

ITEM NO.3

COURT NO.1

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 440 OF 2000

GEETA SESHAMANI

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T., directions, impleading party and office report) (For final disposal)

Date: 06/08/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K.MATHUR

For Petitioner(s) Mr. P.K. Manohar, Adv.

For Respondent(s) M/s Ashok Bhan, Sunita Sharma
S.W.A.Qadri, DS Mahra, Advs.

For NCT of Delhi Uts Mr. S.W.A.Qadri, and
Mr. J.A.Khan, Advs.

For Chhattisgarh Ms. Suparna Srivastava, Adv. (NP)
M/s Nidhi Minocha, Rajesh Srivastava, Advs.

For MCD M/s Sanjiv Sen & Praveen Swarup, Advs.

For State of AP M/s Manoj Saxena, Rajnish Kr. Singh
Rahul Shukla for TV George, Advs.

For Mizoram M/s KN Madhusoodhanan & R.Sathish, Advs.

For NDMC Mr. Surya Kant, Adv.

For Maharashtra Mr. Sanjay V.Kharde, Adv.
Mrs.Asha G.Nair, Adv.

For State of MP M/s CD Singh, Merusagar Samataray &

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Vairagya Vardhan, Advs.

For Nagaland M/s U.Hazarika, Satya Mitra &
Ms. Sumita Hazarika, Advs.

For Haryana Mr. Manjit Singh, Addl. A.G.
Mr.Harikesh Singh, Adv.
Mr. T.V. George, Adv.

For Assam Mr. Riku Sarma, Adv. for
M/s Corporate Law Group, Advs.

For Manipur Kh. Nobin Singh,
David Rao, S.Biswaji Meitei,
Vijay Prakash, Advs.

For W.B. M/s Tara Chandra Sharma,
Neelam Sharma, Advs.

For Pondicherry M/s VG Pragasam, S.J.Aristotle &
S.Prabu Ramasubramanian, Advs.

For Bihar & Tripura M/s Gopal Singh and Rituraj Biswas, Advs.
Manish Kumar, Advs.

For UP M/s Pramod Swarup, Aloka Sinha &
Anuvrat Sharma, Advs.

For Punjab Mrs. Jayashree Anand, Addl. Adv. General
Mr. Karunakar Mahalik, Adv.

For Rajasthan M/s Naveen Kumar Singh, Shaswat Gupta, Advs.
for Mr. Aruneshwar Gupta, Adv.

For Sikkim Mr. A.Mariarputham, Mrs. Aruna Mathurs, Advs. for
M/s. Arputham Aruna & Co., Advs.

For Meghalaya M/s Ranjan Mukherjee & S.C.Ghosh, Advs.

For HP Mr. JS Attri, Addl. Adv. General

For AWBI M/s Raj Panjwani & Vijay Panjwani, Advs.

For Jharkhand Mr.Rajesh Pathak, Advs.
For Mr.B.B.Singh, Adv.

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For Arunachal Pr. Mr. Rituraj, Adv.

For Gujarat Ms. Hemantika Wahi, Adv.
Ms.Pinky Behra, Adv.
Ms.K.Enatoli Sema, Adv.
Mr.Somnath, Adv.
Mr. Shreekant N.Terdal, Adv.

Ms. A.Subhashini ,Adv.

Mrs Anil Katiyar ,Adv

Mr. Rajesh Prasad Singh ,Adv

Mr. R. Sathish ,Adv

Mr. Surya Kant ,Adv.

Mr. Anil Nag ,Adv

Mr. Rajeev Sharma ,Adv

Mr. R. Ayyam Perumal ,Adv

Mr. K.R. Sasiprabhu ,Adv

Mr. Ranjan Mukherjee ,Adv

Mr. Annam D.N. Rao ,Adv

Mrs.D. Bharathi Reddy ,Adv

Mr. Ramesh Babu M.R. ,Adv

Mr.A.Rohen Singh, Adv.

Mr.Amit Kr.Chawla, Adv.

For Mr. Sanjay R. Hegde ,Adv

Mr. Subramonium Prasad ,Adv

Mr. Ambhoj Kumar Sinha ,Adv

Mr. V.N. Raghupathy ,Adv

Mr. Ratan Kumar Choudhuri ,Adv

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Ms. Rachana Srivastava ,Adv

Mr. Rajesh Srivastava ,Adv

Mr. C.D. Singh ,Adv

Mr. Kamendra Mishra ,Adv

Mr. Mohanprasad Meharia ,Adv

Mr.P.N.Gupta,Adv.

Mr.Anis Suhrawardy, Adv.

Mr.S.Mehdi Imam, Adv.

Mr.Naresh Kumar, Adv.

UPON hearing counsel the Court made the following
ORDER

This writ petition has been filed by the petitioner alleging that the provisions contained under the Prevention of Cruelty to Animals Act, 1960 are not fully implemented by the various States. All the State Governments were impleaded as party respondents and some of the States have filed their responses.

Heard petitioner's counsel.

The main grievance of the petitioner is that in many States the State Animal Welfare Boards are not constituted and, therefore, implementation of the provisions of the Act and the Rules are not done effectively. It is also pointed

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that the Animal Welfare Boards in the States are not taking effective steps to establish Societies for prevention of Cruelty to Animals (SPCAs) in every district as contemplated under Rule 3 of the Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001. Some of the States have submitted that they have filed a statement to the effect that these SPCAs had already been constituted in all the States.

We direct the States, which have not constituted the State Animal Welfare Boards to constitute within a period of three months and also to see that the Society for Prevention of Cruelty to Animals (SPCAs) be also constituted in every district as contemplated under the Rules.

A copy of this order be sent to the Chief Secretary of the all the States to do the needful.

The sum of Rs.1,11,363/- which is lying in F.D.R. may be made available to the Delhi State Animal Welfare Board as and when the same matures.

The writ petition is disposed of accordingly.

(G.V.Ramana)
Court Master

(Vijay Dhawan)
Court Master