[1] The Commissioner,
Bruhat Bangalore Mahanagara Palike,
Bangalore.

[2] The Commissioner,
Department of Municipal Administration,
Government of Karnataka, Bangalore.

[3] The Conservator of Forests,
Forests and Wildlife,
Aranya Bhavan, Bangalore.

[4] Deputy Directors,
Department of Animal Husbandry & Veterinary Services,
30 districts.

[5] The President,
Society for Prevention of Cruelty to Animals [SPCA],
Bangalore.

[6] The Founder Trustee,
Animal Rights Fund,
Bangalore.

Sir,

Sub: Illegal custody / captivity of birds – re.

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There are instances that the birds are kept illegally in captivity under inhuman conditions. This is a clear violation of the Wildlife [Protection] Act, 1972 and Article 51A[G] of Constitution of India and Prevention of Cruelty to Animals Act, 1960.

One such case was brought to the knowledge of the Hon’ble Gujarat High Court. As per the judgement dated 12-5-2011 of the Hon’ble Court in Special Criminal Application No. 1635 of 2010 titled as Abdulkadar Mohamad Azam Sheikh v/s State of Gujarat, it is a fundamental right of all birds to be free in the open sky / air and not caged illegally.

It is therefore, proposed that the guidelines issued by the Hon’ble High Court of Gujarat in the above case may be complied within the area of Karnataka.
Accordingly, you are requested to ensure that the birds are set free whenever they are found in captivity in inhuman conditions and to take assistance of Police Department, whenever required. A copy of orders dated 29-9-2011 issued by the Deputy Commissioner, Faridabad for compliance of said orders in their jurisdiction, is sent herewith for your kind perusal and necessary action.

This is for your kind information and compliance.

Yours faithfully,

Sd/-
DIRECTOR
DEPT OF AH&VS

1. Copy forwarded with compliments to the Director General of Police and Inspector General of Police, Karnataka, Bangalore, for kind information and necessary action.

2. Copy submitted to the Secretary to Government of Karnataka, Department of Animal Husbandry and Fisheries, Vikasa Soudha, Bangalore, for kind information.

DIRECTOR
DEPT OF AH&VS

10/6/2014

F. DRI. N FOLDER DVD-13
The Principal Secretary,
Dept. of Animal Husbandry and Fishery,
Fourth Floor, Vikasa Soudha,
Bangalore.

Dear Sir/Madam,

Sub: Freedom of Bird in Karnataka State.

You must be aware that the Gujarat High Court order has passed and order regarding Freedom of Bird in May 2011. Subsequently, Faridabad Administration has passed a similar order on October 2011. We are happy that Chandigarh Administration has passed similar order date 25 Oct 2012.

You must be aware about the plight of Birds who are restricted from freedom and cannot fly in human captivity which is the fundamental right of the Bird. This also clearly violation of The Wildlife (Protection) Act 1972 and article 51 A (G) of constitution of India and Prevention of Cruelty to Animal Act 1960. For your kind reference we are enclosing 3 sheets of the order passed by Chandigarh Administration and 7 pages of the Judgment passed by High Court of Gujarat for your kind perusal.

We have already given the letter to the Director of Animal Husbandry on December 6, 2012 and The Commissioner of Animal Husbandry on September 15, 2013 which his is perusing.

In view of the same, we would request you to issue a strong notification that the Bird has the fundamental rights to be free in the open sky/air and not caged in the Karnataka state.

Trust you will pass an order immediately.

Thanking you,

Yours faithfully,

[Signature]

Animal Rights Fund

[Stamp]

3 sheets of the Chandigarh and 7 sheets of High Court of Gujarat.
To

2. The Estate Officer, Sector-17, Chandigarh.
4. All Veterinary Officers, Animal Husbandry, U.T., Chandigarh.
5. The President, SPCA, Sector-36, Chandigarh.
6. The Founder Trustee, People for Animals, #1522, Sector 11D, Chandigarh.

Subject: Illegal custody/captivity of birds--- regarding

There are instances that the birds are kept illegal in captivity under inhuman conditions. This is a clear violation of the Wildlife (Protection) Act 1972 and Article 51 A (G) of Constitution of India & Prevention of Cruelty to Animals Act 1960.

One such case was brought to the knowledge of Hon'ble Gujarat High Court. As per the judgment dated 12-05-2011 of Hon'ble Court in Special Criminal Application No 1635 of 2010 titled as Abdulkadar Mohamad Azam Sheikh versus State of Gujarat, it is a fundamental right of all birds to be free in the open sky/air and not caged illegally.

It is therefore proposed that the guidelines issued by Hon'ble High Court of Gujarat in above case may be complied with in the area of U.T. Chandigarh.

Accordingly, you are requested to ensure that the birds are set free whenever they are found in captivity in inhuman conditions and to take assistance of Police department, whenever required. A copy of orders dated 29-09-2011 issued by Deputy Commissioner Faridabad for compliance of said orders in their jurisdiction, is sent herewith for your kind perusal and necessary action.

This is for your kind information and compliance please.

Joint Director,
for Director Animal Husbandry,
Chandigarh Administration.
Dated; Chandigarh, the

Endst No.VD/4/12/

A copy is forwarded to the Inspector General of Police, U.T. Chandigarh for kind information and necessary action please.

Joint Director,
for Director Animal Husbandry,
Chandigarh Administration
ORDER

Subject: Illegal custody/captivity of birds.

It has been noticed that the birds are being kept illegal in captivity under inhuman conditions. This is a clear cut violation of The Wildlife (Protection) Act, 1972, and Article 51A(G) of Constitution of India & Prevention of Cruelty to Animals Act, 1960.

One such case was brought to the knowledge of Hon'ble Gujarat High Court. As per the recent judgment dated 12-05-2011 of Hon'ble Court in Special Criminal Application No. 1635 of 2010 titled as Abdulkadar Mohamad Azam Sheikh Versus State of Gujarat, that it is the fundamental right of all birds to be free in the open sky/air and not caged.

You are hereby directed to carry out the survey in your jurisdiction and take suitable action under above mentioned guidelines and ensure that birds are set free. This may be executed with the assistance of any local Animal Welfare Organization as well as The Animal Husbandry Department.


Deputy Commissioner, Faridabad.

A copy is forwarded to the all the Heads of the department Distt. Faridabad you are requested to send compliance report on day to day basis as per the actual action taken regarding the said subject.

2. Foundation trust people for Animal, Chandigarh House No. 1522 Sec.11D Chandigarh for information.
September 15, 2013

The Commissioner,
Dept. of Animal Husbandry,
Bangalore.

Dear Sir/Madam,

Sub: Freedom of Bird in Karnataka State.

You must be aware that the Gujarat High Court order has passed and order regarding Freedom of Bird in May 2011. Subsequently, Faridabad Administration has passed a similar order on October 2011. We are happy that Chandigarh Administration has passed similar order date 25 Oct 2012.

You must be aware about the plight of Birds who are restricted from freedom and cannot fly in human captivity which is the fundamental right of the Bird. This also clearly violation of The Wildlife (Protection) Act 1972 and article 51 A (G) of constitution of India and Prevention of Cruelty to Animal Act 1960. For your kind reference we are enclosing 3 sheets of the order passed by Chandigarh Administration and 7 pages of the Judgment passed by High Court of Gujarat for your kind perusal.

We have already given the letter to the Director of Animal Husbandry on December 6, 2012 which his is perusing.

In view of the same, we would request you to issue a strong notification that the Bird has the fundamental rights to be free in the open sky/air and not caged in the Karnataka state.

Trust you will pass an order immediately.

Thanking you,

Yours faithfully,

Animal Rights Fund

Encl: 3 sheets of the Chandigarh and 7 sheets of High Court of Gujarat.

(Dilip Bafna)
Trustee
December 8, 2012

The Director,
Dept. of Animal Husbandry,
Dr. Ambedkar Veedhi Building,
Bangalore.

Dear Sir/Madam,

Sub: Freedom of Bird in Karnataka State.

You must be aware that the Gujarat High Court order has passed and order regarding Freedom of Bird in May 2011. Subsequently, Faridabad Administration has passed a similar order on October 2011. We are happy that Chandigarh Administration has passed similar order date 25 October 2011.

You must be aware about the flit of Birds who are restricted from freedom and cannot fly in human habitat which is the fundamental right of the Bird. This also clearly violation of The Wildlife (Protection) Act 1972 and article 51 A (G) of constitution of India and Prevention of Cruelty to Animal Act 1960. For your kind reference we are enclosing 3 sheets of the order passed by Chandigarh Administration.

In view of the same, we would request you to issue a strong notification that the Bird has the fundamental rights to be free in the open sky/air and not caged in the Karnataka state.

Thanking you,

Yours faithfully,

Animal Rights Fund

[Signature]

(Dilip Bafna)
Trustee

Encl: Please find the order 3 sheets of the Chandigarh Administration.