

ITEM NO.30 Court 9 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 839/2020

MATHEWS J NEDUMPARA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.75986/2020-EXEMPTION FROM FILING AFFIDAVIT
and IA No.75985/2020-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 14-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Petitioner-in-person

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application for permission to appear and argue in
person is allowed.

We have heard the petitioner in person and perused
the pleadings in the writ petition. The prayers are too
wide and varied and it would be difficult to issue any
direction.

We have, however, examined three aspects: (a)
Enforcement of the Environment (Protection) Act, 1986,
The Forest (Conservation) Act, 1980, The Wild Life

Protection Act, 1972, The Indian Forest Act, 1927 and The Prevention of Cruelty to Animals Act, 1960. This is an aspect of enforcement and it is for the Executive to take appropriate action to see that the intent of the Legislature is implemented in its true intent and spirits.

Secondly, is an issue arising from the nature of consequences flowing from violation of the provisions of the Prevention of Cruelty to Animals Act, 1960 and it is the say of the petitioner that the punishments are within very narrow compass and archaic both in terms of consequences of fine or imprisonment. This is an issue again which would have to be considered by the Legislature and we request the Central Government to examine this issue as to whether any modifications in this behalf are required to be made.

The third aspect is of the specific instances given by the petitioner qua State of Kerala and for which a representation was made by the petitioner as Annexure P-3.

If the petitioner is of the view that no action has been taken in pursuance to Annexure P-3, the relevant remedy would be to approach the Kerala High Court in this behalf.

We close the proceedings in terms of the aforesaid order.

A copy of the order be sent to the Central

Government.

Pending application shall also stand disposed of.

**(ASHA SUNDRIYAL)
AR CUM PS**

**(ANITA RANI AHUJA)
ASSISTANT REGISTRAR**