

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.440 OF 2000

GEETA SESHAMANI

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With appln(s) for directions, impleading party and office report)

[For Final Disposal]

With Writ Petition (C) No.508 of 2002

Date: 17/03/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner(s)

In WP 440/2000:

Mr. P.K. Manohar,Adv.

In WP 508/2002:

Ms. Meera Singh,Adv.

Mr. N. Ganpathy,Adv.

For Respondent(s)

Mr. Shreekant N. Terdal,Adv.

Ms. A. Subhashini,Adv.

Mr. Aruneshwar Gupta,Addl.AG.,Rajasthan.

Mr. Naveen Kumar Singh,Adv.

Ms. Shivangi,Adv.

Mr. Anis Suhrawardy,Adv.

Ms. Sunita R. Singh,Adv.

Mr. B.B. Singh,Adv.

Mr. Rituraj Biswas,Adv.

Mr. Gopal Singh,Adv.

Ms. Hemantika Wahi,Adv.

Ms. Sadhana Sandhu,Adv.

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Ms. Kamini Jaiswal,Adv.

Ms. Shomila Bakshi,Adv.

Mr. Pramod Dayal,Adv.

Mr. Rajesh Prasad Singh,Adv.

Mr. Rakesh K. Khanna,Adv.

Ms. Rashmi Khanna,Adv.

Mr. Neeraj Kumar Sharma,Adv.

Mr. S.K. Agnihotri,Adv.

Mr. Rohit K. Singh,Adv.

Mr. Amit Mishra,Adv.

Mr. Tara Chandra Sharma,Adv.

Mr. Ajay Sharma,Adv.

Ms. Neelam Sharma,Adv.

Mr. Rupesh Kumar,Adv.

Mr. T.V. Ratnam,Adv.

Mr. Raj Panjwani,Adv.

Mr. Vijay Panjwani,Adv.

Mr. Anil Nag,Adv.

Mr. R.K. Rathore,AAG.,Pb.

Mr. S. Krishnaraj,Adv.

Mr. Arun K. Sinha,Adv.

Mr. Rajeev Sharma,Adv.

Mr. R. Ayyam Perumal,Adv.

Mr. Sewa Ram,adv.

Mr. S. Vallinayagam,Adv.

Mr. K.R. Sasiprabhu,Adv.

Ms. Sunita Sharma,Adv.

Mr. D.S. Mahra,Adv.

Mr. Ranjan Mukherjee,Adv.

Mr. V.G. Pragasaam,Adv.

Mr. Annam D.N. Rao,Adv.

Mr. Avatar Singh Rawat,Addl.AG.,Uttaranchal.

Mr. Baldev Atreya,Adv.

Ms. D. Bharathi Reddy,Adv.

Mr. S.S. Shinde,Adv.

Mr. Mukesh K. Giri,Adv.

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Mr. Ramesh Babu M.R.,Adv.

Mr. Khwairakpam Nobin Singh,Adv.

Mr. R.K. Singh,Adv.

Ms. Rashmi Singh,Adv.

Mr. Puneet Tyagi,Adv.

Mr. J.K. Bhatia,Adv.

Mr. Radha Shyam Jena,Adv.

Ms. Suparna Srivastava,Adv.

Mr. Rahul Srivastava,Adv.

Mr. Rajesh Srivastava,Adv.

Ms. Deepti Singh,Adv.

Mr. Prakash Shrivastava,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr. Sanjiv Sen,Adv.

Mr. Praveen Swarup,Adv.

Mr. Neeraj Shekhar,Adv.

Mr. S.S. Bandyopadhyay,Adv.

Mr. Ambhoj Kumar Sinha,Adv.

Ms. Krishna Sarma,Adv.

Mr. V.K. Sidharthan,Adv.

Mr. Atul Kumar,Adv.

for M/s. Corporate Law Group ,Advs.

Mr. Vinay Kumar Garg,Adv.

Mr. Anil Kumar Thakur,Adv.

Ms. Kavita Wadia,Adv.

Mr. U. Hazarika,Adv.

Mr. Satya Mitra,Adv.

Ms. Sumita Hazarika,Adv.

Mr. Ashok Bhan,Adv.

Mr. T.A. Khan,Adv.

Ms. Anil Katiyar,Adv.

Mr. A. Mariarputham,Adv.

Ms. Aruna Mathur,Adv.

for M/s. Arputham, Aruna & Co.,Advs.

Mr. Manoj Saxena,Adv.

Mr. Mohan Prasad Meharia, Adv.

Mr. S.K. Mittra, Adv.

Mr. Debojit Borkakati, Adv.

Mr. J.S. Attri, AAG., HP.

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Mr. Anil Shrivastava, Adv.

Mr. Saurabh Shrivastava, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. A.D.N. Rao, learned counsel for the Ministry

of

Environment and Forests, Government of India, has handed over to us in

Court today an action plan for control of stray animals menace [monkeys,

dogs, cattles and pigs]. The action plan mainly focuses on three strategies

to control the monkey problem; (1) increase natural food base

to the

monkeys in the forest; (2) creating awareness among public through series

renew

of activities, such as putting up advertisements hoardings, awareness

camps by voluntary and social clubs, organising seminars and workshops,

controlling

distribution of pamphlets to the tourists, etc; and (3) on

monkeys' population by sterilization. The action plan has also set out the

and

long term measures, such as improved solid waste management and

with the improved waste management and operations. It has also dealt  
with the aspect of translocation of commensal monkeys to especially esta-  
blished sanctuaries. Some interim steps have also been suggested in  
the action plan which mainly concerns the problem of monkey menace, thou-  
gh reference has also been made to other animals.

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Before we issue final directions, it would be expedient to have  
the responses from the State Governments/Union Territories. Copies of  
the action plan shall be supplied within two weeks to the Standing counsel  
representing the State Governments/ Union Territories, which shall file  
their responses within four weeks therein clearly indicating as to how it  
propose to implement various suggestions given in the action plan, time  
frame therefor, implementing agencies and monitoring, besides other  
aspects. The State Governments/Union Territories shall also indicate as to  
what action plan it has in relation to the awareness programme. On the  
aspect of implementation and monitoring, the State Governments/ Union  
Territories shall consider having appropriate representations from the  
following Departments; (1) Wild Life; (2) Municipalities; (3) Forest; and  
(4) Police. Besides these, the involvement of Non-Governmental  
Organisations and Societies for prevention of cruelty to animals may also  
be considered advisable. The State Governments/Union Territories need

not wait for the directions of this Court to commence the action plan in their respective areas where it is so considered necessary and start the same on the basis of the suggestions made in the action plan or any other additional measure, which may be considered appropriate to check the menace.

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The main prayer in the writ petition is for strict enforcement of the provisions of the Prevention of Cruelty to Animals Act, 1960 and other ancillary prayers. Suggestions in this regard have been made by Animal Welfare Board of India and the Petitioner. In terms of order dated 26th March, 2001, the State Governments were directed to file their responses and also to deal in the responses, aforesaid suggestions contained in the affidavits of the Animal Welfare Board of India and the petitioner. Some of the States have filed their responses but since four years have elapsed since then, the States are permitted to include in their responses, directed to be filed pursuant to this Order, the development which may have taken place during the intervening number of years. We intend to take up this matter as well on the next date of hearing.

Copies of the responses shall be supplied by the State Governments/Union Territories to Mr. A.D.N. Rao, Mr. Raj Panwani, Advocates, and the learned advocate for the petitioner.

Mr. A.D.N. Rao, learned advocate, shall file the service report of action plan in the Registry within one week.

List the petitions after seven weeks.

[ T.I. Rajput ]  
Court Master

[ V.P. Tyagi ]  
Court Master