five persons of eminence in the fields of agricultural economics, animal welfare and ancient Indian history or culture—Members</p> <p>(2) The Central Government shall appoint such number of officers and staff as it considers necessary for the function of the Authority.</p> <p>(3) The salary and allowances payable to and other terms of conditions of service of members, officers and staff of the Authority shall be such as may be prescribed.</p>	5 10 15
Meetings of the Authority.	<p>4. The Authority shall meet at such time and place and shall observe such rules of procedure with regard to transaction of business at its meetings as may be prescribed by the Central Government.</p>	20
Functions of the Authority.	<p>5. (1) The Authority shall discharge such functions as many be necessary to ensure stabilization of the cow population in the country and formulate a comprehensive policy for the purpose within one year after its constitution.</p> <p>(2) Without prejudice to the provisions contained in sub-section (1), the functions of the Authority shall also include to—</p> <p>(a) undertake a baseline study to collect data about cow population and to formulate a Qualitative Cow Dignity Index (CDI) as may be prescribed which shall be completed within one year of setting up of the Authority;</p> <p>(b) formulate schemes to provide for healthy <i>Bos Indicus</i> cows and calves.</p> <p>(c) provide for funds to help incentivise adoption of cow and setting up Gowshalas.</p> <p>(d) recommend to the Central Government, deterrent penalties including death penalty, to those who commit offences against cows and not follow the policies framed by the Authority;</p> <p>(e) frame syllabus for awareness about importance of cow protection and development all over the country; and</p> <p>(f) conduct awareness campaigns about medical imperatives for improving health of <i>Bos Indicus</i> cows and progeny.</p>	25 30 35
Annual Report and its laying before Parliament.	<p>6. (1) The Authority shall prepare once every year, as may be prescribed, an annual report giving the summary of its activities, including schemes it has undertaken and recommended to the Government during the previous year and it shall contain statements of annual accounts of the Authority.</p> <p>(2) A copy of the Report shall be forwarded to the Central Government and the Central Government shall lay the Report before each House of Parliament as soon as it is received</p>	40 45

and shall also lay the action taken thereon within a period of three months from the date of receipt of the report by the Central Government.

5 **7.** The Central Government shall from time to time provide after due appropriation made by Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act. Government to provide Funds.

2 of 1974. **8.** The Central Government shall on the recommendation of the Authority prosecute any person within the framework of the Criminal Procedure Code of 1973 on committing any offence prescribed by law on the recommendation of the Authority under this Act. Prosecution for offences.

10 **9.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government, in consultation with the State Governments, may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it be necessary or expedient for the removal of any difficulty. Power to remove difficulty.

10. The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.

STATEMENT OF OBJECTS AND REASONS

By creating an Authority under the Central Government to comply with article 37 of the Constitution and in keeping with article 48 of the Constitution, a law be enacted to ban the slaughter of all cows (Bos Indicus) as wished by Mahatma Gandhi as an imperative for free Independent India and to recommend punishment including death penalty as a necessary deterrent for the prevention of the criminal offence of cow slaughter.

Hence this Bill.

DR. SUBRAMANIAN SWAMY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of the National Cow Protection Authority and appointment of officers and staff for this authority. Clause 7 requires the Central Government to provide, requisite funds for carrying out the purposes of this legislation. The Bill, if enacted, will involve expenditure, recurring and non-recurring, from the Consolidated Fund of India. However, it is not possible to assess the actual financial expenditure which is likely to be incurred at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of details only, the delegation of legislative powers is of a normal character.

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(Dr. Subramanian Swamy, M.P.)