

FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट
(धारा 173 बी एन एस एस के तहत)

1. District (जिला): हरिद्वार P.S. (थाना): कोतवाली रुड़की Year (वर्ष): 2025
FIR No. (प्र.सू.रि. सं.): 0128 Date and Time of FIR
(प्र.सू.रि. की दिनांक और समय): 09/04/2025 19:03 घंटे

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	भारतीय न्याय संहिता (बी एन एस), 2023	325
2	पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960	11
3	पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960	3

3. (a) Occurrence of offence (अपराध की घटना):

Day (दिन): रविवार Date from (दिनांक से): 06/04/2025 Date To (दिनांक तक): 06/04/2025

Time Period (समय अवधि): पहर 1 Time From (समय से): 00:00 बजे Time To (समय तक): 00:00 बजे

(b) Information received at P.S. Date Time
(थाना जहां सूचना प्राप्त हुई): (दिनांक): 09/04/2025 (समय): 19:03 बजे

(c) General Diary Reference Entry No. Date and Time
(रोजनामचा संदर्भ): (प्रविष्टि सं.): 046 (दिनांक और समय): 09/04/2025 19:03 बजे

4. Type of Information (सूचना का प्रकार): लिखित

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. Beat No. (बीट सं.):
(थाना से दूरी और दिशा): पश्चिम, 4 कि. मी.

(b) Address (पता): एशियाड सर्कस लालकुर्ती, कन्टोमेन्ट रुड़की,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): वीरेन्द्र सिंह

(b) Father's/Husband's Name (पिता/पति का नाम):

(c) Date/Year of Birth
(जन्म तिथि / वर्ष): 1995(d) Nationality
(राष्ट्रीयता): भारत

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue
(जारी करने की दिनांक):Place of Issue
(जारी करने का स्थान):(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)
(पहचान विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)
1	वर्तमान पता	F 110 I फ्लोर जगदम्बा टावर, प्लॉट नं0 13 कम्युनिटी सेन्टर, प्रीत विहार न्यू दिल्ली, प्रीत विहार, पूर्वी, दिल्ली, भारत
2	स्थायी पता	F 110 I फ्लोर जगदम्बा टावर, प्लॉट नं0 13 कम्युनिटी सेन्टर, प्रीत विहार न्यू दिल्ली, प्रीत विहार, पूर्वी, दिल्ली, भारत

(h) Occupation (व्यवसाय):

(i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	वर्तमान पता	F 110 I फ्लोर जगदम्बा टावर, प्लॉट नं0 13 कम्युनिटी सेन्टर, प्रीत विहार न्यू दिल्ली, प्रीत विहार, पूर्वी, दिल्ली, भारत
2	स्थायी पता	F 110 I फ्लोर जगदम्बा टावर, प्लॉट नं0 13 कम्युनिटी सेन्टर, प्रीत विहार न्यू दिल्ली, प्रीत विहार, पूर्वी, दिल्ली, भारत

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-9324938164

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या): 0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)	Permanent address (स्थायी पता)
1	एशियाड सर्कस के मालिक			1. रुड़की, कोतवाली रुड़की, हरिद्वार, उत्तरा खंड, भारत	1. रुड़की, कोतवाली रुड़की, हरिद्वार, उत्तरा खंड, भारत

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Nature of Property (संपत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

घटना का संक्षिप्त विवरण:- एशियाड सर्कस के मालिक द्वारा पक्षियों के पंख काटकर पक्षियों के साथ क्रूरता करना।

नकल तहरीर अंग्रेजी वादी टाईपशुदा:- Shri Kush Mishra, IPS Station House Officer Civil Lines Police Station. Roorkee, Haridwar- 247667 07 April 2025 Subject: Complaint to register a First Information Report (FIR) against Proprietors of the Asiad Circus for mutilating birds and request for seizure of mutilated birds for violation of animal protection laws Dear Sir, I am writing on behalf of People for The Ethical Treatment of Animals (PETA) India, the UK-based animal rights organisation, and in my capacity as an Honorary Animal Welfare Representative of the Animal Welfare Board of India (AWBI), a statutory body under the Ministry of Fisheries, Animal Husbandry and Dairying, Government of India, to request that you direct the registration of an FIR against the proprietors of the Asiad Circus for mutilating birds by clipping their wings, in violation of the Prevention of Cruelty to Animals (PCA), 1960 and the Bharatiya Nyaya Sanhita

(BNS), 2023, based on our observation of the Asiad Circus show witnessed on 06 April 2025, which is currently camped at Asiad Circus at Lal Kurfi Cantonment, Roorkee Cantonment, Roorkee, Uttarakhand – 247667 Asiad Circus is using non-native endangered wild birds for performances, namely Macaws and Cockatoos, which have been mutilated by clipping their wings. The violations include clipping the wings of these birds, an offence under the PCA Act, 1960 and the BNS, 2023. The birds were subjected to significant stress during the shows. They displayed obvious signs of distress throughout the show, flapping their wings in panic and attempting to escape during the acts. Additionally, what raises serious concern is that the wings of the birds were clearly seen to be clipped, rendering them unable to fly as high as they naturally and normally would and escape the stressful situations they were subjected to. It was clearly seen in the show attended that the macaw performing the balance act on a seesaw are frantically flapping their wings in an attempt to fly. It is also evident that the macaws are not making any proper attempt to fly away, which strongly suggests that their wings have been clipped, resulting in the loss of their ability to fly and escape. The Hon'ble Apex Court in Animal Welfare Board of India vs A Nagaraja and Ors has held that the Constitution of India recognises the right of all animals to live with honour and dignity and lead lives free of cruelty. Vide said judgement, the Hon'ble Supreme Court also declared that the universally recognised five freedoms for animals be read into Sections 3 and 11 of the PCA Act, 1960 and directed states to protect and safeguard the said five freedoms. The five freedoms declared by the Supreme Court are as follows: 1. Freedom from hunger, thirst and malnutrition 2. Freedom from fear and distress 3. Freedom from physical and thermal discomfort 4. Freedom from pain, injury and disease 5. Freedom to express the normal pattern of behavior. It is important to note that for birds, the ability to fly high in the skies is a fundamental and natural behaviour. Clipping their wings prevents them from expressing this innate behaviour, thereby violating the freedom to express normal patterns of behaviour—and causing them distress and suffering. Photographs showing the clipped wings are attached as Annexure I. Section 3 of the PCA Act, 1960 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. Clipping feathers also violates Section 11(1)(i) of the PCA Act, 1960 that states it is cruelty to animals if any person "mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner." Most significantly, the circus is clearly and blatantly violating the provisions of the BNS, 2023. To prevent the birds from flying away, the feathers of all the birds performing in the act are cut. They are being clipped regularly, leading to a severe violation of Section 325 of the BNS, 2023, which states, "Whoever commits mischief by killing, poisoning, maiming or rendering useless any animal shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both." The term "animal" is defined under Section 2(2) of the BNS, which states that an animal means "any living creature, other than a human being" and therefore includes birds. Furthermore, acts done in furtherance of common intention by several persons are an offence under Section 3(5) of the BNS, 2023. The owner/custodian of the birds and the circus management are therefore both liable under Sections 325 read with 3(5) of the BNS, 2023 collectively. In a similar case, Thrissur police acted against the Great Bombay Circus for the same violation of cutting feathers of birds used in performances. When the circus proprietors appealed to the Kerala High Court for the return of the birds after the police had seized them based on the violation, the Kerala High Court recognized that cutting the wings of birds amounts to maiming and ordered that the birds not be returned to their owners and sent to Trivandrum Zoo for interim custody. It is pertinent to note that in the judgment of the Hon'ble Kerala High Court (Annexure II), the court underscored that in matters concerning welfare legislation, the provisions of the law must be liberally interpreted in favour of animals, who are inherently vulnerable and incapable of defending themselves against human actions. The Hon'ble High Court reaffirmed its role under the doctrine of parens patriae to safeguard the rights of animals, holding that the cutting of flight feathers, which inflicted distress and physical discomfort upon the birds, amounted to cruelty. The court further reiterated the necessity for adherence to the Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017, to ensure appropriate standards of care for seized animals. We'd also like to bring to your attention the judgment dated 7 May 2014 passed by the Hon'ble Supreme Court of India in SLP(C) No 11686 of

I.I.F.-1 (एकीकृत जाँच फार्म-1)

2007 titled 'Animal Welfare Board of India versus A. Nagaraja' wherein the Supreme 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. This letter includes a pen drive containing photos and videos shot on 06 April 2025, evidencing the violations regarding animal performances and clipping of feathers amounting to maiming. In light of the cruelty to animals documented at the circus as well as the gross violations of animal protection laws and the BNS, 2023, you are requested to register an FIR against the proprietors of the Asiad circus for violation of Section 325 and 3(5) of the BNS, 2023; and Sections 3, 11(1)(a) and 11(1)(l) of the PCA Act, 1960 and seize all birds in custody of the Asiad Circus who are subjected to maiming by the Asiad Circus management, in exercise of the power and responsibility conferred upon the Police by Section 34 of the PCA Act, 1960 and rehabilitate them in accordance with the provisions of Section 35 of the PCA Act, 1960. We are happy to assist with the rehabilitation of the seized birds. Should you have any questions, I can be reached on 9324938164 or at Vsingh@petaindia.org Sincerely, Sd अपठित Virendra Singh Cruelty Response Coordinator – PETA India Honorary Animal Welfare Representative – AWBI, Government of India

नोट:- मै म0कां0 751 स्वीटी प्रमाणित करती हूँ कि तहरीर की नकल कम्प्यूटर पर शब्द व शब्द अंकित की गयी है।

म0कां0 751 स्वीटी

कोतवाली रुड़की

जनपद हरिद्वार

दिनांक 09.04.2025

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)

- (2) Directed (Name of I.O.)
(जांच अधिकारी का नाम): balam singh

Rank (पद): सहायक उप -
निरीक्षक

No. (सं.): to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)

- (4) Transferred to P.S. (थाना): District (ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C. (आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station
(थाना प्रभारी के हस्ताक्षर)

14. Signature / Thumb impression of the complainant / informant
(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

Name (नाम): Kush Mishra

Rank (पद): Asst. Superintendent of Police

No. (सं.):

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):