

ORDER SHEET

WP No.497 of 2017
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

RAJYASHREE CHAUDHURI
Versus
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble ACTING CHIEF JUSTICE NISHITA MHATRE
AND
The Hon'ble JUSTICE TAPABRATA CHAKRABORTY
Date: 1st September, 2017

Appearance
*Mr. Meçhnad Dutta, Adv. with
Mr. B. Jha, Adv.
..for the petitioner*
*Mr. Kishore Dutta, Id. Adv. General with
Mr. Sirsanya Bandopadhyay, Adv.
..for the State*
*Ms. Era Ghose, Adv.
..for the KMC*

The Court : This public interest litigation has been filed contending that the State ought to inform the public at large that there are certain restrictions imposed by legislation as well as in view of judgments of the Supreme Court and this High Court for animal sacrifices. The petitioner has raised this issue because of the ensuing Bakri-Id festival, which will be observed tomorrow.

A memorandum has been issued by the Principal Secretary to the Government of West Bengal, Animal Resources Development Department on 28th August, 2017 to various authorities including the Police, District Magistrates, Milk Commissioner etc. requesting them that all endeavours should be made to ensure that the directives contained in the provisions of the West Bengal Animal Slaughter Control Act, 1950, the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001 are observed as well as the restrictions imposed by the Hon'ble Supreme Court

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of India and this Court during the festival of ID-UD-ZOHA. This memorandum has been issued in a manner similar to previous years.

Although this memorandum would be sufficient to ensure that the persons who have been forwarded the memorandum for necessary action would perform their duties so that the restrictions are observed, the public at large may not be aware of the restrictions contained either in the judgments of the Court or in the Act of 1950 and the rules framed thereunder. This may lead to an innocent person being unaware of the restrictions falling foul of the restrictions leading to his prosecution.

In this view of the matter, we are of the opinion that the State should advertise both in the print and electronic media sufficiently in advance the restrictions which have been imposed by the judgments as well as those contained in the Act and Rules framed thereunder. These restrictions should be advertised at least a week before the Id-Ud-Zoha festival every year. However, for the festival which is to be observed tomorrow, we direct the State to advertise/publish these restrictions in the electronic and print media by this evening and latest by tomorrow morning in Bengali, Urdu, Hindi & English so that the people in general are made aware of these restrictions.

The writ petition is, thus, disposed of.

Exd. Urgent signed photostat copy of this order bc supplied to the parties.

M
01-09-17

Sd/- Nishita Mhatre, ACJ.

Sd/- Tapaswata Chakrabarti, J.

Prison
01/09/2017
Assistant Registrar
High Court, O. S. Calcutta.