

10 17.07.2023
 RP Ct. No. 01
 AN

WPA (P) 350 of 2023

Rama Prasad Sarkar
 Vs.
 The State of West Bengal & ors.

Mr. Rama Prasad Sarkar
 ... For the petitioner (in-person)

Mr. Samrat Sen, Id. AAAG
 Mr. Sk. Md. Galib
 Ms. Sujata Mukherjee
 ... For the State

1. The petitioner appearing in person, by this Public Interest Litigation seeks for strict implementation of the orders passed by the Hon'ble Division Bench in W.P. 328 of 2018 with W.P. 24315(W) of 2015 dated 16.08.2018 and also the orders in G.A. 2325 of 2018 in W.P. 328 of 2018 dated 21.08.2018.

2. From the writ petition, we find that there is no specific allegation made by the writ petitioner as regards violation of the directions issued in the earlier orders. Learned Additional Assistant Advocate General pointed out that there is an earlier order passed by the Division Bench in the case of Rajyashree Chaudhuri vs. The State of West Bengal & Ors. reported in (2017) SCC Online Cal 13016. The matter concerns slaughtering of animals including cows and buffalows in open public place. All the three earlier orders show that there is a prohibition of slaughtering of animals in public place and there is also observations made by the Hon'ble Division Bench in its order dated 21.08.2018

that sacrifice of a cow is no part of the festival Id-ud-Zoha and is not a religious requirement under Islam as held by the Hon'ble Supreme Court in the case of Md. Hanif Qureshi vs. State of Bihar. Further, the Division Bench directed that a public notice should be issued and such notice must be in line with the order which was passed by the Division Bench on 16.08.2021. Further, the State authorities to take necessary steps to ensure that the provisions of the West Bengal Animal slaughter Control Act, 1950 is implemented prior to the observance of the said festival during the ensuing year. Further, the State was directed to ensure that there is no slaughtering of animals in any open public place. Though, it is submitted by the learned counsel for the petitioner appearing in person that such order has been violated and there is nothing on record to support such submission.

3. Learned Additional Assistant Advocate General appearing for the State respondents produced the copies of the notification issued by the State Government in terms of the directions issued by the Division Bench of this Court in the earlier orders as well as the orders passed by the Hon'ble Supreme Court. He also submitted that the appropriate authority of the State Government has not received any single complaint alleging any violation of the notification which was published by the Government.

4. In the light of the above, for the next year, well

before the festival of Id-ud-Zoha, at least 10 days in advance, a wide publicity should be given that slaughtering of animals shall not be done in any open public place and the provision of Act of 1950 and also directions issued by the Hon'ble Supreme Court should be strictly adhered to. The concerned Department of the State Government shall form Vigilance Teams to visit various areas to ensure that the notification published by the State Government are strictly implemented without any violation.

5. With the above observations, the instant writ petition stands **disposed of**.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)