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Cattle Smuggling from India to Bangladesh

Abstract

This essay examines the current trend of rustling and transporting cattle from throughout India for trade at the cattle corridors that lie along the border between India's West Bengal and Bangladesh. An analysis of historical and cultural factors seeks to explain how this trade possibly began and increased. These motivators include the effects of the Mad Cow disease outbreak in the 1980s on international beef trade and the many economic uses for bovines and their by-products in Bangladesh. This research also looks at cattle-specific legislation in India that prohibits many of the practices employed by smugglers and details some possible examples of this process as cited from newspaper reports varying from Indian and British sources to other international newspapers. Finally, the efforts of various animal rights and Hindu activists are noted. Themes of the work encompass the distinct religious contrasts between Hinduism and Islam, local and global demand for goods derived from cattle, and how these pressures have combined to create a lucrative industry in which traditional beliefs are pitted against monetary gain. The economic potential of the Indian cattle industry poses the question of whether illegal exporting trends are inevitable in a country where poverty is a significant problem and a large, free-roaming cattle population exists. A contest between dogma and globalized trade is occurring in India, the future consequences of which are unclear as smugglers and activists become the major players in this controversial issue.

Introduction

Over the last couple of decades, cattle rustling has become a controversial issue in India. The reason for this polemic can be explained by the ethical treatment and respect allotted cows in Hinduism. Over 80% of India's population follows this ancient religion.¹ An equal percentage of Bangladesh's population is Muslim², which does not prescribe special treatment for cows. This sets up the difference in religious attitudes toward cows that both provides a trade relationship and resistance to this relationship.

There are various reasons for Hindus to honor cattle. In Hinduism, the principle of *ahimsa* warns of the sin done by harming any living creature³, but the cow merits veneration beyond this concept. The cow and all of its byproducts are considered sacred. The gods Krishna and Shiva are associated with this animal, and Hindus believe that each cow contains 330 million gods and goddesses⁴. The cow also represents the Mother Goddess. In the process of reincarnation, bovines are seen as only a single step away from humans. There is even a term for the sin of murdering a cow, *gao hatya*. Columbia anthropologist Marvin Harris has summarized the Hindu attitude toward cow slaughter: “ ‘Hindus venerate cows because cows are the symbol of everything that is alive...Even the taking of a human life lacks the symbolic meaning, the unutterable defilement, that is evoked by cow slaughter.’ ”⁵

Despite the fact that the majority of India's population regards the cow with high esteem, rustlers have been smuggling the animals to neighboring Bangladesh for many years. Although

¹ “Hindu Population in India.” *indiaonlinepages.com*. <http://www.indiaonlinepages.com/population/hindu-population-in-india.html>

² “Virtual Bangladesh: Religion.” *Virtual Bangladesh*. http://www.virtualbangladesh.com/bd_religion.html

³ Hays, Jeffrey. “Sacred Cows, Hinduism, Theories and Cow Smugglers.” <http://factsanddetails.com/asian/cat64/sub413/item2629.html>

⁴ *Ibid.*

⁵ *Ibid.*

the exact time when this practice began is unclear, definite factors have allowed this illicit activity to occur. These factors have been the Mad Cow Disease outbreak in Europe in the 1990s as well as a need for cattle in Bangladesh in order to support agriculture and industry. Most of India has established protective legislation for cows. Nonetheless, smugglers continue to abuse and transport cattle to Bangladesh for slaughter. Conversely, Indian and international activists have stood up for animal welfare in attempts to counteract the smuggling trend. This paper intends to explore how Mad Cow Disease and the Bangladeshi demand for beef increased rustling, the legislation aimed at safeguarding bovines, the process of smuggling that often rebels against these regulations, and finally the people and organizations defending cows in India. Economic and international pressure have created this unique situation in India at the center of which stands the cow, being recognized as both a divine symbol and as a moneymaker.

Impact of Mad Cow Disease

The Mad Cow Disease outbreak that occurred during the 1990s dramatically affected global beef trade. Bovine spongiform encephalopathy, or BSE, belongs to a group of diseases affecting both humans and animals. These are called Transmissible spongiform encephalopathies (TSEs) and they cause:

“a spongy degeneration of the brain with severe and fatal neurological signs and symptoms...BSE is a transmissible, neuro-degenerative fatal brain disease of cattle. The disease has a long incubation period of 4-5 years and it is fatal for cattle within weeks to months of its onset. The nature of the BSE agent is still being debated.”⁶

Variant Creutzfeldt Jakob Disease (vCJD) is the fatal TSE that affects humans and can be transmitted through consumption of contaminated meat.⁷ It also can be transmitted through blood

⁶ “Bovine spongiform encephalopathy (BSE).” *World Health Organization*.
<http://www.who.int/zoonoses/diseases/bse/en/>

⁷ “Variant Creutzfeldt-Jakob disease.” *World Health Organization*.
<http://www.who.int/mediacentre/factsheets/fs180/en/>

transfusions (4 confirmed cases)⁸ and from an infected mother to her child.⁹ Two hundred twenty-two cases of vCJD had been reported worldwide from October 1996 to March 2011, with 175 being from Britain and the rest spread throughout countries in Europe, North America, and Asia.¹⁰ Affected persons may exhibit several sensory, psychiatric, and/or neurological symptoms, such as anxiety, depression, unsteadiness, trouble walking, involuntary movements, with immobility and muteness developing in later stages.¹¹

In 1995, 19 year old Stephen Churchill became the first UK citizen to die of vCJD.¹² Stephen's sister Helen Churchill and his cousin Keith Writer described Stephen's symptoms during a BBC Special on BSE. Helen shared that Stephen hallucinated frequently, experiencing burning or drowning sensations in conjunction with corresponding fires or undersea scenes he would see on television. She remembers that he would also try to drink from a cup of coffee he had tied, and failed, to actually pick up, without realizing what he was doing. He also needed help getting up and walking, otherwise he would fall and hurt himself, recalls Writer.¹³

Another unfortunate but important victim of vCJD was Peter Hall. He was a vegetarian when he died from the illness but a British coroner stated that he contracted it from beef burgers he had eaten as a child.¹⁴ This is significant because it demonstrates the disease's lengthy

⁸ Ibid.

⁹ "Mad Cow Timeline." *CBS News*.

http://www.cbsnews.com/elements/2003/12/29/in_depth_health/timeline590569.shtml

¹⁰ "Variant Creutzfeldt-Jakob disease." *World Health Organization*.

<http://www.who.int/mediacentre/factsheets/fs180/en/>

¹¹ Ibid.

¹² Meikle, J. "Mad cow disease – a very British response to an international crisis." *The Guardian*. April 25, 2012.

<http://www.theguardian.com/uk/2012/apr/25/mad-cow-disease-british-crisis>

¹³ Churchill, Helen and Writer, Keith. "BBC Special on BSE". November 18, 1996. <http://www.cyberdyne.com/~tom/BBC.html>

¹⁴ "Mad Cow Timeline." *CBS News*.

http://www.cbsnews.com/elements/2003/12/29/in_depth_health/timeline590569.shtml

incubation period and the likelihood that the disease existed long before knowledge of it surfaced.

The discovery of bovine spongiform encephalopathy and resulting bans not only on British beef, but on beef throughout Europe, was a major factor in the development of India's export industry. A 2000 article from the *Independent* confirms India's new role, even demonstrating the presence of Indian leather in British stores.

“And because much Indian beef finds its way to the Middle East and Europe from Kerala and Bangladesh – ‘we took up a lot of the slack from Britain caused by mad cow disease,’ says one authority - and leather products made from Indian cow hide are sold in High Street shops such as Gap, the British consumer is also unknowingly benefiting from the abuse.”¹⁵

India's cattle trade is further recognized in Singh's 2013 report, stating that India occupied the place left by Britain when that country was prohibited from exporting beef due to BSE. “Beef, a smaller and new industry, exports mainly to the middle East, filling the deficit caused by the ban on import of British beef to the region due to Mad Cow disease.”¹⁶

Countries in Eastern Europe also turned to India during the BSE outbreak. The Commonwealth of Independent States officially consist of Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, and Uzbekistan.¹⁷ Some of these nations bought beef from India instead of countries in the European Union. “Concerns about BSE have

¹⁵ Popham, Peter. “How India's sacred cows are beaten, abused and poisoned to make leather for high street shops.” *The Independent*. February 14, 2000. <http://www.independent.co.uk/news/world/asia/how-indias-sacred-cows-are-beaten-abused-and-poisoned-to-make-leather-for-high-street-shops-724696.html>

¹⁶ Singh, Nidhi. “Sacred no More: The Cow has Fallen Prey to the Leather and Beef Industry.” *India Currents*, Jun 30 2000: 22. Proquest. Web. 29 Sep. 2013. <http://search.proquest.com/docview/194622840?accountid=15099>.

¹⁷ “Commonwealth of Independent States.” *Wikipedia*. http://en.wikipedia.org/wiki/Commonwealth_of_Independent_States

shifted some of the Commonwealth of Independent States (CIS) countries' demand to India from the EU.”¹⁸

The first diagnosis of BSE in cattle occurred in Britain in 1986. A decade later, Britain stated that humans could contract the disease in the form of Variant Creutzfeldt Jakob disease (vCJD). That same year, 1996, saw an EU imposed ban on exports of British beef and beef products which did not end until 1999.¹⁹ Over the next several years, instances of the disease appeared in other European countries. “In 2000, France, Spain, and Germany all reported cases of BSE and vCJD. France imposed bans on British beef products, while Germany enacted stricter testing of cattle to ease public fears. By the end of 2000, many countries throughout the world had imposed bans on beef products from 30 European nations. In January, BSE was reported in Italy and Denmark (CNN).”²⁰

The countries that imposed beef bans on imports from other nations were: France on British beef, Italy on French beef, Thailand on meat from Portugal, France, Ireland, Switzerland, the Netherlands, Germany and Belgium, and continuing the ban on British products that began in 1996. Furthermore, Australia and New Zealand banned beef from 30 European nations, and Malaysia and Switzerland banned European meat as well.²¹

Interestingly, British father and daughter researchers Colchester and Colchester attempted to trace the source of BSE and theorized that the disease may have originated in India. Human remains from burials wash up along the Ganges River, and the researchers believed that human

¹⁸ “World Beef Trade Overview.” *FASonline*. <http://www.fas.usda.gov/dlp2/circular/2003/03-10LP/beefoverview.html>

¹⁹ “Mad Cow Timeline.” *CBS News*. http://www.cbsnews.com/elements/2003/12/29/in_depth_health/timeline590569.shtml

²⁰ Pickelsimer, Cory and Wahl, Thomas I. “Mad Cow Disease: Implications For World Beef Trade.” *IMPACT Center Information Series #96*. August 2002. <http://impact.wsu.edu/publications/infoseries/infoseries-pdf/info96.pdf>

²¹ “Timeline: How the crisis unfolded.” *CNN.com*. <http://europe.cnn.com/2000/WORLD/europe/UK/10/25/bse.timeline/>

bones collected, exported, and fed to cattle transmitted the disease to the animals. Then the disease was re-transmitted to humans.

“In the 1960s and 1970s, the UK imported hundreds of thousands of tons of whole bones, crushed bones, and carcass parts containing soft tissue of mammalian origin to be used for fertiliser and for the manufacture of animal feed. Nearly 50% of these imports were from Bangladesh (until 1972 known as East Pakistan), India, or Pakistan...the UK was the main recipient of animal by-products exported from India and Pakistan during the relevant period. For example, of Indian exports between 1967 and 1969, the UK received two to six times the amount of any other destination country.”²²

The Colchesters saw that BSE was reported during a period where Britain received organic material from India that was used for fertilizer and animal feed. This shaped the conclusion that Mad Cow Disease originated in India and spread to Britain through exports of affected biological matter.

²² Colchester, Alan CF and Colchester, Nancy TH. “The origin of bovine spongiform encephalopathy: the human prion disease hypothesis.” *The Lancet*, Volume 366, Issue 9488 (2005): 856-861. Accessed November 30, 2013. [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(05\)67218-2/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(05)67218-2/fulltext)

How did India respond to this article? One answering article argued that the British claims were unsupported by evidence because no instances of BSE or CJD had been found in India.²³ Moreover, an article in 2010 maintained that India was still BSE-free. “India most secure against mad cow disease” said that the World Health Organization for Animal Health’s 78th General Session held in Paris recognized India as the most secure country in terms of BSE.²⁴ This information refutes the Colchester’s claims because if India was the source of BSE, it is probable that the disease would have appeared in cattle from the time of its discovery in 1986 or in humans since 1996 when Variant Creutzfeldt Jakob disease was realized.

In conclusion, India was able to supply beef to more countries because of the low consumer confidence in European beef. This crisis allowed BSE free India to participate more than it previously had in the beef trade because large suppliers, mainly Britain, suffered from the panic generated by BSE and vCJD.

Reasons for Bangladesh Demand

The role of Mad Cow Disease in the global beef industry allowed BSE-free India to become a bigger supplier of meat than it previously had been due to export bans on Britain and other countries. During the same decade, Bangladesh became a key customer for India’s cows thanks to the establishment of cattle corridors along the border. Bangladesh has profited from Indian cattle in terms of both domestic consumption and export to other Middle Eastern nations. India has a high cattle supply but low demand, while Bangladesh has a high demand for cattle

²³ Mago, Chandrika and Sinha, Kounteya. “India dismisses Lancet’s mad cow.” *The Times of India*. September 2, 2005. http://articles.timesofindia.indiatimes.com/2005-09-02/india/27864608_1_mad-cow-disease-creutzfeldt-jakob-disease-cjd

²⁴ PTI. “India most secure against mad cow disease.” *dna*. June 7, 2010. <http://www.dnaindia.com/india/report-india-most-secure-against-mad-cow-disease-1393104>

but a small native population. For this reason, cattle smuggling has been extremely lucrative for the participants in this trade from both countries.

After 1947, India implemented mechanized agriculture, reducing the need for cattle in plowing.²⁵ Bangladesh was born in 1971, in which year the first Prime Minister Mujibur Rehman “urged his countrymen: ‘drink milk, don't eat cattle.’”²⁶ He said this because cattle are more useful economically alive than dead. Cows plow, provide milk, can be bred to produce more cows, and their dung is used for fertilizer. Bangladesh’s problem at the time was that it had a very limited population of cattle because the Pakistani Army had slaughtered and eaten so many of them before Independence took place.²⁷ Furthermore, disease and insufficient veterinary care kept the cow population down. Bangladesh needed cattle for farming and meat, and India could provide that.²⁸

In 1993, smugglers in India could become traders in Bangladesh by paying the equivalent of 383 Rupees at the border.²⁹ This occurred due to the decision the Bangladeshi Prime Minister Khaleda Zia made in 1991 to establish a dozen customs corridors along the border with West Bengal.³⁰ Because of this decision, Bangladesh could legitimately import cattle

²⁵ Bhattacharjee, Joyeeta. “India-Bangladesh Border Management: The Challenge of Cattle Smuggling.” *Meghalaya Times*. <http://www.meghalayatimes.info/index.php/writer-s-column/20960-india-bangladesh-border-management-the-challenge-of-cattle-smuggling>

²⁶ Sengupta, Ramananda. “Why Delhi-Dhaka ties ride on the cow.” *Rediff India Abroad*. April 19, 2006. <http://www.rediff.com/news/2006/apr/19dhaka.htm>

²⁷ Bhattacharjee, Joyeeta. “India-Bangladesh Border Management: The Challenge of Cattle Smuggling.” *Meghalaya Times*. <http://www.meghalayatimes.info/index.php/writer-s-column/20960-india-bangladesh-border-management-the-challenge-of-cattle-smuggling>

²⁸ Ibid.

²⁹ Ibid.

³⁰ Sengupta, Ramananda. “Why Delhi-Dhaka ties ride on the cow.” *Rediff India Abroad*. April 19, 2006. <http://www.rediff.com/news/2006/apr/19dhaka.htm>

from West Bengal. In 2006, it was estimated that 20,000 to 25,000 cows crossed from West Bengal to Bangladesh every day.³¹

There are several uses for the smuggled animals once they reach Bangladesh. The country gains not only from the money exchanged at the border at customs, but utilizes the bones to make the ceramics it exports. This bone china tableware reaches 50 countries, having earned \$30.78 million in 2009-2010.³² In addition, the leather provided by smuggled cattle contributes to Bangladesh's leather exports, which brought in \$381.14 million from 2008 to 2009.³³ Lastly, the country re-exports much of the beef imported. In 2011, beef exports were worth more than \$3.4 million.³⁴

Besides exporting goods provided by the cattle, Bangladesh needs cows for its own domestic consumption. The demand is especially high during the Islamic festival Eid al-Adha, also known as Eid-uz-Zoha. This holiday recognizes the faith in Allah shown by Ibrahim when he obeyed the command to sacrifice his son Ishmael. Allah intervened as Ibrahim was about to kill his son and gave him a lamb to sacrifice instead. This is why Eid is the "Festival of the Sacrifice".³⁵ The festival occurs in October and butcheries and smugglers become more active than usual to meet the need for cows to sacrifice. In October 2013, the *Times of India* reported

³¹ Ibid.

³² Bhattacharjee, Joyeeta. "India-Bangladesh Border Management: The Challenge of Cattle Smuggling." *Meghalaya Times*. <http://www.meghalayatimes.info/index.php/writer-s-column/20960-india-bangladesh-border-management-the-challenge-of-cattle-smuggling>

³³ Ibid.

³⁴ Ibid.

³⁵ "What is Eid al-Adha?" *The Telegraph*. October 16, 2013. <http://www.telegraph.co.uk/news/worldnews/middleeast/10382365/What-is-Eid-al-Adha.html>

that “A BSF spokesman said, ‘It is evident that due to the forthcoming festival of Eid-uz-Zoha, the demand of cattle is likely to increase manifold in Bangladesh.’”³⁶

To sum up, Bangladesh has had only a small cattle population since its founding. However, the demand exists for cattle because of the need for meat, leather, bones for ceramics, sacrifices to be made during Eid-Al-Adha, and farm work. Since India has always had a larger supply and a lower demand for cattle than Bangladesh, smugglers could profit substantially by selling cattle across the border. The cross-border beef trade has flourished from this demand as well as from the cooperation of the Border Security Force that accepts bribes on the Indian side to allow smugglers to pass through (see the section entitled Process of Smuggling), in addition to the cattle corridors that had been established to receive these traders and their goods.

West Bengal Legislation

Before moving on to national legislation that deals with the transport and slaughter of cows, it is pertinent to explain the laws of West Bengal and Kerala regarding this issue. India is a vast country, made up of 28 states and 7 union territories.³⁷ Each of these states and territories refers to its own set of laws concerning the slaughter of cows. Most of them are quite restrictive, either completely outlawing the slaughter of cattle or allowing it under very specific circumstances. For instance, in Andhra Pradesh it is permissible to kill bulls and bullocks with a fit-for-slaughter certificate if the animals are no longer useful.³⁸ Other legislatures allow cattle over a certain age or sick and suffering cattle to be disposed of.³⁹ The states that allow bovine

³⁶ Kalita, Prabin. “Eid-uz-Zoha in Bangladesh opens up cattle corridors via NE.” *The Times of India*. October 8, 2013. http://articles.timesofindia.indiatimes.com/2013-10-08/guwahati/42827818_1_cattle-smugglers-six-cattle-bsf

³⁷ “Indian States and Union Territories.” *Maps of India*. <http://www.mapsofindia.com/states/>

³⁸ “Cattle Slaughter in India.” *Wikipedia*.

http://en.wikipedia.org/wiki/Cattle_slaughter_in_India#Legislation_by_State_or_Union_Territory

³⁹ *Ibid*.

slaughter without any regulations are West Bengal, Kerala, and all of the states that comprise Northeast India.

Kerala lies along India's southwestern coast, along the southernmost tip of the country. Because of its distance from Bangladesh, it is less crucial to examine than West Bengal, which is in the northeast of India, west of Bangladesh. West Bengal shares a border with Bangladesh, making it the prime location to study in terms of illicit trade across this border. Northeast India groups together several states located east of Bangladesh. On the map, one can see that West Bengal connect this states to the rest of the subcontinent north of Bangladesh.⁴⁰ However, because the Northeastern states engage in the slaughter of cattle, they are not a big customer for smugglers. The research done for this paper has not shown how Northeast India and Bangladesh may interact in terms of the beef trade. Above all, West Bengal is the focus point of illegal exporting because of its unique geographical position in India. Because of this, a familiarity with mandates in West Bengal is helpful.

The West Bengal Animal Slaughter Control Act of 1950 requires certain measures to be taken should an animal's owner wish to slay it.⁴¹ This act applies to bulls, bullocks, cows, calves, male, female, and castrated buffalo, and buffalo calves. The decree states that an animal meant for slaughter must have a certificate from the president of a municipality or from a Panchayat Samiti,⁴² which is a local government body.⁴³ Additionally, a veterinary surgeon must declare the animal to be over 14 years old and unfit for work or breeding, or the vet must declare the animal to be permanently incapacitated from work or breeding. If these authorities disagree on whether

⁴⁰ "Indian States and Union Territories." *Maps of India*. <http://www.mapsofindia.com/states/>

⁴¹ "The West Bengal Animal Slaughter Control Act, 1950."
http://www.lawsofindia.org/pdf/west_bengal/1950/1950WB22.pdf

⁴² Ibid.

⁴³ "Panchayat Samiti (Block)." *Wikipedia*. [http://en.wikipedia.org/wiki/Panchayat_Samiti_\(Block\)](http://en.wikipedia.org/wiki/Panchayat_Samiti_(Block))

the animal may be killed, the decision rests with the veterinary officer on whether the creature is fit or unfit for slaughter.

If the certificate for slaughter is not given, the applicant may appeal to the State Government, whose determination “shall be final and shall not be called in question in any court” (Section 4. (7)). An animal deemed fit for slaughter must then be slaughtered in the place prescribed by the authorities.⁴⁴

Even West Bengal, a pro-slaughter state, requires the observation of official channels when it comes to disposing of bovines. This demonstrates the fact that this issue is highly complex in India. Furthermore, it highlights the difficulty of exporting meat to Bangladesh and explains why it is easier to transport live animals across the boundary.

National Legislation and Abuse

The following section will cover legislation meant to protect cows and will contrast these laws with actual practices that have been reported in news articles. Oftentimes, the practices break the laws that strictly prohibit them. It is key to note that some of this information comes from Indian sources, which are likely to be biased against smuggling since it is illegal and antagonizes many moral and Hindu principles. Because of this consideration, these sources cannot be relied upon as completely factual, but they are still informative of situations that may occur.

⁴⁴ “The West Bengal Animal Slaughter Control Act, 1950.”
http://www.lawsofindia.org/pdf/west_bengal/1950/1950WB22.pdf

The legislation provided below comes from the Constitution of India 1949, the Transport of Animals Rules of 1978, and the Prevention of Cruelty to Animals Act of 1960. The first piece seeks to care for cattle breeds and outlaw their slaughter.

“THE CONSTITUTION OF INDIA 1949

The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.”⁴⁵

The quote below is about breeds of cattle in India that have been wiped out. It does not explain by what means, but makes clear that the variety of cattle has diminished. This contradicts the goal set by the Constitution to preserve and improve the breeds.

“ ‘The country has some 118 breeds of cows till 1947. Now, only 18 of them survive,’ said Swamyamanand Giri, president of Delhi-based Swami.”⁴⁶

The next analysis involves transportation laws that detail how animals should be moved. These laws are also typically flouted and will be compared to newspaper passages reporting contrary practices.

Transport of Animals, Rules, 1978.⁴⁷

46. Rules 47 to 56 shall apply to the transport by rail of cows, bulls, bullocks, buffaloes, yaks and calves. (hereinafter in these rules referred to as cattle).

55. When cattle is to be transported by rail.

(a) An ordinary goods wagon shall carry not more than ten adult cattle or fifteen calves on broad gauge, not more than six adult cattle or ten calves on metre gauge, or not more than four adult cattle or six calves on narrow gauge.

⁴⁵ Central Government Act. *The Constitution of India 1949*. <http://indiankanoon.org/doc/237570/>

⁴⁶ Arjunpuri, Chaitra. “Cowboys and Indians.” *Aljazeera*. June 30, 2013.

<http://www.aljazeera.com/indepth/features/2013/05/201352964535394511.html>

⁴⁷ “Transport of Animals, Rules, 1978.” <http://www.envfor.nic.in/legis/awbi/awbi07.pdf>

55 (d) rations for padding, such as straw, shall be placed on the floor to avoid injury if a cattle lies down and this shall not be less than 6 cms thick.

55 (L) during day time, if possible, they should be unloaded, fed, given water and rested and if in milk, milking shall be carried out.

56(c) no goods vehicle shall carry more than six cattle.

A look at regulations from the Prevention of Cruelty to Animals Act of 1960 will also serve an understanding of proper and improper methods of handling livestock.⁴⁸

11(d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering

" 'On the route to Kerala they don't bother with trucks or trains: they tie them and beat them and take them on foot, 20,000 to 30,000 per day.' "⁴⁹

The treatment described goes against 11d, which forbids that the animals are caused any unnecessary pain or suffering.

"The ones going to West Bengal go by truck and train and they go by the millions. The law says you cannot transport more than 4 per truck but they are putting in up to 70. When they go by train, each wagon is supposed to hold 80 to 100, but they cram in up to 900. I've seen 900 cows coming out of the wagon of a train, and 400 to 500 of them came out dead."⁵⁰

⁴⁸ "The Prevention of Cruelty to Animals Act, 1960." *Ministry of Environment and Forests*.
<http://www.moef.nic.in/sites/default/files/No.59.pdf>

⁴⁹ Popham, Peter. "How India's sacred cows are beaten, abused and poisoned to make leather for high street shops." *The Independent*. February 14, 2000. <http://www.independent.co.uk/news/world/asia/how-indias-sacred-cows-are-beaten-abused-and-poisoned-to-make-leather-for-high-street-shops-724696.html>

⁵⁰ *Ibid*.

This passage demonstrates the breaking of laws 55a and 56c in the Transport of Animals, Rules, 1978, which dictate that only 4 or 6 cattle should be in one vehicle, depending on what kind of vehicle it is. According to this law, loading tens cattle into a truck is unacceptable.

“Moreover, the treatment of animals in Indian slaughterhouses falls far below acceptable standards. ‘There is rampant abuse of animals in transport and slaughter of meat whether for domestic consumption or export,’ Arpan Sharma, CEO of Federation of Indian Animal Protection Organizations, said. ‘Animals are overloaded in vehicles and transported without food and water. None of the meat exporters pay attention to the condition of animals.’ ”⁵¹

According to law 55L of the Transport of Animals, Rules, 1978, animals should be allowed to eat, drink, and rest. The law does not directly require feeding, but recommends it. Smugglers ignore this recommendation, likely in order to save time and cut costs.

Prevention of Cruelty to Animals Act, 1960.⁵²

11 (c) wilfully and unreasonably administers any injurious drug or injurious substance to 14(any animal) or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by 15(any animal;) or

(k) offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other illtreatment; or

"Because they have walked and walked and walked the cattle have lost a lot of weight, so to increase the weight and the amount of money they will receive, the traffickers make them drink water laced with copper sulphate, which destroys their kidneys and makes it impossible for them

⁵¹ Ghosh, Palash. “Where’s the Beef? In India, Believe It Or Not.” *International Business Times*. May 14, 2013. <http://www.ibtimes.com/wheres-beef-india-believe-it-or-not-1258469>

⁵² “The Prevention of Cruelty to Animals Act, 1960.” *Ministry of Environment and Forests*. <http://www.moef.nic.in/sites/default/files/No.59.pdf>

to pass the water - so when they are weighed they have 15kg of water inside them and are in extreme agony."⁵³

Clearly, the drugs administered in order to increase the water weight of the cattle makes them suffer because it is painful to be unable to expel urine. The traders do this in order to earn more money during the sale, flouting rule 11k by selling animals that are in pain.

11(a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes, or being the owner permits, any animal to be so treated; or

11 (h) being the owner of (any animal) fails to provide such animal with sufficient food, drink or shelter; or

“Ingrid Newkirk, President of Peta, followed one of the caravans of cattle stumbling toward Kerala. ‘It’s a hideous journey,’ she writes in the forthcoming issue of *Animal Times*, Peta’s journal. ‘To keep them moving, drivers beat the animal across their hip bones, where there is no fat to cushion the blows. The cows are not allowed to rest or drink. Many cows sink to their knees. Drivers beat them and twist their battered tails to force them to rise. If that doesn’t work they torment the cows into moving by rubbing hot chilli peppers and tobacco into their eyes.’⁵⁴

Rustlers break law 11a of the Cruelty to Animals Act by beating the animals to force them to move. 11h states that owners must give animals enough to eat and drink, which they evidently do not.

⁵³ Popham, Peter. “How India’s sacred cows are beaten, abused and poisoned to make leather for high street shops.” *The Independent*. February 14, 2000. <http://www.independent.co.uk/news/world/asia/how-indias-sacred-cows-are-beaten-abused-and-poisoned-to-make-leather-for-high-street-shops-724696.html>

⁵⁴ Ibid.

" 'In Kerala they also have a unique way of killing them - they beat their heads to a pulp with a dozen hammer blows.' »⁵⁵

(3) Nothing in this section shall apply to -

(a) the dehorning of cattle, or the castration or branding or noserooping of any animal in the prescribed manner, or

“Under the Prevention of Cruelty to Animals Act, 1960 certain procedures which are commonly done on cattle are exempt from being technically known as cruel. These include: ‘the dehorning and disbudding of cattle or the castration or branding or nose-roping of any animal in the prescribed manner’. They can be done by anybody to these poor beasts and still not be considered cruel.”⁵⁶

In conclusion, regulations outlined in the Constitution of India 1949, the Transport of Animals Rules of 1978, and the Prevention of Cruelty to Animals Act of 1960 provide direct and specific laws about how animals should be handled, treated, and transported. This legislation is meant to enforce humane practices so that cattle and other animals do not suffer unnecessarily. Smugglers have been reported as engaging in practices contrary to these rules, including overloading vehicles, not allowing their cargo to eat, drink, or rest, and beating them. This behavior may be tolerated by bribed border authorities and witnesses wary of retaliation from rustlers who they might report. On the other hand, as the proceeding section discusses, there are local and international groups that are trying to put an end to these illicit activities.

Process of Smuggling

The process of smuggling that occurs to move cattle to and over the border between India and Bangladesh has been documented in several newspapers. The techniques of transport are

⁵⁵ Ibid.

⁵⁶ Gandhi, Maneka Sanjay. “Terrible Physical Mutilations Done to Cattle.” *People for Animals*. <http://www.peopleforanimalsindia.org/articles-by-maneka-gandhi/1525-terrible-physical-mutilations-done-to-cattle.html>

often not only illegal, but violent and inhumane. This section will attempt to clarify specific aspects of this process to show how the smuggling is done and will source passages from many newspapers.

First of all, the process commences during the day, when the smugglers, known also as cowboys and rustlers, check the streets for stray cows. At night, they return to where they scouted out the animals and wait for the right moment to capture them when there are few other people around. The rustlers then load the animals into their vehicles, sometimes with the proper equipment and at other times without it, and begin transportation. If the police pursue the cowboys, violence may ensue, as the Al Jazeera passage below indicates.

“Typically, the rustlers creep into the city at night. When the criminals spot stray cattle and few onlookers they stop the truck, push out a ramp and use a rope to lead the cow to its doom.”⁵⁷

“India’s cowboys often scout for stray animals during the day and seize them at night. Gangs of rustlers come well prepared and in some instances heavily armed, with some not hesitating to open fire at police vehicles when chased after ‘lifting’ cows, police say.”⁵⁸

“Since Indian laws prohibit the transport of cows across state boundaries for the purpose of slaughter, the loading and off-loading of cows from the truck is done by nightfall without appropriate ramps and ropes.”⁵⁹

Smugglers may lead the cattle to their destination on foot in order not to break transport laws that designate how many cattle can be in one truck and how often to stop to let the cattle rest, eat, and drink. These laws are outlined in the section of this paper entitled “Legislation”. As the passages below inform, the cattle may be forced to walk for long distances without being given food or water. According to an official from the Ministry of Social Justice and Empowerment, the cows transported this way may number well into the thousands and may be

⁵⁷ Harris, Gardiner. “For New Breed of Rustlers, Nothing Is Sacred.” *The New York Times*. May 26, 2013. http://www.nytimes.com/2013/05/27/world/asia/cow-thefts-on-the-rise-in-india.html?_r=0

⁵⁸ Arjunpuri, Chaitra. “Cowboys and Indians.” *Aljazeera*. June 30, 2013.

⁵⁹ Singh, Nidhi. “Sacred no More: The Cow has Fallen Prey to the Leather and Beef Industry.” *India Currents* Jun 30 2000: 22. Proquest. Web. 29 Sep. 2013. <http://search.proquest.com/docview/194622840?accountid=15099>.

beaten and abused in order to speed them up. Additionally, although they may not be fed or watered, the cows may be given drugs that cause them to suffer as they retain water in order to appear heavier and worth a higher price.

“One way traffickers avoid breaking transport laws is by forcing the cattle on 50 to 100 mile “death marches” without giving them food or water.”⁶⁰

“The official said, ‘On the route to Kerala they don’t bother with trucks or trains; they tie them and beat them and take them on foot, 20,000 to 30,000 per day.’ The animals are reportedly not allowed to drink and eat and are driven forward with blows to their hips, where they have no fat to cushion the blows. Those that fall down and refuse to move have chili pepper rubbed in their eyes.”⁶¹

The cows are drugged before they reach the slaughterhouse so they cannot urinate and retain water weight. This earns the traffickers more money.⁶² (Sacred No More, Singh).

The next set of quotes describes the route geographically.

“In Andhra Pradesh state, one of the busiest in the cow trade, there are an estimated 3,100 illegal slaughterhouses, officials say, while throughout India about 30,000 operate illicitly.”⁶³

“ ‘Andhra Pradesh is a transport state for cattle from the northern states to be hauled off for mostly illegal slaughter,’ said Pauws.”⁶⁴

“The cows come from as far as Rajasthan, about 1,600 kilometres away. Many trade hands several times en route. Most cows pass through West Bengal state, which shares a 2,000-kilometre border with Bangladesh.”⁶⁵

⁶⁰ Ibid.

⁶¹ Hays, Jeffrey. “Sacred Cows, Hinduism, Theories and Cow Smugglers.” <http://factsanddetails.com/asian/cat64/sub413/item2629.html>

⁶² Singh, Nidhi. “Sacred no More: The Cow has Fallen Prey to the Leather and Beef Industry.” *India Currents* Jun 30 2000: 22. Proquest. Web. 29 Sep. 2013. <http://search.proquest.com/docview/194622840?accountid=15099>.

⁶³ Arjunpuri, Chaitra. “Cowboys and Indians.” *Aljazeera*. June 30, 2013.

⁶⁴ Ibid.

⁶⁵ Magnier, Mark. “A Cash Cow for Smugglers; It Turns Out the Cow Isn’t always Sacred in India, Where Officials are Turning a Blind Eye as More than a Million Animals are Smuggled Across the Border to Bangladesh Every Year. ‘Delhi is Biased Against Cow Killing,’ Says One Official, ‘but Beef is very Delicious.’ Mark Magnier Reports.” *The Ottawa Citizen*. May 7, 2010. ProQuest. Web. 29 Sep. 2013. <http://search.proquest.com/docview/241378766?accountid=15099>.

“The route is pretty simple: Cows from faraway States like Punjab and Haryana, as well as from the ‘Cow Belt’, are shipped—at times in brutal conditions— by train for the regular and large cattle fairs that take place in the border districts of West Bengal, Assam, Meghalaya and Tripura. All of them have extremely porous borders with Bangladesh, despite the fencing that ostensibly is supposed to check the large-scale smuggling of people and cattle.”⁶⁶

“Villagers, who claimed not to know any smugglers but appeared to know the intricacies of the operation, said cattle were brought by truck from states across eastern India such as Bihar, Orissa and Jharkhand. Some may even be brought from further away. Despite the effort involved, the mathematics is persuasive. An animal that might sell for £60-£80 in the country's cow-belt hinterland will here fetch £130. Once inside Bangladesh, they could change hands for £225 or more.”⁶⁷

Finally, it is crucial to recognize the bribery that takes place between the border officials of India and Bangladesh. These authorities may require bribes to allow the smuggling instead of enforcing the laws that prohibit it. There have been casualties when disputes occur between the rustlers and guards and the conflict escalates until force is used. The government veterinarians are also paid to certify the cows as fit for transport or slaughter, and in cases of transportation by train, the stationmaster also receives payment to permit these illegal activities.

“ ‘The border guards are in on it, both in India and Bangladesh, and take bribes to look the other way,’ ”said Yasin Mullah, 55, a Murshidabad shopkeeper and cow owner.”⁶⁸

Of course, the BSF and Bangladesh Rifles are on the take. Most of the people killed along those borders each year are in fact cattle smugglers who didn't grease the right palms.”⁶⁹

⁶⁶ Sengupta, Ramananda. “Indian cows killed for Bangladesh beef.” *Niti Central*. September 2, 2012. <http://www.niticentral.com/2012/09/02/indian-cows-killed-for-bangladesh-beef-6208.html>

⁶⁷ Buncombe, Andrew. “Nothing's sacred: the illegal trade in India's holy cows.” *The Independent*. June 1, 2012. <http://www.independent.co.uk/environment/nature/nothings-sacred-the-illegal-trade-in-indias-holy-cows-7808483.html>

⁶⁸ Magnier, Mark. “A Cash Cow for Smugglers; It Turns Out the Cow Isn't always Sacred in India, Where Officials are Turning a Blind Eye as More than a Million Animals are Smuggled Across the Border to Bangladesh Every Year. ‘Delhi is Biased Against Cow Killing,’ Says One Official, ‘but Beef is very Delicious.’ Mark Magnier Reports.” *The Ottawa Citizen*. May 7, 2010. ProQuest. Web. 29 Sep. 2013.

⁶⁹ Sengupta, Ramananda. “Indian cows killed for Bangladesh beef.” *Niti Central*. September 2, 2012. <http://www.niticentral.com/2012/09/02/indian-cows-killed-for-bangladesh-beef-6208.html>

“An official with the Ministry of Social Justice and Empowerment... said... ‘An illegal organization called the Howrah Cattle associate fakes permits saying the cattle are meant for agricultural purposes, for plowing fields, or for milk. The stationmaster at the point of embarkation gets 8,000 rupees per train-load for certifying the cows are healthy and being used for milk. The government vets get X amount for certifying them as healthy. The cattle are unloaded just before Calcutta, at Howrah, then beaten and taken across to Bangladesh.’ ”⁷⁰

Activism

Now that the motivations and activities of smugglers have been shown, it is time to turn to the defenders of the cow. Individual activists and organizations are operating to address the problems they perceive in this issue. From checking for beef in markets, rescuing animals, trying to shut down slaughterhouses, and catching rustlers in the act, these groups have attempted the right the wrongs they believe are being done to cattle.

One person dedicated to cows is Parmanand Mittal, a cow advocacy lawyer. She has declared:

"Cows have long been the source of fuel, manure and fertilizer, among other things. These animals are revered because they've played a large role in the welfare and livelihood of all Indians," Mittal said. "Take away the cow and the repercussions will be huge."⁷¹

According to Mittal, cows play too vital of a role in society to be allowed to be endangered.

Another local activist is Ashoo Mongia, who leads a cow protection enforcement squad of 120 volunteers that checks grocery stores and markets in Delhi for items that contain beef, as the quote below informs.

“For the last 15 years, Mongia and his team of 120 Delhi-based volunteers have thrown themselves in a battle that pits India's billion-dollar meat industry and growing underground beef trade against Hindu traditionalists keen on preserving the holy status of cows.

“The cow is our mother, it's our duty to protect her,” said Mongia, who monitors and raids hundreds of stores, butcher shops and slaughterhouses suspected of carrying, selling or

⁷⁰ Hays, Jeffrey. “Sacred Cows, Hinduism, Theories and Cow Smugglers.” <http://factsanddetails.com/asian/cat64/sub413/item2629.html>

⁷¹ Rezvani, Arejou and Gottlieb, Benjamin and Hennigan, Elise. “Growing beef trade hits India’s sacred cow.” *CNN*. April 19, 2012. <http://www.cnn.com/2012/04/18/business/beef-trade-india/>

slaughtering India's blessed bovines. "We do this because we believe in what the cow represents in our country, our culture and in the Hindu religion." ⁷²

Because of Mongia's respect for the cow as a religious and national symbol, he scans stores for illegal beef. This is his method for counteracting the underground beef trade.

Maneka Ghandi is an environmental activist who has extended her efforts to evaluating laboratory experiments on animals, sterilizing homeless dogs instead of euthanizing them, promoting veganism, and saving child laborers from the carpet industry. She has held political positions since the end of the 1980s and has received many awards for her undertakings. ⁷³

Dr. Vandana Shiva is a world renowned environmental activist and leader. She has contributed to the study of agriculture and genetic resources, biodiversity, and ecology and gender. She has received numerous awards and distinctions, such as winning the Alternative Nobel Peace Prize for Right Livelihood, and authored several works, such as "Stolen Harvest", which discusses the ecological consequences of killing cows. *Time* dubbed Shiva an 'environmental hero' in 2003 and *Asia Week* identified her as one of the most powerful communicators in Asia. ⁷⁴

Another pro-cattle group is the Karuna Society for Animals and Nature, a non-profit organization that founded in 2000 and seeks to care for abused, injured, and abandoned animals. They have rescued cattle being illegally transported to slaughterhouses and put an end to the unlawful cattle market at Gorantla. In addition, they have presented working bulls to farmers under contract. They loan the creatures to farmers, who pay a security deposit. After some years of work, the farmers return them to Karuna and receive the amount they initially paid. This integrates cows back into the community as working animals that can aid farmers. This is only

⁷² Ibid.

⁷³ "Maneka Gandhi." *Wikipedia*. https://owl.english.purdue.edu/media/pdf/20110928111055_949.pdf

⁷⁴ "Vandana Shiva (1993, India)." *The Right Livelihood Award*. <http://www.rightlivelihood.org/v-shiva.html>

one of several interesting and helpful projects that the Karuna Society for Animals and Nature is doing.⁷⁵

People for Cattle in India is a non-profit organization that seeks to decrease animal cruelty and increase animal welfare, focusing on the illegal transportation of cattle. They also wish to close illegal slaughterhouses and fight the overloading of bullock carts. The organization is located in Chennai, Tamil Nadu. Contingent Trust bequeathed the Vivekananda Award for Animal Welfare to PFCI in 2013.⁷⁶

Next, the Animal Welfare Board of India is an organization that was established in 1962 under section 4 of the Prevention of Cruelty to Animals Act 1960. Twenty eight members work to carry out animal welfare laws, supply animal welfare organizations with grants, and assist the government with related issues. Their policies pertain to slaughter houses, the transport of animals, pet shops, aquarium fish breeding, dog breeding, and draft animals among other things.⁷⁷

PETA is a well-known animal rights organization that produced a video narrated by Pamela Anderson called “The Skins Trade in India”, which condemns the leather industry. PETA India is an offshoot. On the PETA India website, concerns are categorized into various groups of animals used for: food, clothing, experimentation, and entertainment. In terms of food, they suggest vegetarianism as the potential solution to world hunger in addition to being beneficial for the environment and for peoples’ health. PETA India thinks that much of the food grown is fed to livestock instead of people, but that the hungry could be nourished if the demand for livestock were lowered. Furthermore, the meat industry supports climate change because

⁷⁵ Karuna Society for Animals and Nature. <http://www.karunasociety.org/>

⁷⁶ People for Cattle in India. <https://www.facebook.com/Peopleforcattleinindia/info>

⁷⁷ Animal Welfare Board of India. www.awbi.org

factory farms that produce it pollute the surrounding air and water and spread disease⁷⁸. A reduction in the industry due to higher rates of vegetarianism could reduce the impact of raising meat on the environment. PETA India also shares its views on farm animals, as shown below.

“Farmed animals are every bit as intelligent and capable of feeling pain as the dogs and cats we cherish as our companions. They are inquisitive, interesting individuals who value their lives, solve problems, experience fear and pain and are capable of using tools. Yet the billions of animals killed for food every year have little legal protection from cruelty that would be illegal if it were inflicted on companion dogs or cats. They are neglected, mutilated, genetically manipulated, put on drug regimens that cause chronic pain and crippling deformities, transported through all weather extremes and killed in gruesome and violent ways.

Going vegetarian is the best way to stop these atrocities.”⁷⁹

PETA wishes people to look at farm animals as they would pets, attributing positive qualities to all creatures that make them worthy of our care. PETA believes that livestock should not be subjected to the appalling treatment known to be done to them because if pets endured the same abuse, people would not allow it to the degree that they permit farm animals to be harmed.

Finally, the International Organization for Animal Protection, or OIPA, is a global network driven to end animal vivisection and other animal-based research. They fight against:

“vivisection laboratories, factory farming, traffic of exotic animals, hunting, fur and entertainment industry and animal abuse in the widest meaning. OIPA works trying to change and improve the living conditions of the animals through education in schools, informing the public opinion, rescuing animals, getting modifications in the laws, organizing special events and any kinds of gatherings, eventually involving celebrities.”⁸⁰ Below are the opinions expressed by Naresh Kadyan, leader of OIPA’s India branch.

“Among those who complained was the UN-affiliated International Organisation for Animal Protection. The group's India director, Naresh Kadyan, said: "It is the fundamental duty

⁷⁸ “Animals Used for Food.” *PetaIndia*. <http://www.petaindia.com/issues/vegetarian/default.aspx>

⁷⁹ *Ibid*.

⁸⁰ International Organization for Animal Protection. <http://www.oipa.org/international/oipa/whatwedo.html>

of Indians that [everyone] should respect all animals. We strongly opposed the lifting of the ban and the government made a U-turn," he said. "The cow is a very important animal for Hindus."⁸¹

Clearly, Kadyan aligns the Indian people with Hinduism in his credo that all Indians should respect animals and support the cow because of its religious significance. This creates the foundations for his own advocacy of pro-cattle policy.

From an individual to an international level, resistance to the illegal cattle trade is evident. Advocates of animal welfare are attacking the abuses they perceive from many angles. It will be important to watch for interactions between traders and defenders of the cow and to see how legislation may change to more strongly bolster one or the other.

Conclusion

In conclusion, two contrasting forces are at work in India. Cowboys are trying to earn a living by supplying the cow as a product to the Bangladeshi economy. On the other side, legislation has been created to protect the cow in India and animal rights activists have followed suit. Forces outside of India have acted on the country as well; not only demand from Bangladesh but an increased international demand for BSE-free beef has pressured India, a nation that has been declared secure against BSE and that has a high population of cattle and a population who mostly refuses to kill or eat them. India is being pulled from all sides of this issue. The future may witness a breaking point in which laws must be more strictly enforced along the border, or trade must open up even further to allow the sale of bovines. For now, it seems the battle will wage on between well-wishers of the cow and traders trying to survive in their economy.

⁸¹ Buncombe, Andrew. "Nothing's sacred: the illegal trade in India's holy cows." *The Independent*. June 1, 2012. <http://www.independent.co.uk/environment/nature/nothings-sacred-the-illegal-trade-in-indias-holy-cows-7808483.html>

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<http://www.aljazeera.com/indepth/features/2013/05/201352964535394511.html>

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<http://www.who.int/mediacentre/factsheets/fs180/en/>

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http://www.virtualbangladesh.com/bd_religion.html

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