

## AIPSN Statement

7 Sept 2021

### **Need to uphold Constitution, Scientific Temper and Humanity in judicial interventions**

[All India People's Science Network \(AIPSN\)](#) expresses its unhappiness with [the judgement of the Allahabad High Court in Javed vs UP state, issued on 1 Sept 2021](#), for citing several religion mythical scriptures as the culture of our nation and making observations that have no scientific basis (quote from judgment “*Scientists believe that cow is the only animal that inhales oxygen and also exhales oxygen. Panchagavya is made out of cow's milk, curds, ghee, urine and dung and is known to help in several incurable diseases. According to Hindu religion, 33 crore gods and goddesses reside in the cow*” ). In this case, Javed, who is on trial for killing a cow was denied bail.

AIPSN strongly objects to the lack of scientific temper and secularism in the observations given in the judgement, wherein a subset of scriptures of a specific religion are utilised and pronounced as the culture of our nation and importantly is used to deny bail to a human being.

India is a country with religious, linguistic, cultural, social, ethnic diversity which constitutes the "[Idea of India](#)". Our freedom struggle united all against colonial oppression and fought to overthrow the colonial rule. That unity helped us to have our own Constitution. It is the duty of every citizen and those who take public office to uphold the Constitution to develop scientific temper, spirit of inquiry and humanism. The observations in the Javed vs UP State case relating to the cow as the only animal that inhales and exhales oxygen and with special properties, attributed to its body and excreta, have [no scientific basis](#). Evolutionary biology has shown that all animals including cows and humans have a common origin and follow similar respiration physiology of inhaling air, from which part of oxygen is absorbed in the blood and exhaling carbon dioxide and other substances, like nitrogen and some amount of oxygen too.

AIPSN is shocked at the scientific fallacies in the judgement and is alarmed that these unscientific observations would be cited in later cases and may also create disharmony in our society. A rationalist and scientific approach is always essential in a legal document. Leading legal personalities such as [B.R. Ambedkar](#) , [Justice V.R. Krishna Iyer](#) of our country were very vocal in their opposition to [pseudoscience](#) and we and our judiciary should follow that path.

In the last few years, we have come across a large number of pseudoscientific statements made by government functionaries, both at the central government as well as various state governments. It seems the Indian Cow is one of the pet areas about which a lot of nonsensical stuff is uttered. The anti-science atmosphere created in such a process is reflected strongly in faith based judgement devoid of legal arguments, and with falsification of science. Such observations, as in the case, cited here, also goes against the secular fabric of our Indian constitution.

AIPSN notes with concern these observations reflected in this judgment as they are without scientific evidence going against the scientific temper while foisting one community's supposed beliefs upon the entire country and all its diverse cultures. AIPSN looks forward to appropriate corrective action.

We the [people of India need to raise our voice against such attempts](#) which disrupt the fabric of our nation. In this situation, AIPSN strongly rejects the faith based observations relating to the cow in the judgement arising in the Javed case as they are against secularism and scientific temper. We look forward to the display of scientific temper, thus upholding an important component of the Constitution, in all legal proceedings and judgements.

In particular, AIPSN appeals to the scientific community to protest against such unscientific proclamations that have the danger of creating cleavages in our society and also goes against our constitutional duty to protect scientific temper.

*For clarifications contact:*

P. Rajamanickam, General Secretary, AIPSN  
[gsaipn@gmail.com](mailto:gsaipn@gmail.com), 9442915101 @gsaipn