

# ALLAY FEARS ON ANTI-COW SLAUGHTER ORDINANCE: HC

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

The Karnataka High Court on Tuesday ordered issue of notice to the State government on a PIL petition questioning the validity of the Karnataka Prevention of Slaughter and Preservation of Cattle Ordinance, 2020.

A Division Bench comprising Chief Justice Abhay Shreeniwas Oka and Justice Sachin Shankar Magadam passed the order on the petition filed by Mohamed Arif Jameel, a social worker from Bengaluru.

Meanwhile, the Bench asked Advocate-General Prabhuling K. Navadgi to clear apprehension about likely prosecution of farmers for transporting cattle within the State even for the exemption granted for bona-fide agriculture and animal husbandry purpose as the government is yet to frame rules prescribing manner of such transportation.

The Bench also made it clear that it may have to pass limited interim order to protect farmers from prosecution for transporting cattle for permitted agricultural and animal husbandry purposes till the rules are framed if the government is unable to allay the apprehension expressed by the court.

It was contended in the petition that the new law, which gives primacy to the directive principles over the fundamental rights of citizens, had breached the constitutional provision of right to livelihood under Article 21 of the Constitution by imposing economic burden on farmers, cattle traders, and butchers.

The Ordinance was also a violation of right to carry one trade or business and amounts to infringement of Article 19(g) of the Constitution besides depriving citizens to food of their choice.

“Many farmers, including Hindus, were selling unproductive cattle. But now they are forced to care for them even when they cannot afford to feed them,” the petitioner claimed, while contending that expenditure to maintain unproductive cattle in shelters is unacceptable in a developing country like India where the resource of the State is limited.

## Source of protein

Contending that “beef is an excellent source of protein”, the petitioner said the new law “denies the poor and marginalised persons the cheapest source of protein as 15% (over 180 million) Indians, including Dalits, Muslims, Christians, and other backward castes, Adivasis, consume beef.”

The petitioner expressed apprehension that the new law would result in increase in incidents of cow vigilantism in the State, especially in the coastal region.

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