

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. 44 OF 2004

PEOPLE FOR ETHICAL TREATMENT OF ANIMALS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 09/10/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s)

Mr. Raj Panjwani,Adv.

Ms. Purnima Bhat Kak,Adv.

For Respondent(s)

For UOI

Mr. Rajeev Dutta,Sr.Adv.

Mr. Vikas Sharma,Adv.

Mr. R.C. Kathia,Adv.

For Bihar:

Mr. Gopal Singh,Adv.

Mr. Nishakant Pandey,Adv.

For Tripura:

Mr. Gopal Singh,Adv.

Mr. Rituraj Biswas,Adv.

For Rajasthan: Mr. Aruneshwar Gupta, AAG.
Mr. Naveen Kumar Singh, Adv.
Mr. Mukul Sood, Adv.
Mr. Shashwat Gupta, Adv.
Ms. Shikha Tandon, Adv.

For Uttar Pradesh: Mr. Baij Nath Yadav, Adv.
Mr. Anuvrat Sharma, Adv.
Mr. Sanjay Kumar Singh, Adv.

For Punjab: Mr. Kuldip Singh, Adv.
Mr. R.K. Pandey, Adv.
Mr. Sanjay Katyal, Adv.
Mr. Arun K. Sinha, Adv.

For Jammu & Kashmir: Mr. Anis Suhrawardy, Adv.

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- 2 -

For Gujarat: Ms. Hemantika Wahi, Adv.
Ms. Pinky Behera, Adv.
Ms. Shivangi, Adv.
Mr. Pradyot Kumar Chakravarty, Adv.

For U.T. of Chandigarh: Ms. Kamini Jaiswal, Adv.
Ms. Shomila Bakshi, Adv.

For Mizoram: Mr. K.N. Madhusoodhanan, Adv.
Mr. R. Sathish, Adv.

For Animal Welfare Board: Mr. Sunil Kumar Jain, Adv.
Mr. S. Borthakur, Adv.

For West Bengal: Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

For Sikkim: Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.

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

For Kerala:

Mr. P.V. Dinesh,Adv.

Ms. Sidhu T.P.,Adv.

Mr. Shridhar Y. Chitale,Adv.

Mr. Abhijat P. Medh,Adv.

For M/o Home:

Mr. B. Datta,ASG.

Mr. S.W.A. Qadri,Adv.

Ms. Sushma Suri,Adv.

For N.C.T. of Delhi:

Mr. Vikas Singh,ASG.

Mr. S.W.A. Qadri,Adv.

Mr. R.C. Kathia,Adv.

Mr. D.S. Mahra,Adv.

for Ms. Anil Katiyar,Adv.

For U.Ts.:

Mr. S.W.A. Qadri,Adv.

Mr. D.S. Mahra,Adv.

For State of Goa:

Mr. Bhavanishankar V. Gadnis,Ad.

Ms. B. Sunita Rao,Adv.

For T.N.P.C.B. &

Mr. V.G. Pragasam,Adv.

Pondicherry:

Mr. S. Vallinayagam,Adv.

For Respondent No.28:

Mr. Baij Nath Yadav,Adv.

Mr. Manoj Kumar Mishra,Adv.

Mr. Anuvrat Sharma,Adv.

for Mr. Jatinder Kumar Bhatia,Adv.

For Meghalaya:

Mr. Ranjan Mukherjee,Adv.

For Himachal Pradesh:

Mr. J.S. Attri,AAG.

Mr. Vivek Singh Attri,Adv.

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For Madhya Pradesh: Mr. B.S. Banthia, Adv.

For Maharashtra: Mr. S.S. Shinde, Adv.
Mr. V.N. Raghupathy, Adv.
for Mr. Mukesh K. Giri, Adv.
Mr. Punit Dutt Tyagi, Adv.

For Manipur: Mr. Khwairakpam Nobin Singh, Adv.
Mr. B.V. Niren, Adv.
Mr. S. Biswajit Meitei, Adv.

For Arunachal Pradesh: Mr. Anil Shrivastav, Adv.

For Karnataka: Mr. Sanjay R. Hegde, Adv.
Mr. Anil K. Mishra, Adv.
Mr. Vikrant Yadav, Adv.

For Jharkhand: Ms. Pinky Anand, Adv.
Mr. Gopal Prasad, Adv.
Mr. Rajesh Pathak, Adv.

For Assam: Mr. Riku Sharma, Adv.
for M/s. Corporate Law Group, Adv.

For Chhattisgarh: Ms. Suparna Srivastava, Adv.
Ms. Pooja Matlani, Adv.
Mr. Rajesh Srivastava, Adv.
Ms. Vibha Datta Makhija, Adv.

For Andhra Pradesh: Mr. Manoj Saxena, Adv.
Mr. Rajnish Kumar Singh, Adv.
Mr. Rahul Shukla, Adv.
Mr. T.V. George, Adv.

For Nagaland: Mr. Upamanyu Hazarika, Adv.
Mr. Satya Mitra, Adv.
Ms. Sumita Hazarika, Adv.
Mr. Shibashish Misra, Adv.

For Haryana:

Mr. Ajay Siwach, AAG.

Mr. T.V. George, Adv.

Ms. Sunita Sharma, Adv.

Mr. D.S. Mahra, Adv.

For MoEF:

Mr. Rajiv Dutta, Sr. Adv.

Ms. M.F. Humayunisa, Adv.

Mr. Vikas Sharma, Adv.

Mr. Kumar Dushyant Singh, Adv.

Ms. Anil Katiyar, Adv.

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- 4 -

UPON hearing counsel the Court made the following

O R D E R

We have perused the Inspection Report of slaughter houses in the State of Tamil Nadu prepared by the Animal Welfare Board of India

(A.W.B.I.) which has been filed in this Court along with an affidavit. The

position of almost all the slaughter houses seems to be very dismal. The

general observations made by A.W.B.I. show that practically in twenty

nine out of thirty three slaughter houses, there is hardly a ny facility

available. Rules and Regulations are observed in breach. The

maintenance of sanitation and hygiene were found to be totally lacking.

Solid waste in some of the slaughter houses is being removed once in a

week; in some places, once in a month; and in others, it is being removed

as and when the municipal vehicles chose to go to that area. Out of thirty three, veterinary doctors have been appointed in only two slaughter houses; in another two, there were part-time doctors at a meagre monthly salary of Rupees eighty; and in remaining slaughter houses, there is none.

Further, according to the Report, illegal slaughtering was reported in all

the places. As against this, the affidavit filed on behalf of the State

Government only sets out the reports received by the Commissioner of

Municipal Administration from different Municipalities/ Corporations.

The said responses are only general in nature and in many respects are

contrary to the factual situation demonstrated by the Report of

A.W.B.I. The State Government/Municipal Corporations/ Municipalities should have shown in what regard the Report of A.W.B.I. is incorrect.

Despite lapse of a month, response to the suggestions given by the learned counsel for the petitioner is not forthcoming. In substance, the suggestions basically seek to enforce properly the

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- 5 -

regulations of slaughtering in the slaughter houses so that slaughtering takes place having due regard to hygiene and other stipulations under the Prevention of Cruelty to Animal (Slaughter Houses) Rules, 2001. The Special Secretary, Municipal Administration of the State Government, is

directed to file an affidavit, particularly dealing with the suggestions given by the learned counsel for the petitioner on or before 3rd November, 2006, and soon thereafter, the matter shall be listed.

In respect of the States of Kerala and Karnataka, A.W.B.I. shall conduct in detail examination of the slaughter houses and file report placing on record the state of affairs of the slaughter houses and the compliance of the Rules aforesaid. The State Governments/Municipal Corporations and other concerned authorities are directed to fully cooperate with A.W.B.I. A.W.B.I. is granted three months' time to complete the exercise and file its response. Copy of that Report shall be given to the learned counsel appearing for the State Governments of Kerala and Karnataka and to the petitioner. Response thereto be filed within a month thereafter.

To consider appropriate directions, if required, to be issued in respect of slaughter houses in the States of Kerala and Karnataka, list the matter after four months.

[T.I. Rajput]
A.R.-cum-P.S.

[V.P. Tyagi]
Assistant Registrar