

Shri Sachindra Pratap Singh
Commissioner of Animal Husbandry
Commissionerate of Animal Husbandry
Government of Maharashtra
Opposite Spicer College
Aundh, Pune
Maharashtra 411 067

12 March 2020

Re: Request to issue orders to stop cruel and illegal methods of killing unwanted poultry in Maharashtra

Dear Shri Singh,

I'm writing from People for the Ethical Treatment of Animals (PETA) India requesting that your good office immediately issue directions to all poultry farmers (including hatcheries) in your state to refrain from any cruel and illegal methods for killing chickens. As reported by the *Hindustan Times* on 11 March 2020 in the article titled "Coronavirus Scare: Dahanu Farmer Culls 1.75L Birds, Destroys 9L Eggs", a farmer in Dahanu, Palghar district, buried nearly 2 lakhs baby birds alive in anticipation of business losses. (A copy of this article is appended as **Annexure 1.**)

Such a cruel method of killing birds is in contravention of various Indian animal protection laws. Section 3 of The Prevention of Cruelty to Animals (PCA) Act, 1960, mandates that it shall be the duty of every person having charge of any animal to ensure their well-being and to prevent infliction of any unnecessary pain or suffering on the animal. Section 11(1)(l) of the PCA Act provides that mutilation or killing of animals in any unnecessarily cruel manner is a punishable offence. (A copy of Sections 3 and 11 of the Act are appended as **Annexure 2.**) In addition, Section 429 of the Indian Penal Code (IPC) stipulates that whoever commits mischief by killing animals shall be punished with imprisonment for a term which may extend to five years, with a fine, or with both. (A copy of Section 429 of the IPC is appended as **Annexure 3.**)

The only exemptions provided under the law are euthanizing a suffering animal when it would be cruel to keep the animal alive (Section 13 of the PCA Act), killing an animal for food when done without infliction of unnecessary pain and suffering (Section 11(3)(e) of the PCA Act), and euthanizing animals suffering from a disease to prevent its spread or to protect public health (Section 25 of the Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009).

A slow death by suffocation from live burial causes birds unnecessary pain and suffering. The Animal Welfare Board of India (AWBI) – an advisory body established under Section 4 of the PCA Act – had issued advisories in 2012 to the Department of Animal Husbandry, Dairying and Fisheries and in 2014 to the Department of Animal Husbandry, Kerala, regarding the adoption of guidelines by the World Organisation for Animal Health (OIE) for the mass killing of animals for disease-control purposes in order to ensure that animals do not experience unnecessary distress, pain, or suffering. (A copy of the AWBI advisories are appended as **Annexures 4 and 5.**) India is a member of the OIE, and animal husbandry is a state subject under the Indian constitution, so it is an obligation on the part of all state governments to adhere to the OIE guidelines under Chapter 7.6 of the Terrestrial Animal Health Code. This chapter states that "[t]hese general principles should also apply when animals need to be killed for other purposes such as after natural disasters or for culling animal populations." (A copy of this chapter is appended as **Annexure 6.**)

Affiliates:

- PETA Asia
- PETA Australia
- PETA Foundation (UK)
- PETA France
- PETA Germany
- PETA Netherlands
- PETA US

Registered Office:

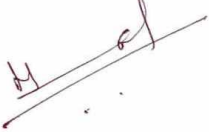
F-110, 1st Floor, Jagdamba Tower
Plot No 13, Community Centre
Preet Vihar, New Delhi
110 092

CIN: U74899DL2000NPL103217

In light of this information, I urge your good office to issue directions immediately to stop any cruel and illegal methods of killing unwanted birds in favour of the methods recommended by the AWBI and the OIE.

May I please hear from you? Thank you for your time and consideration of this important matter. I can be reached at ManilalV@petaindia.com or on +91 9910817382.

Sincerely,



Dr Manilal Valliyate, CEO
PETA India

cc: Shri Anoop Kumar, Secretary, Animal Husbandry, Dairy Development and Fisheries
Department, Government of Maharashtra

PETA India
PO Box 28260
Juhu, Mumbai 400 049
(22) 4072 7382
(22) 2636 7383 (fax)

Info@petaindia.org
PETAIndia.com

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