



GOVERNMENT OF SIKKIM
OFFICE OF THE CCF (WILDLIFE)-cum-CHIEF WILDLIFE WARDEN
FORESTS AND ENVIRONMENT DEPARTMENT
DEORALI-737102, GANGTOK

F. No: 09/WL/F&ED/04

Dated: 7/4/2021

To,

The Conservator of Forests (Territorial)
The Conservator of Forests (Wildlife)
The Director (KNP/KBR)
The Director (HZIP)

Sub: Prohibition on caging of birds-regarding

It has been noticed that the birds are being kept in captivity illegally under inhumane conditions which is a clear violation of Section 11 (1) (e) of The Prevention of Cruelty to Animals Act, 1960 and Articles 48 A & 51(A)(g) of The Constitution of India. The Wildlife (Protection) Act, 1972 also bans the capture, caging, or trading of various indigenous birds listed under Schedule IV.

As per the judgment dated 12th May 2011 of Hon'ble High Court of Gujarat in Special Criminal Application No. 1635 of 2010 titled as Abdulkadar Mohamad Azam Sheikh versus State of Gujarat that it is 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 State of Sikkim.

You are hereby directed to ensure that the birds are set free whenever they are found in captivity in inhumane conditions and take assistance of any local Animal Welfare Organization, Animal Husbandry Department, Police Department, whenever required.

This is for your information and strict compliance.


Sd/-
(M.L. Srivastava) IFS
Addl. Chief Secretary-cum-PCCF

Memo No. — /WLC/F&ED

Dated: 7/4/2021

Copy to:

1. Director General of Police, Government of Sikkim for kind information and necessary action, please.
2. Secretary of HCM, Government of Sikkim; for kind information, please
3. Secretary, Animal Husbandry & Veterinary Services Department, Government of Sikkim; for kind information and necessary action, please.
4. CCF (T/HQ) for information and necessary action
5. Sr. Advocacy Officer, (PETA), PO Box 28260, Juhu Mumbai, 400069 for information, please


(D.C. Nepal) IFS
CCF (WL)-cum-Chief Wildlife Warden