

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

STARRED QUESTION NO:311
ANSWERED ON:08.08.2017
Protection/Preservation of Cattle
Venugopal Dr. Ponnusamy

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) whether the States enjoy exclusive powers to enact law on the issue of protection/preservation of cattle;
- (b) if so, the details thereof; and
- (c) whether many High Courts in the country had pronounced judgements on the issue in the past and if so, the details thereof?

Answer

MINISTER FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(DR. HARSH VARDHAN)

(a), (b) and (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) OF THE LOK SABHA STARRED QUESTION NO. *311 REGARDING "PROTECTION/PRESERVATION OF CATTLE" BY DR. P. VENUGOPAL FOR REPLY ON 08.08.2017.

(a) & (b) Under the distribution of legislative powers between the Union of India and States under Article 246(3) Entry 15 in the List II of the Seventh Schedule of the Constitution of India, the preservation of cattle is a matter on which the legislature of the States has exclusive powers to legislate. Several State Governments and Union Territories have enacted cattle preservation laws in one form or the other.

(c) In pursuance of Hon'ble Supreme Court of India directives passed in Writ Petition (Civil) No. 881 of 2014, the Ministry of Environment, Forest and Climate Change notified the Prevention of Cruelty to Animals (Regulation of Livestock Markets) Rules, 2017 in the Gazette of India on 23rd May, 2017 with the purpose to ensure welfare of the animals and to ensure adequate facilities for housing, feeding, veterinary care, proper drainage etc in the cattle market and to remove the scope of illegal sale and smuggling of the cattle.

A Writ Petition (Civil) No. 000422 of 2017 titled All India Jamiatul Quresh Action Committee Through its President Mohammed Abdul Faheem Advocate Vs Union of India was filed in the Hon'ble Supreme Court of India. The Hon'ble Supreme Court vide order dated 11.07.2017 observed that the stay granted by the Madurai Bench of Madras High Court vide order dated 30.05.2017 in Writ Petition (MD) No. 7769 & 7771 and 10128 & 10129 to the operation of rules shall apply to the whole country. Thus, the operation of the notification dated 23.05.2017 has been stayed by Hon'ble Supreme Court of India.

Recently, Rajasthan High Court vide order dated 31.05.2017 in Writ petition (Civil) No. 15585/2010 titled Jago Janata Society Vs Rajasthan Government and Others advised that cow should be declared a national animal and directed the State Government of Rajasthan to take steps for preservation and conservation of cows.
