

WPO(P)/7/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WORLD HINDU FEDERATION & ANR.
VERSUS
THE STATE OF WEST BENGAL & ORS.

BEFORE:

THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA

THE HON'BLE JUSTICE RAJARSHI BHARADWAJ

DATE: 8TH JULY, 2022

APPEARANCE:

Mr. Megnad Dutta, Advocate
Mr. Lal Ratan Mondal, Advocate
... for the petitioners.
Mr. S.N. Mookherjee, AG

Mr. Amitesh Banerjee, Senior Standing Counsel
Md. T.M. Siddiqui, Advocate
Ms. Ipsita Banerjee, Advocate
... for the State

This Court:- This public interest petition has been filed by the petitioner seeking a direction to the respondents to give proper publicity to the suggestion of the petitioner contained in Annexure 'P-10' relating to prevention of slaughter of cow's progeny without appropriate certificate, etc.

The plea raised by the petitioner is that during the forthcoming Bakri-Eid festival, unhindered slaughter of cows and its progeny is expected in the State, therefore, the contents of Annexure 'P-10' should be publicized and made known through various means to the people of the State in respect of the restrictions about slaughter.

Learned counsel for the petitioner, during the course of argument, has referred to the various orders passed by this Court relating to the implementation of the restrictions contained in the statutory provisions and the orders of the Hon'ble Supreme Court and has submitted that a wide publicity of those restrictions is necessary. He has emphasized that the

hoarding should be put with the photograph of the Hon'ble Chief Minister and logo of "Biswa Bangla".

Learned Advocate General has opposed the petition and has submitted that similar issue had come up before the co-ordinate Bench in G.A. 1 of 2021 in WPO 372 of 2019 wherein adequate directions in this regard have already been issued by the co-ordinate Bench.

Having heard the learned Counsel for the parties and on the perusal of the record, it is noticed that in the earlier, raising the similar issue, writ petitions were filed and directions were issued to respondent in WP No. 497 of 2017 in the case of Rajyashree Chaudhuri vs. The State of West Bengal and Others by order dated 1st of September, 2017, passed in WP No. 328 of 2018 in the case of Rajyashree Chaudhuri vs. State of West Bengal as modified by the order dated 21st of August, 2018 passed in G.A. 2325 of 2018.

The same issue came up for this year and the co-ordinate Division Bench of this Court by order dated 5th of July, 2022 in **G.A. No. 1 of 2021 in WPO 372 of 2019** in the matter of **Rajyashree Chaudhuri vs. The State of West Bengal and Ors.** has issued the following directions:

"14. Records of the case and the respective submission of the parties satisfy this Court about prompt due and timely compliance of the Court's order so far as publication of general notice by the respondent municipal authority and the State in both the print and visual media, is concerned. It is found that due notice covering all necessary and required elements therein have been published in well circulated vernacular as well as English newspapers of the State and also in visual media. Needless to mention that the necessity for such newspaper and other publication are for wide circulation of the relevant laws and rules to the public at large in order to raise awareness amongst them and also to get it circulated to as many citizens of the State as possible so that the same may act as a deterrent in the minds of people, so far as animal slaughtering is concerned. The way and manner in which the respondent municipal authority and the State have acted in circulating the general notice, the said purpose appears to have been fulfilled and Court's order duly complied.

15. The State has filed two affidavits, affirmed on May 19, 2022 and June 22, 2022, respectively. Annexed to the said affidavits are copies of notices published in various newspapers to make the members of the public aware of the restrictions on slaughtering of animals imposed by statutes and orders of Court. We are of the view that the State and the Municipal Authorities have substantially complied with the orders of this Court.

16. On the basis of the aforesaid discussion we find that no further direction would be necessary upon the respondent corporation insofar as it continues the exercise of publication of such exhaustive general notice, as before, in well circulated newspapers in vernacular as well as other languages and also in visual media. Needless to mention that we have not been able to find any cogent ground justifying applicant's plea that the order dated 26.02.2021 delivered in WPO 372 of 2019 may by any way tantamount to superseding the orders passed in W.P. No. 328 of 2018 including the order dated 21.08.2018. However, in any event we clarify that the order dated 26.02.2021 in no manner supersedes or affects the validity of the orders passed by this Court in W.P. No. 328 of 2018 including the order dated 21.08.2018. Such orders remain in full force and must be given effect to by the State and Municipal Authorities in their true spirit and intent.

17. We also emphasize that the restrictions imposed by law including the orders of Court on animal slaughter, must also be given due publicity through the audio-visual media like television. It has been noticed that the State Government uses the Mobile Phone including SMS (Short Message Service) to spread messages of public importance. The Government should explore that avenue also to make the general people aware of the restrictions on slaughter of animals during Bakri-Eid and in general."

The issue which the petitioner is raising has duly been considered by another Division Bench of this Court while passing the above order and adequate directions have already been issued, therefore, no further direction in the present public interest petition is required. We express hope that the order already passed in G.A. 1 of 2021 will be duly complied with by the State Authorities.

The petition is accordingly, disposed of.

(PRAKASH SHRIVASTAVA, C.J.)

(RAJARSHI BHARADWAJ, J)

(PA-RB)