



# HUMANE SOCIETY INTERNATIONAL

INDIA

December 10, 2014

Shri. Devendra Fadnavis  
Chief Minister  
Government of Maharashtra  
Mantralaya, Madam Cama Road,  
Hutatma Rajguru Square, Nariman Point  
Mumbai - 400032

Honourable Minister,

I am writing to you from Humane Society International/India, a non-profit organization for the protection of animals through education, advocacy and hands-on programs, to bring to your notice the advertisement of an illegal cock fighting event to be held in Ulhasnagar, Maharashtra on January 2, 2015 and a request to urge you to put an end to this in Maharashtra at the earliest.

Cock fights are nothing but gambling events at the expense of the lives of the roosters. There is immense cruelty during cockfights where two birds in many batches are incited to fight with metal spurs or knives tied to their legs in order to injure the other bird. Thus during each fight, one of the birds may die and both are often critically injured.

I would like to bring to your notice that according to Section 11(1) (m) (ii) and (n) of the Prevention of Cruelty to Animals (PCA) Act, 1960 if any person, “incites any animal to fight or bait any other animal” and “organizes, keeps uses or acts in the management of, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes”, is a cognizable offence.

In 1996, the High Court of Bombay, in the case of People for Animal vs State of Goa, upheld the provisions of Section 11(1) (m) and (n) and prohibited animal fights.

In addition to this, the Honourable Supreme Court of India in the case of Animal Welfare Board of India vs A. Nagaraja and others”, on 7<sup>th</sup> May 2014 passed an order banning all animal races and fights thereby directing the Animal Welfare Board of India and Government to prevent infliction of unnecessary pain and suffering to animals. An extract of the Supreme Court judgment is as follows:

“We declare that the five freedoms, referred to earlier be read into Sections 3 and 11 of PCA Act, be protected and safeguarded by the States, Central Government, Union Territories (in short “Governments”), MoEF and AWBI.”

“AWBI and Governments are directed to take appropriate steps to see that the persons-in-charge or care of animals, take reasonable measures to ensure the well-being of animals.”

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“AWBI and Governments are directed to take steps to prevent the infliction of unnecessary pain or suffering on the animals, since their rights have been statutorily protected under Sections 3 and 11 of PCA Act.”

“AWBI is also directed to ensure that the provisions of Section 11(1)(m)(ii) scrupulously followed, meaning thereby, that the person-in-charge or care of the animal shall not incite any animal to fight against a human being or another animal.”

Post this, on May 21<sup>st</sup>, 2014, The High Court of Madras too, in the case S.Kannan vs Commissioner of Police, cited Section 11(1) (m) (ii) and (n) of the PCA Act and declined to give permission for a cockfighting event in a temple festival and suggested the prohibition of cockfights in the state of Tamil Nadu.

With reference to the aforementioned provisions in the Prevention of Cruelty to Animals Act, 1960 and judgments of the Supreme Court of India and High Courts of Bombay and Tamil Nadu, I would like to request you to direct the necessary authorities to take urgent action to prevent and punish the management and organizers of the cock fighting event. The event, the advertisement of which is enclosed with this letter, is scheduled to be held between 10am and 5pm behind the Ganpati Temple at Ashele Village, Ganpat Nagar in Ulhasnagar, Maharashtra on January 2, 2015 and the contact persons for which are Paresh Tare (+918888055624) and Mahesh Tare (+918983474300).

I look forward to your necessary action.

Yours sincerely,

Alokparna Sengupta  
Deputy Director

Copied to:

1. Shri Sanjeev Dayal, IPS, Director General of Police, Maharashtra
2. Shri Vijay Kamble, IPS, Commissioner of Police, Thane
3. Shri Vinod S. Kumar, Secretary I/C, Animal Welfare Board of India

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