

Act No. 18 of 2010

**THE HIMACHAL PRADESH PROHIBITION OF COW SLAUGHTER
(AMENDMENT) ACT, 2010**

(AS ASSENTED TO BY THE GOVERNOR ON 14TH SEPTEMBER, 2010)

**AN
ACT**

further to amend the Himachal Pradesh Prohibition of Cow Slaughter Act, 1979. (Act No. 11 of 1979).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-first Year of Republic of India as follows:—

Short title. **1.** This Act may be called The Himachal Pradesh Prohibition of Cow Slaughter (Amendment) Act, 2010.

Amendment of section 2. **2.** In section 2 of the Himachal Pradesh Prohibition of Cow Slaughter Act, 1979 (herein after referred to as the principal Act), after clause (c), the following clause shall be inserted, namely:—

“ (cc) “export” means taking of cow outside the territorial jurisdiction of Himachal Pradesh;”.

Insertion of new sections 4A, 4B and 4C. **3.** After section 4 of the principal Act, the following new sections shall be inserted, namely:—

"4 A. Restriction on export of cow.—No person shall export or cause to be exported, cow for the purpose of slaughter either directly or through his agent or servant or any other person acting on his behalf in contravention of the provisions of this Act or with knowledge that it may be or likely to be slaughtered.

4 B. Permit for export.—(1) Any person desiring to export cows shall apply for a permit to such officer, as the Government may, by notification, appoint in this behalf, stating the reasons for which they are to be exported

together with the number of cows and the name of the State to which they are proposed to be exported. He shall also file a declaration that the cows for which export permit is required shall not be slaughtered.

- (2) The officer appointed under sub-section (1), after satisfying himself about the genuineness of the request of the applicant, shall grant and issue him a permit for export of cows specified in the application on payment of such fee and in such form as may be prescribed.

- 4 C. Special permits.— The Government shall have the power to issue special permits for export of cows in cases where it is of the opinion that it is in the public interest to do so."

4. In section 8 of the principal Act, in sub-section (1), for the words and figures "section 3 or 5" and "five thousand", the words, figures and signs "sections 3, 4A, 4B or 5" and "twenty five thousand" shall respectively be substituted. Amendment of section 8.

5. After section 9 of the principal Act, the following new sections shall be inserted, namely:— Insertion of new sections 9A and 9B.

"9 A. Power to enter and seizure etc.— Any Police Officer not below the rank of Head Constable or any person authorized in this behalf by the Government may, with a view to assure and for satisfying himself that the provisions of this Act have been complied with,—

- (a) enter, stop and search or authorize any person to enter stop and search any vehicle used or intended to be used for the export of cows;
- (b) seize or authorize seizure of cows and vehicle in which such cows are found if he suspects that any of the provision of this Act has been, is being or about to be contravened, and thereafter, take or authorize the taking of all measures necessary for securing the production of cows and vehicles seized, in the court for their safe custody; and

2 of 1974.

- (c) the provisions of section 100 of the Code of Criminal Procedures, 1973, relating to search and seizure shall, so far as may be, apply to searches and seizures under this section.

9 B. Protection of action taken in good faith.— No suit, prosecution or other legal proceedings shall lie against any officer of the Government for any thing which is in good faith done or intended to be done under this Act or the rules made thereunder.”.

Amendment
of section
10.

6. In section 10 of the principal Act, the following clause shall be inserted, namely:—

- "(dd) the form in which the permit under section 4 B is to be granted and fee to be charged in respect of such permit;”.