



To

The Municipal Commissioner,  
Kurnool Municipal Corporation,  
Kurnool, Andhra Pradesh

**Date:** January 25, 2026

**Subject: Representation against arbitrary ban on sale of meat and meat products on Republic Day**

Sir,

This is to place on record our serious objection to the reported direction issued by the Kurnool Municipal Corporation prohibiting the sale of meat and meat products within municipal limits on January 26, 2026, on the grounds of Republic Day celebrations.

Kurnool being a Municipal Corporation constituted under the Andhra Pradesh Municipal Corporations Act, 1994 (Act No. 25 of 1994), the powers of the Municipal Commissioner are traceable only to that Act and to the provisions of the Hyderabad Municipal Corporations Act, 1955 (Act II of 1956) made applicable thereto.

Republic Day is a constitutional and secular national holiday commemorating the coming into force of the Constitution of India. There is no legal, cultural, or constitutional basis to associate this day with dietary restrictions or moral prescriptions. The imposition of a blanket ban on a lawful trade on this occasion is therefore arbitrary and without authority of law.

We note the following:

### **1. Lack of statutory basis**

The Andhra Pradesh Municipal Corporations Act, 1994, read with the Hyderabad Municipal Corporations Act, 1955, does not confer upon the Municipal Commissioner the power to prohibit lawful trade on the basis of sentiment, occasion, or symbolism.

Section 521 of the 1955 Act permits regulation of trades that are "dangerous to life, health or property, or likely to create a nuisance." Section 622 governs licensing of eating houses and food establishments. Neither provision authorises event-based or calendar-based blanket prohibitions on lawful trade.

In the absence of a public health emergency, a demonstrable law and order exigency, or a specific statutory provision authorising such action, the impugned direction is *ultra vires* and void in law.

## **2. Violation of fundamental rights**

A blanket ban on meat sales directly infringes Article 19(1)(g) of the Constitution, which guarantees the right to practise any profession or to carry on any occupation, trade, or business. Any restriction on this right must satisfy the test of a reasonable restriction in the interest of the general public under Article 19(6).

A prohibition rooted in symbolism or sentiment rather than any demonstrable public interest fails this test. The impugned direction further fails the requirements of reasonableness, proportionality, and least restrictive means that govern restrictions on fundamental rights.

The arbitrariness of the order, issued without recorded reasons, without limiting principles, and without reference to any statutory source of power, also attracts scrutiny under Article 14 of the Constitution.

## **3. Recent judicial and administrative developments**

Courts and public authorities have increasingly recognised the constitutional infirmity of such bans.

In August 2025, the Telangana High Court questioned an order issued by the Greater Hyderabad Municipal Corporation directing closure of beef shops on Independence Day, observing that the statutory scheme does not contemplate closure of lawful businesses in the absence of cogent public interest justification and that such orders are *prima facie* arbitrary and violative of Articles 14 and 19(1)(g).

Similarly, on January 24, 2026, a direction issued by the District Magistrate of Koraput, Odisha, prohibiting sale of non-vegetarian food on Republic Day was withdrawn within hours following widespread criticism, with the order being described by public representatives as arbitrary and unconstitutional.

These developments underscore the growing recognition that such prohibitions lack legal foundation.

## **4. Disproportionate impact**

The ban disproportionately affects small traders, daily wage vendors, butchers, restaurants, and food establishments, many of whom depend on daily income and have no capacity to absorb losses arising from arbitrary closures. No material has been placed on record to show that meat sales pose any threat to Republic Day celebrations, public order, or public health.

## **5. Improper use of administrative discretion**

Administrative convenience or cultural preference cannot substitute for legal reasoning. The Commissioner's powers under the applicable municipal laws are regulatory and not prohibitory. They permit the imposition of conditions on trades that create nuisance or danger, not blanket bans based on the nature of the commodity or the significance of a calendar date.

Even assuming, without admitting, that there exist genuine and specific concerns relating to public order or sanitation on Republic Day, any response must be narrowly tailored, such as reasonable regulation of hours or location of specific activities. A city-wide prohibition on the sale of meat is manifestly excessive.

**In view of the above, we request that:**

1. The direction prohibiting the sale of meat and meat products on January 26, 2026, be withdrawn forthwith.
2. Blanket prohibitions of this nature not be issued in future without explicit statutory authority.
3. The legal basis and reasoning for any restriction imposed on lawful trade be placed in the public domain.
4. A written response to this representation be provided within fifteen days.

We reserve the right to pursue appropriate legal remedies, including under Article 226 of the Constitution of India, should this representation not receive due consideration.

Governance in a constitutional republic must be rule-bound, neutral, and respectful of individual liberty. Republic Day ought to reaffirm these principles, not dilute them.

Yours sincerely,

Ajay Mallareddy

**Centre for Liberty**

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**Copy to:**

- The District Collector, Kurnool
- The Andhra Pradesh State Human Rights Commission