

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO(S). 872 OF 2022

ASHUTOSH BANSAL

.....PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

.....RESPONDENT(S)

WITH

WRIT PETITION(CIVIL) NO(S). 865 OF 2022

O R D E R

1. The petitioner-in-person in Writ Petition(C) No. 872 of 2022 is a social activist, animal activist and a practising Advocate, who dedicatedly works for the welfare of cows and other animals. The petitioner has approached this Court in Public Interest seeking the following directions:

"a) It is most respectfully prayed that this Hon'ble Court may kindly be pleased to issue a writ of mandamus or any other writ or direction thereby directing the Respondents/Government of India to pass an act for the protection of the cows and cattle and efficient remedies and saving cows/cattle from Lumpy Skin Disease.

b) It is most respectfully prayed that this Hon'ble Court may kindly be pleased to issue a writ of mandamus or any other writ or direction thereby directing Respondents to frame the policies for saving the cow from this pandemic situation of outspread of Lumpy Skin Disease.

c) Pass any further order and directions as may be deemed just, fit and proper by this Hon'ble Court."

2. On 31.10.2022, notice was issued to the respondents for the limited purpose of finding out, whether the Union of India has formulated a National Health Plan to prevent and cure the Lumpy Skin Disease Virus (LSDV) epidemic amongst the cows and other cattle.

3. Both the Union of India and the Animal Welfare Board of India, in their counter-affidavits, have taken the stand that the matter in issue falls within the ambit of the states. It is further stated that they have issued guidelines and policy circulars from time to time, whereunder around 8.16 crore cattle have since been vaccinated.

4. The States of Rajasthan, Maharashtra, Madhya Pradesh, Gujarat, Haryana, Punjab and Government of NCT of Delhi have also filed their respective counter-affidavits, *inter alia*, explaining the steps taken by them to prevent the spread of Lumpy Skin Disease Virus among the cows, and the allocation of funds made by them for cattle vaccination.

5. It is apparent from the counter-affidavits that the budgetary allocation and the consequential expenditure incurred vary from state to state depending upon the total population of the cattle and the financial condition of that state. Various measures, however, have been taken by all the states, broadly with regard to:

(i) Timely treatment of the infected cows.

(ii) Preventing the spread of Lumpy Skin Disease Virus (LSDV).

(iii) Vaccination of the cows and the other animals.

(iv) Disinfection of urinal areas.

- (v) Minimum transportation of the animals and peremptory health checkups of the animals coming from other states.
- (vi) Setting up of test laboratories and substantial increase in securing clinical samples.
- (vii) Constitution of Animal Welfare Boards/Committees to give effect to the guidelines and policy circulars issued by the Government of India.

6. In light of these steps, we are satisfied that these proceedings can be closed as of now while leaving it open for the petitioner(s) to approach the Central/State Governments as and when required to address any related issue(s).

7. We have no reason to doubt that the State Governments will take prompt action and give serious consideration to the issues that may be raised by the petitioner(s) in the future.

8. So far as the further expansion of these proceedings, as prayed for by the petitioner(s) concerning:

- (a) Formulation of policies for sustainable programs for indigenous cows as compared to cross breeds and exotic breeds.
- (b) Usage of cow urine for its medicinal value and cow dung as a source for preparing organic manure.
- (c) Proper implementation and coordination of Pashu Aadhar numerical database, similar to Aadhar cards for humans, we grant liberty to the petitioner(s) to submit a comprehensive representation in this regard to the Union

of India for taking an appropriate policy decision within a reasonable time.

9. In view of the above, both the writ petitions stand disposed of.

10. Pending application(s), if any, shall also stand disposed of.

.....
[SURYA KANT]

.....
[DIPANKAR DATTA]

NEW DELHI;
NOVEMBER 20, 2023.

ITEM NO.34

COURT NO.5

SECTION PIL-W

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). 872/2022

ASHUTOSH BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 3622/2023 - EXEMPTION FROM FILING O.T.
IA No. 204378/2022 - EXEMPTION FROM FILING O.T.)

WITH

W.P.(C) No. 865/2022 (PIL-W)
(FOR ADMISSION)

Date : 20-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTAFor Petitioner(s) Petitioner-in-person
Mr. Arup Banerjee, AORFor Respondent(s) Mr. Vikramjit Banerjee, ASG
Mr. P.V. Yogeswaran, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. S.K. Tyagi, Adv.
Mr. Harish Pandey, Adv.
Mr. Amrish Kumar, AOR
Mr. N. Vishakhamourty, AORMrs. Nilofar Khan, A.A.G.
Mr. Anjum Parvez, Adv.
Ms. Nilofar Khan, AORMs. Manisha T. Karia, AOR
Ms. Nidh Nagpal, Adv.
Mr. Aditya Kesar, Adv.
Mr. Rohan Trivedi, Adv.
Ms. Swapnil Baudh, Adv.

Ms. Deepanwita Priyanka, AOR
Mr. Prashant Bhagwati, Adv.

Mr. Vikas Bansal, Adv.
Mr. Ankit Goel, AOR

Mr. Samrat Krishnarao Shinde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Raavi Sharma, Adv.

Mr. Karan Sharma, AOR
Mr. Mohit Siwach, Adv.
Mr. Rishabh Sharma, Adv.
Mr. Moksh Pasrija, Adv.

Ms. Mrinal Gopal Elker, AOR
Mr. Saurabh Singh, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Dr. Monika Gusain, AOR

Mr. Santosh Kumar Tripathi, AOR
Mr. Siddharth Krishna Dwivedi, Adv.

Mr. Amrish Kumar, AOR

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

1. The writ petitions are disposed of in terms of the signed order.
2. Pending application(s), if any, shall also stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed order is placed on the file)