

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: 02/05/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

Mr. Raj Panjwani,Adv.

Ms. Purnima Bhat Kak,Adv.

For Respondent(s)

M/o Environment:

Mr. Rajiv Dutta,Sr.Adv.

Mr. Vikas Sharma,Adv.

Ms. Anil Katiyar,Adv.

Animal Welfare Board:

Mr. Sunil Kumar Jain,Adv.

Ms. S. Borthakur,Adv.

Goa:

Mr. Shridhar Y. Chitale,Adv.

Mr. A.P. Medh,Adv.

West Bengal:

Mr. Tara Chandra Sharma,Adv.

Ms. Neelam Sharma,Adv.

Mr. Tarun Sharma,Adv.

Gujarat:

Ms. Hemantika Wahi,Adv.

Ms. Sadhana Sandhu,Adv.

Uttaranchal:

Ms. Rachana Srivastava,Addl.AG.

Mr. Avatar Singh Rawat,Addl.AG.

Mr. Baldev Aterye,Adv.

Mr. J.K. Bhatia,Adv.

Tripura:

Mr. Gopal Singh,Adv.

Mr. Rituraj Biswas,Adv.

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Mr. P.D. Tyagi,Adv.

Mr. Rajeev Dvivedi,Adv.

NCT of Delhi:

Mr. N.N. Goswami,Sr.Adv.

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

Ms. Anil Katiyar,Adv.

M/o Health:

Mr. B. Dutta,Sr.Adv.

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

Ms. Sushma Suri,Adv.

Manipur:

Mr. KH. Nobin Singh,Adv.

Arunachal Pradesh:

Mr. Anil Shrivastav,Adv.

Mr. Saurabh Shrivastava,Adv.

Maharashtra:

Mr. S.S. Shinde,Adv.

Mr. Mukesh K. Giri,Adv.

Andhra Pradesh:

Mr. Manoj Saxena,Adv.

Mr. Amit Meharia,Adv.

Mr. Debojit Borkakati,Adv.

Mr. Mohan Prasad Meharia,Adv.

Assam: Ms. Krishna Sarma, Adv.
Mr. J.R. Luwang, Adv.
for M/s. Corporate Law Group, Adv.

Rajasthan: Mr. Aruneshwar Gupta, Addl. AG.
Mr. Naveen Kumar Singh, Adv.
Ms. Shivangi, Adv.

Haryana: Mr. Manjit Singh, Adv.
Ms. Vivekta Singh, Adv.
Mr. Harikesh Singh, Adv.
Mr. Hari Kishan Kataria, Adv.
Mr. T.V. George, Adv.

Chhattisgarh: Ms. Suparna Srivastava, Adv.
Ms. Deepti Singh, Adv.
Mr. Rajesh Srivastava, Adv.

Madhya Pradesh: Mr. Sakesh Kumar, Adv.
Mr. Amit Mishra, Adv.
Mr. S.K. Agnihotri, Adv.

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

U.T. of Andaman & Ms. Sunita Sharma, Adv.
Nicobar, Daman & Diu Mr. D.S. Mahra, Adv.

& Nagar Haveli and
Lakshwadeep:

Sikkim: Ms. Aruna Mathur, Adv.
Mr. A. Mariarputham, Adv.
for M/s. Arputham, Aruna & Co., Adv.

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Nagaland: Mr. U. Hazarika, Adv.

Ms. Sumita Hazarika,Adv.
Mr. Satya Mitra,Adv.

Jharkhand: Mr. Gopal Prasad,Adv.
Mr. Anand Shekhar,Adv.

Punjab: Mr. Bimal Roy Jad,Adv.
Ms. Sunita Pandit,Adv.
for Mr. Arun K. Sinha,Adv.
Mr. T.V. Ratnam,Adv.

Meghalaya: Mr. Ranjan Mukherjee,Adv

Pondicherry: Mr. V.G. Pragasam,Adv.

Himachal Pradesh: Mr. J.S. Attri,Adv.

Madhya Pradesh: Mr. Sakesh Kumar,Adv.
Mr. S.K. Agnihotri,Adv.
for Mr. B.S. Banthia,Adv.

Karnataka: Mr. Sanjay R. Hegde,Adv.

Bihar: Mr. Kumar Rajesh Singh,Adv.
Mr. B.B. Singh,Adv.

Jammu & Kashmir: Mr. Anis Suhrawardy,Adv.

Kerala: Mr. K.R. Sasiprabhu ,Adv

Andhra Pradesh: Mr. Manoj Saxena,Adv.
Mr. Mohanprasad Meharia ,Adv
Mr. S.K. Mittra,Adv.
Mr. Debojit Borkakati,Adv.

Orissa: Mr. Shibashish Misra,Adv.

Tamil Nadu: Mr. R. Ayyam Perumal,Adv.
Mr. S. Vallinayagam,Adv.
Mr. Sewa Ram Bairwa,Adv.

UPON hearing counsel the Court made the following

O R D E R

The Ministry of Environment and Forests, in the affidavit dated 24th March, 2005, has sought additional three months' time to take appropriate action in regard to the consideration of the proposal of the Animal Welfare Board of India [for short, "the

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Board"] for appointing State level forest officers as officers empowered under Rule 9(1) of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2000, to inspect the slaughter houses. Prima facie, we tend to agree with the submissions made by Mr. Raj Panjwani, learned counsel, about the problems likely to arise if forest officers are empowered under Rule 9(1) of the Rules. Further, some of the States, as noticed in the affidavit dated 24th March, 2005, have reservations about such authorisation in favour of the forest officers. We direct the Ministry to consider expeditiously as to the proper person or authority, who may be empowered to inspect the slaughter houses under Rule 9(1) of the Rules. The Ministry shall file affidavit by 15th July, 2005. In the meanwhile, we direct the Board, which is situated in Chennai, to at least inspect the main slaughter houses in the State of Tamil Nadu and file its inspection report. The Board is empowered to inspect the slaughter houses under Rule 9(1) of the Rules. This aspect has also been mentioned in the order dated 1st November, 1994.

List the writ petition in the month of August, 2005.

[T.I. Rajput]
Court Master

[V.P. Tyagi]
Court Master