

Pawan Kumar Vs. State of H.P. and Ors.

**CWPIL No. 61 of 2023
and CWPIL No. 73 of 2022**

11.11.2024 Present:

CWPIL No. 61 of 2023.

Mr. Abhishek Dulta and Mr. Vishal Verma, Advocates, for the petitioner.

Mr. Anup Rattan, Advocate General, with Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No. 1 to 7/State.

Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for respondent No. 8.

CWPIL No. 73 of 2022

Mr. Adarsh K. Vashisth, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General, with Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents/State.

None for respondent No. 5.

Heard. Respondents are directed to furnish the details of the amount spent on the Cow Sanctuary/Gausadans being run by them, the details shall contain the exact position as to how the amount has been utilized and spent given the fact that the State is spending 15% of the amount that is being collected by way of donation in the temples which have been taken over by the State under the Himachal Pradesh Hindu Public Religious Institution and Charitable Endowments Act, 1984, and the State is also imposing two and half of the cess on every bottle of liquor being sold within the State.

The orders for the last five years shall also be placed for the Court's perusal.

The State shall also file the details of the activities being carried out by the 'Gauseva Aayog' and the purpose of creation and its funding.

On 04.07.2024, the Court had passed the following order:-

“Perused the status report filed by the Secretary (Animal Husbandry) to the Government of Himachal Pradesh in compliance to order dated 25.04.2024. The report reveals that certain steps on various aspects have been initiated which would certainly improve the running of the Cow Sanctuary in question. Counsel for the petitioner shall file his response thereto and make suggestions as to what further steps need to be taken. He may also point out whether steps indicated in the said status report of the Secretary (Animal Husbandry) have been taken within the timelines indicated therein. He may file it by the next date of hearing.

List on 22.08.2024.”

In compliance to the aforesaid, the petitioner has filed his response that discloses the shocking state of affairs.

In the given facts and circumstances, we deem it appropriate to appoint the Secretary, District Legal Services Authority, Kangra, H.P., to visit the Radhe Shyam, Cow Sanctuary at Village Luthan, P.O Sudhangal, Tehsil Jawalamukhi, District Kangra, H.P. and submit its report regarding the condition of the sanctuary and after inspecting the same he would not

only file its independent report but also file its response to the response submitted by the petitioner in this case, a copy whereof shall be provided to the Secretary, District Legal Services Authority, Kangra, H.P.

The SDM, Jawalamukhi, under whose instructions the trapping photography and other recordings have been prohibited in the Cow Sanctuary, shall personally appear before this Court on the next date of hearing.

List on **02.12.2024**.

Tag alongwith CWPIL No. 73 of 2022.

The State shall file its affidavit as to why there is no management committee for the time being for the Cow Sanctuary and as to what steps are being taken in this regard and shall also file the affidavit regarding creation of some cow sanctuaries in view of the funds which are already available with it.

(Tarlok Singh Chauhan)
Acting Chief Justice

(Satyen Vaidya)
Judge

11th November, 2024
(sushma)