

U.P. Prevention of Cow Slaughter Act, 1955
[U.P. Act No. I of 1956]

ARRANGEMENT OF SECTIONS

SECTIONS

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U.P. Prevention of Cow Slaughter Act, 1955¹

[U.P. Act No. I of 1956]

Amended by

U.P. Act No. 33 of 1958

U.P. Act No. 17 of 1961

U.P. Act No. 23 of 1961

U.P. Act No. 24 of 1979

U.P. Act No. 14 of 2002

U.P. Act No. 20 of 2020

[Received the assent of the President on December 30, 1955, under article 201 of the Constitution of India, 1950 and was published in the Uttar Pradesh Gazette, Extraordinary, dated January 6, 1956. For Statement of Object and Reasons, see the Uttar Pradesh Gazette, Extraordinary, dated March 30, 1955. Passed in Hindi by the Uttar Pradesh Legislative Assembly on September 8, 1955 and by the Uttar Pradesh Legislative Council on September, 21, 1955, with certain amendments and then again by the U.P. Legislative Council on April, 1956.]

An Act to prohibit and prevent the slaughter Uttar Pradesh of cow and its progeny in Uttar Pradesh

Whereas it is expedient to prohibit and prevent the slaughter of cow and progeny in Uttar Pradesh:

It is hereby enacted in the sixth year of the Republic of India as follows :

1. Short title, extent and commencement. - (1) This Act may be called the Uttar Pradesh Prevention of Cow Slaughter Act, 1955.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force at once.

2. Definitions. - In this Act unless there is anything repugnant in the subject or context,-

²[(a) "beef" means flesh of cow but does not include such flesh contained in sealed containers and imported as such into Uttar Pradesh;]

(b) "cow" includes a [* * *]³ heifer, or calf;

²[(c) "Goshala" means a Goshala registered under the Uttar Pradesh Goshala Adhiniyam 1964;]

²[(cc) "Institution" means an institution established under section 6.]

(d) "slaughter" means killing by any method whatsoever and includes maiming and inflicting of physical injury which in the ordinary course will cause death;

(e) "State Government" means the Government of Uttar Pradesh, and

(f) ²[*****].

¹ For SOR See U.P. Gazette Extraordinary Dated 30 march 1955

² Subs by sec 2 of U.P. Act no 14 of 2002

³ Del by sec 2(ii) of U.P. Act no 33 of 1958

¹[**3. Prohibition of cow slaughter.** - No person shall slaughter or cause to be slaughtered or offer or cause to be offered for slaughter a cow, bull or bullock in any place in Uttar Pradesh; anything contained in any other law for the time being in force or an usage or custom to the contrary notwithstanding]

4. ²[*****]

5. Prohibition on sale of beef. - Except as herein excepted and notwithstanding anything contained in any other law for the time being in force, no person shall sell or transport or offer for sale or transport or cause to be sold or transported beef or beef-products in any form except for such medicinal purposes as may be prescribed.

Exception. - A person may sell and serve or cause to be sold and served beef or beef products for consumption by a *bona fide* passenger in an air-craft or railway train.

³[**5A. Regulation on transport of cow, etc.** - (1) No person shall transport or offer for transport or cause to be transported any cow, or bull or bullock, the slaughter whereof in any place in Uttar Pradesh is punishable under this Act, from any place within the State to any place outside the State, except under a permit issued by an officer authorised by the State Government in this behalf by notified order and except in accordance with the terms and conditions of such permit.

(2) Such officer shall issue the permit on payment of such fee not exceeding ⁴[five hundred rupees] for every cow, bull or bullock as may be prescribed :

Provided that no fee shall be chargeable where the permit is for transport of the cow, bull or bullock for a limited period not exceeding six months as may be specified in the permit.

(3) Where the person transporting a cow, bull or bullock on a permit for a limited period does not bring back such cow, bull or bullock into the State within the period specified in the permit, he shall be deemed to have contravened the provision of sub-section (1).

(4) The form of permit, the form of application therefor and the procedure for disposal of such application shall be such as may be prescribed.

(5) The State Government or any officer authorised by it in this behalf by general or special notified order, may, at any time, for the purpose of satisfying itself, or himself, as to the legality or propriety of the action taken under this section, call for and examine the record of any case and pass such orders thereon as it or he may deem fit]³.

⁵[(6) Where the said conveyance has been confirmed to be related to beef by the competent authority or authorised laboratory under this Act, the driver, operator and

¹ Subs by sec 3 of U.P.Act no 14 of 2002

² Omitt by sec 4 of U.P.Act no 14 of 2002

³ Ins by sec 2 of U.P.Act no 24 of 1979

⁴ Subs by sec 5 of U.P.Act no 14 of 2002

⁵ Ins by sec 2 of U.P.Act no 20 of 2020

owner related to transport, shall be charged with the offence under this Act, unless it is not proved that the transport medium used in crime, despite all its precautions and without its knowledge, has been used by some other person for causing the offence.

(7) The vehicle by which the beef or cow and its progeny is transported in violation of the provisions of this Act and the relevant rules, shall be confiscated and seized by the law enforcement officers. The concerned District Magistrate/Commissioner of Police will do all proceedings of confiscation and release, as the case may be.

(8) The cow and its progeny or the beef transported by the seized vehicle shall also be confiscated and seized by the law enforcement officers. The concerned District Magistrate/ Commissioner will do all proceedings of the confiscation and release, as the case may be.

(9) The expenditure on the maintenance of the seized cows and its progeny shall be recovered from the accused for a period of one year or till the release of the cow and its progeny in favour of the owner thereof whichever is earlier.

(10) Where a person is prosecuted for committing, abetting, or attempting to an offense under Sections 3, 5 and 8 of this Act and the beef or cow-remains in the possession of accused has been proved by the prosecution and transported things are confirmed to be beef by the competent authority or authorised laboratory, then the court shall presume that such person has committed such offence or attempt or abetment of such offence, as the case may be, unless the contrary is proved.

(11) Where the provisions of this Act or the related rules in context of search, acquisition, disposal and seizure are silent, the relevant provisions of the Code of Criminal Procedure, 1973 shall be effective thereto.]¹

²**[5B- Insertion of Section 5B-** Whoever causes any physical injury to any cow or its progeny so as to endanger the life thereof such as to mutilate its body or to transport it in any situation whereby endangering the life thereof or with the intention of endangering the life thereof does not provide with food or water shall be punished with imprisonment for a term which shall not be less than one year and which may extend to seven years and with fine which shall not be less than one Lakh rupees and which may extend to three Lakh rupees.]

³**[6. Establishment of Institution-** There shall be establish by the State Government or by any Establishment local authority wherever so directed by the State of Institution Government or by a society registered under the Societies Registration Act, 1860 with prior permission of the State Government under such terms and conditions as may be prescribed, institutions as may be necessary for taking case of cows, bulls or bullocks.]

¹ Ins by sec 2 of U.P.Act no 20 of 2020

² Ins by sec 3 of U.P.Act no 20 of 2020

³ Ins by sec 6 of up act no 14 of 2002

¹**7. Maintenance of cows etc.** - (1) Any person may surrender his cow, bull or bullock to a Goshala or an institution which shall accept such cow, bull or bullock according to the availability of accommodation. Any cow, bull or bullock so surrendered shall not be returned to such person.

(2) The State Government may make such other alternative and additional arrangements for taking care of such cows, bulls or bullocks as it may deem necessary.

(3) Any Goshala or any institution may receive any cow, bull or bullock for custody from police or any other person which may be released to the owner on such terms and conditions and in such manner and on payment of such charges as may be prescribed]

²**7A. Insertion of Section 7A** - (1) Notwithstanding, anything contained in the Code of Criminal Procedure, 1973, no person charged with a criminal offence under this Act or any rules made there under, while in custody, shall be released on bail or on his own bond unless, -

(a) the Special Public Prosecutor is given an opportunity to oppose the application to such release; and

(b) where the Special Public Prosecutor opposes the application, the court is convinced that there is a reasonable basis for believing that he is not guilty of such an offence and that it is unlikely to commit any offence while on bail.

(2) The restrictions regarding grant of bail under sub-section (1) shall be in addition to the restrictions under the Code of Criminal Procedure, 1973.

(3) Under the provisions of this Act, every prosecutor of the State Prosecution Service, who has been engaged in the prosecution work for seven years, by whatever name it is known, shall be deemed to be a special public prosecutor.]

³**8. Amendment of section 8-** (1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of Section 3, Section 5 or Section 5-A shall be guilty of an offence punishable with rigorous imprisonment for a term which shall not be less than three years and which may be extend to ten years and with fine which shall not be less than three Lakh rupees and which may extend to five Lakh rupees.

(2) Whoever after conviction of an offence under this Act is again guilty of an offence under this Act, shall be punished with double the punishment provided for the said offence for the second conviction.

(3) The names and the photograph of the person accused of the contravention of the provision of Section 5-A shall be published at some prominent place in locality where

¹ Subs by sec 7 of up act no 14 of 2002

² Ins by sec 4 of U.P.Act no 20 of 2020

³ Subs by sec 5 of U.P.Act no 20 of 2020

the accused ordinarily resides or to a public place, if he conceals himself from the law enforcement officers.]

¹**[9. Amendment of Section 9-** Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under Section 5-B and sub-section (1) of Section 8 shall be cognizable and non-bailable.]

10. Power to make rules. - (1) The State Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of foregoing powers, such rules may provide for-

(a) [*****]²

(aa) -[*****]²

(b) [*****]²

(c) [*****]²

³[(d) the procedure for surrender, acceptance custody and release of cows, bulls or bullocks;

(dd) the terms and conditions of release of cows, bulls or bullocks.]

(e) the matters relating to the establishment, maintenance, management, supervision and control of institutions referred to in Section 6;

(f) the duties of any officer or authority having jurisdiction under this Act, the procedure to be followed by such officer or authority; and

(g) the matters which are to be and may be prescribed.

¹ Subs by sec 6 of U.P.Act no 20 of 2020

² Omitted by sec 9 of up act no 14 of 2002

³ Subs by sec 9 of up act no 14 of 2002