**PUCL Karnataka condemns Minister Mankal Vaidya statement threatening to shoot at sight and kill 'cattle smugglers'**

February 8, 2025

PUCL-K is shocked that Mr. Mankal Vaidya, a sitting Minister of Fisheries, Animal Husbandry and Dairying of Karnataka, addressed a press briefing and threatened to shoot and kill those who smuggle cattle in the state. He also made communal remarks, suggesting that the BJP MLA Dinakar Shetty is now Dinakar Khan, because he did not take action against the issue of cattle smuggling. The English translation of his statement is given here:

**"...Another thing is about cow smuggling. It has been happening for several years…I have spoken to the SP and said that this must stop. It must not be allowed to happen for any reason. This is injustice. We worship it, rear and care for the cow with love. We have grown up drinking its milk. I have told the Police Department clearly - Whoever it is, take action against them. I have told them to make arrests. If something worse happens, I will not ask why. If it still continues, it might be wrong for me to say it, but I will make sure they are shot in the middle of the road, standing in the circle. From now on, if this takes place, I will make them stand in the circle and get them shot…It has happened in Kumta [district] too. Has Dinakar Shetty [BJP MLA, Kumta district] become Dinakar Khan?…The Department is here to control such things. The government is here, I am here. As soon as it came to my attention, I took action."**

The Minister has openly endorsed police brutality against those whom he calls 'cow smugglers', promoted that the police take law into their own hands and justified the same on the basis of 'love for the cow'. His remarks, calling for the killing of people in broad daylight by the police and condoning police brutality, show a blatant disregard to the rule of law, and are in violation of the fundamental right to life vested in Article 21 of the Indian Constitution. Even during the dark days of Emergency, when fundamental rights were suspended, Justice H. R. Khanna, in his dissenting opinion in the case ADM Jabalpur v S Shukla [(1976) 2 SCC 521], said, *"Even in the absence of Article 21 in the Constitution, the State has got no power to deprive a person of his life or personal liberty without the authority of law. The essential postulate and basic assumption of the rule of law in every civilised society."* He asserted that the principle that no one should be deprived his life or personal liberty flows from not just Article 21, but the penal laws.

The demand to shoot a person on mere allegation of 'cow smuggling' by a sitting Minister is a demand for suspension of due process of law. This is an attack on the Constitution and must be seen as such.

The Minister's remarks must be seen in the context of Hindutva vigilantism against Muslims and Dalits under the pretext of 'cow protection'. The introduction of the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 in effect criminalised the trading, transport and

sale of beef. It was one of the ways the BJP government lent legitimacy to the targeting of cattle and beef traders and butchers, who are predominantly from the Muslim community and had a devastating impact on farmers, especially from Dalit and other marginalized backgrounds. Under the guise of preventing the crime of cattle smuggling, people especially from the Muslim and Dalit communities have been subjected to vigilantism, lynching and targetted harassment by Hindutva organisations who took law into their own hands.

The Minister's communally charged remarks insinuating sarcastically that Dinakar Shetty is now Dinakar Khan because he did not take action against cattle smuggling, are nothing more than tacit encouragement to such vigilante forces and hate crimes against Muslims. PUCL-K has repeatedly called for the repeal of this Act, which has done great harm to the livelihoods, dignity and safety of cattle traders, farmers and butchers and empowered Hindutva vigilante forces.

The Minister's explicit condonement of police brutality and suggesting that he has given clear instructions to the Police Department to shoot them dead in broad daylight is an extremely worrying sign of a possible collapse of rule of law. As he is promoting that the police take law into their own hands, he must be charged under sections of BNS for instigating the commission of an offence.

He is also in gross violation of his constitutional duty towards the people of Karnataka, which was affirmed by his undertaken oath of office (Third Schedule of the Indian Constitution): "*I, ___, do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will faithfully and conscientiously discharge my duties as a Minister for the State of ___. and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill will.*" PUCL-K therefore, demands:

1. That the Karnataka Government must immediately repeal the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020.
2. A suo-moto FIR be registered against Minister Mankal Vaidya invoking the following Sections of BNS:
    - 45. Abetment of a Thing
    - 55. Abetment of an Offense Punishable with Death or Life Imprisonment, if the Offence is Not Committed
    - 353. Statements conducing to public mischief
    - 351. Criminal intimidation
    - 196. Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony

Arvind Narrain
President, PUCL-Karnataka

Shujayathulla
General Secretary, PUCL-Karnataka