

**HIGH COURT OF TRIPURA  
AGARTALA  
WP(C)(PIL) NO.19 OF 2021**

**Gau Gyan Foundation,**

A duly registered Trust having its,  
Registered office at 108, Jatt House,  
Village Dhool Siras, Dwarka,  
Sector 24, New Delhi 110 077  
Through its authorized representative,  
Ms. Kavita Jain, D/o Late Surendra Pal Jain,  
Presently residing at C/o- Sri Phani Bhusan Debnath,  
Udaipur, Sonamura Chowmuhani, P.O. & P.S.-R.K. Pur,  
District- Gomati Tripura.

..... **Petitioner(s)**

Vs.

**1. The Union of India,**

Through the Ministry of Home Affairs,  
North Block, New Delhi-110001.

**2. State of Tripura,**

Represented by the Secretary cum commissioner to  
The Government of Tripura,  
New Capital Complex, Secretariat building,  
P.O.- Kunjaban, Agartala, West Tripura.

**3. The Secretary cum commissioner,**

to the Ministry of Home and Law, Department,  
New Capital Complex, Secretariat building  
P.O.- Kunjaban, Agartala, West Tripura.

*As per direction of the Hon'ble Court's order dated 20.12.2021,  
respondent No.4 has been amended*

**4. The Secretary,**

In the Department of Animal Husbandry, Dairying Krishi  
Bhawan, New Delhi-110001.

**5. The Secretary cum commissioner**

to the Transport Department, Government of Tripura.

**6. Special Secretary, Border Management,**

The Ministry of Home Affairs,  
North Block, New Delhi-110001.

7. **Director General of Police,**  
Government of Tripura,  
Agartala, West Tripura.

8. **The District Magistrate and Collector,**  
Gomati Tripura District, Udaipur.

9. **The District Magistrate,**  
Khowai District, Khowai.

10. **The District Magistrate,**  
South Tripura District, Belonia.

11. **The District Magistrate,**  
North Tripura, District.

12. **The District Magistrate,**  
Sepahijala District, Sonamura.

13. **The District Magistrate,**  
West Tripura District, Agartala.

14. **The District Magistrate,**  
Dhalai Tripura District-Ambassa.

15. **The District Magistrate,**  
Unakoti Tripura, District.

*Following new respondents added as per order dated 21.06.2022  
passed in I.A. No.01 of 2022 in WP(C)No.19 of 2021.*

16. **Department of Animal Husbandry & Dairy State of  
Tripura.**

17. **Border Security Force,** Through Director General,  
CGO Complex, Lodhi Road, Delhi-110003.

..... **Respondent(s)**

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For the Petitioner(s) : Mr. V.K. Shraff, Advocate.  
Ms. P.S. Paul, Advocate.

For the Respondent(s) : Mr. D. Bhattacharjee, G.A.  
Mr. B. Majumder, DSGI.

Mr. P. Saha, Advocate.

Date of hearing and delivery of  
Judgment & Order : 14.02.2023.

Whether fit for reporting : YES/NO.

**HON'BLE THE CHIEF JUSTICE(ACTING)**  
**HON'BLE MR. JUSTICE ARINDAM LODH**

**JUDGMENT AND ORDER(ORAL)**

It is the case of the petitioner foundation that they are an NGO recognized by the Government of India and they take steps for the welfare measure of the cattle and other animals. In this regard, since it is noticed in the State of Tripura that the transportation of cattle and with regard to other issues like that of market sheds etc., of the cattle in the State of Tripura are not properly maintained in terms of the provision of Prevention of Cruelty to Animals(Regulation of Livestock Markets) Rules 2017, and to notify the same to the State-respondents, this present Public Interest Litigation(*in short* 'PIL') is filed.

2. After taking up the 'PIL' at the request of the learned G.A. appearing for the State-respondents, number of reports as well as counter affidavits have been filed and it is categorically indicated in the said counter affidavit filed by the Government that in all the market yards, measures are being made for their proper

maintenance and they have been subsisting for the last several decades.

3. To this, Mr. V.K. Shraff, learned counsel appearing for the petitioner-foundation submitted before this Court that though in the counter affidavit filed by the State-respondents, it is submitted that they are properly maintaining the market sheds and they have been subsisting for the last several decades. But there is no specific contention with regard to how the markets and other societies which have been authorized by the State Government are maintaining their market yards and transporting cattle and other animals.

4. This Court finds force in the argument of the learned counsel appearing for the petitioner and thus directs the respondents to immediately take steps in this regard under the Prevention of Cruelty to Animals(Regulation of Livestock Markets) Rules 2017 and in terms of other notification issued by the Government of India, within a period of 3(three) months from today. The State-respondents are to complete the same in terms of identifying the traders obtaining license, maintenance as well as transportation of the animals.

5. With the above observation and direction, this instant 'PIL' is accordingly allowed. It is needless to observe that once this Court indicates respondent-Government, accordingly, the State-respondents shall communicate appropriate instructions in terms of the Act and Rules to all the concerned agencies in this regard.

6. With the above observation and direction, this instant 'PIL' stands allowed and thus disposed of. As a sequel, pending application(s), if any, also stands closed.

**JUDGE**

**CHIEF JUSTICE (ACTING)**

suhanjit

HIGH COURT OF TRIPURA



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