

To,
The Senior Police Inspector,
Nerul Police Station
Jagatguru Aadi Shankaracharya Marg,
Sector 23, Nerul,
Navi Mumbai – 400 706

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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Subject: Complaint against illegal use of birds and fish for magic tricks by one Mr. Shailesh Ramesh, a magician, in blatant violation of animal protection laws.

Dear Senior Inspector,

I'm writing to you from People for the Ethical Treatment of Animals (PETA) India to bring to your notice the illegal use and abuse of birds and fish in magic shows for entertainment by one Mr Shailesh Ramesh reportedly from Navi Mumbai, in blatant violation of animal protection laws.

I came across multiple videos published by the accused(s) on their website and social media platform Instagram by the account name 'magic_sailesh' where it is clearly visible that he is using a bird and fish for performing certain tricks. Mr. Shailesh Ramesh is apparently the founder of an event management company called Party Versions. The website of the company discloses that they are located in B/201, Pandurang Apartment, Sector 20, Near Shanghai Hotel, Nerul West, Navi Mumbai 400706, and their contact number is +91 8850535839 and +91 8286682087 (screenshots attached as Annexure I). The videos (annexed in a pen drive) clearly depict a bird appearing out of nowhere during a magic trick, by igniting a newspaper, and similarly, a fish materializing suddenly from a folded piece of paper with a fish image, then being emptied into a bowl. The accused are probably in possession of multiple birds and fish, as it is common for performers to keep additional animals as backups.

Please note that any person desirous of training or exhibiting animals for entertainment is required to be registered with the Animal Welfare Board of India (AWBI) and obtain a Performing Animal Registration Certificate (PARC) from the AWBI as mandated by the Performing Animals (Registration) Rules, 2001 (Annexure II). Using unregistered animals for performance and making the animals perform unregistered acts is a violation of Section 26 of the Prevention of Cruelty to Animals (PCA) Act, 1960, as also Section 38(3) of the PCA Act.

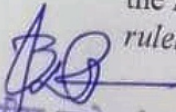
Rule 3 of the Performing Animals (Registration) Rules, 2001 makes it an offence to exhibit an animal for performance without obtaining a valid PARC from the AWBI. We are given to understand that no permission has been sought from the AWBI to use animals for entertainment and exhibit them for magic tricks by the said person or company. The police can verify the veracity of the same by calling upon the animal owners and magic show organizers to produce the said PARC.

Violation of Rules framed under the PCA Act is punishable under Section 38(3) of the Act which states, "If any person contravenes, or abets the contravention of, any rules made under this section, he shall be punishable with fine which may extend to

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पोलीस ठाणे अंमलदार
नेरुळ पोलीस ठाणे
नवी मुंबई

12/12/23

one hundred rupees, or with imprisonment for a term which may extend to three months, or with both."

Section 3 of the Act makes it the duty of persons having charge of animals to ensure that animals under their ownership or care are not subjected to unnecessary pain or suffering. The section reads as follows, "*Duties of persons having charge of animals* — It shall be the duty of every person having the care or charge of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering."

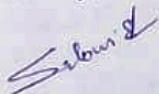
Section 11(1) of the Prevention of Cruelty to Animals (PCA) Act, 1960 defines acts that will be considered to be cruel to animals and make the same punishable under the law. Section 11(1)(a) prohibits treating of any animal in a manner so as to subject to unnecessary pain and suffering.

We'd like also to bring to your attention to the judgment dated 7 May 2014 passed by the Hon'ble Supreme Court of India's in SLP(C) No 11686 of 2007 titled 'Animal Welfare Board of India versus A. Nagaraja' wherein the Court has held that it's 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.

Therefore, in light of the above-mentioned facts and circumstances we request you to register an FIR immediately under Sections 3, 11(1)(a), 26 and 38(3) of the PCA Act, 1960; and other relevant provisions of the law and take immediate action against the accused person(s). We would also request you to seize the birds and fish being illegally used in accordance with the power and responsibility vested in the police under Sections 34 and 35 of the PCA Act, 1960. PETA India is prepared to offer any assistance required for the animal's rehabilitation.

Please feel free to reach me contact me on SaloniS@petaindia.org or +91 9326947611.

Sincerely,



Saloni Sakaria
Cruelty Response Coordinator
PETA India

Date: 12 December 2023

Affiliates:

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