

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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Manohar Parrikar
Minister of Defence
104, South Block
New Delhi 110 011

28 September 2016

Via e-mail: rm@nic.in

Dear Mr Minister,

Your urgent attention is requested.

I am writing to you on behalf of People for the Ethical Treatment of Animals (PETA) India and as an Honorary Animal Welfare Officer appointed by the Animal Welfare Board of India (AWBI), which is a statutory body under the Ministry of Environment, Forest and Climate Change. This letter regards a tragic incident that occurred in Frisal village in the Kulgam district of Jammu & Kashmir and which allegedly involves some Army officials.

According to [news reports](#), at least 13 horses belonging to Gujjars were allegedly deliberately killed and four others were injured by a speeding Army vehicle.

As you may know, this type of abuse is a punishable offence under Section 11(1)(a) and 16(1) of The Prevention of Cruelty to Animals (PCA) Act, 1960, which state that the following are punishable offences:

If any person ... beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes, or being the owner permits, any animal to be so treated; or . . . mutilates any animal or kills any animal ... in any ... unnecessarily cruel manner.

Furthermore, the actions against the horses may be considered an offence under Sections 34 and 429 of the Indian Penal Code. Section 34 states the following:

When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.

And Section 429 states the following:

Whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

In addition, the Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions, New Delhi, letter no.F.No.30/9/2006-WELFARE, dated 26 May 2006, states the following:

[I]f any Govt. Servant indulges in act of cruelty to animals he will be making himself liable for action under Prevention of Cruelty to

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Animals Act. Besides, punishment under the Act, he would also make himself liable for action under CCS (Conduct) Rules for conduct unbecoming of a Govt. Servant.

It is further brought to your attention that the Hon'ble Supreme Court of India has given exhaustive decisions in the judgement issued on 7 May 2014 in SLP(C) No 11686 of 2007 to the central and state governments that it is the duty of the government to enforce the PCA Act, 1960, and that if the provisions of the act and the directions and declarations of the Supreme Court are not properly and effectively complied with, the government should see that disciplinary action is taken against erring officers so that the object and the purpose of the act can be achieved.

We urge you to consider this matter with the utmost urgency and immediately initiate an inquiry, followed by strict action against any member of the Army if found guilty in this matter.

Acts of cruelty to animals like this one are indicative of a deep mental disturbance. Research in psychology and criminology shows that people who commit acts of cruelty to animals often don't stop there – many of them move on to hurting other animals, children, women, or other humans. The US Federal Bureau of Investigation has found that a history of cruelty to animals is one of the traits that regularly appear in its computer records of serial rapists and murderers. In India, too, Veerappan was a serial killer and poacher, and the infamous Noida serial murders of children took place at the home of Moninder Singh Pandher, who was fond of hunting. In a study of battered women, nearly 60 per cent said they had partners who had harmed or killed their dogs or other animals.

I'm sure you agree that abuse of any living being, including animals, is unacceptable, endangers everyone, and must be stopped before the culprit acts again. Our office has been inundated with calls and e-mails from people all over India who want to see the culprits in this case punished. We, therefore, respectfully urge you to look into this urgently.

I look forward to your action and response. Thank you in advance for your attention to this important matter.

Sincerely,



Meet Ashar
Emergency Response Coordinator, PETA India
Honorary Animal Welfare Officer, AWBI

cc: Mehbooba Mufti, Chief Minister, Jammu & Kashmir
Braj Raj Sharma, Chief Secretary, Jammu & Kashmir
K. Rajendra Kumar, Director General of Police, Jammu & Kashmir

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