

**NEW LINK TO MEDIA # 1**

**WPC PIL 19827/2017 ORDER DATED 6 JANUARY, 2020**

**ANIMAL SACRIFICE CHHATAR JATRA**

**Odisha HC directs Kalahandi administration to ban animal sacrifice during Chhatar Puja**

**PNN**

**Updated: January 9th, 2020, 15:49 IST**

**Cuttack: The Orissa High Court directed Thursday, Kalahandi SP Battula Gangadhar to ban animal sacrifice during the famous 'Chhatar Jatra' of Maa Manikeswari at Bhawanipatna in the district. After hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at the shrine, a division bench comprising Chief Justice Sanju Panda and Justice Sangam Kumar Sahoo directed the Kalahandi SP to take necessary steps to prevent killing of animals.**

**The HC bench also observed that an awareness campaign will have to be launched in the district to prevent the unnecessary killing of animals. The bench in its directive has said that ideally the campaign should start a month before 'Chhatar Jatra'. It has instructed that in the programme, students of educational institutions should also play a vital role.**

**Notably, Das had moved the High Court in 2016 opposing animal sacrifice during 'Chhatar Jatra'. She had also written a letter to the Prime Minister challenging complaining about the inability of the Odisha government to prevent animal sacrifice.**

**It should also be stated here that the Kalahandi district administration had imposed a ban on animal slaughter during 'Chhatar Jatra' last year. However, even then animal sacrifice had taken place within the temple premises at night. As a large number of devotees were present, police remained a mute spectator, unable to do anything.**

**HC Ban On Animal Sacrifice During Chhatar Jatra Brews Resentment**

**Edited By Suryakant Jena Published By Mrunal Manmay Dash On Jan 9, 2020 - 2:23 PM**

**Bhawanipatna: A day after the Orissa High Court issued a directive to stop animal sacrifice during the annual Chhatar Jatra observed at Manikeswari temple in the town, public have expressed their disapproval over the stricture.**

**Taking cognizance of thousands of animals sacrificed every year on the streets of Bhawanipatna on the occasion of Chhatar jatra, the Orissa High Court on Wednesday slammed the district administration for failing to stop it.**

However, the order of the High Court has brought widespread dissent among the locals who revere Goddess Manikeswari as their presiding deity and see this as an obstruction in her worship.

Paramananda Majhi, a local of Bhawanipatna said, "If the court sees animal sacrifice as a crime, then it should first close all the slaughterhouses all over the state which provide meat for the people to eat."

Satyanarayan Mohapatra, another intellectual said, "If the High Court thinks that we are all superstitious, then what should the other 'so-called' civilized society be called which slaughters animals daily to eat meat."

Nihar Ranjan Mishra, a lawyer said, "It's not practically possible on the part of district administration to completely halt the tradition. Animal sacrifice is a part and parcel of our religious beliefs."

In an order, the State's apex court said that a mass public awareness programme should be taken up by the district administration before one month of the commencement of the festival to sensitise people about the evils of animal sacrifice. The court has also directed the authorities to install CCTV cameras at the spot along with the street on which the tableau of Goddess Manikeswari moves.

Terming the animal sacrifices as a failure of the local administration, the High Court has warned the district Collector and SP to hold them personally responsible if even one animal is sacrificed in the festival from this year.

## **Orissa High Court bans animal sacrifice during Chhatar Jatra**

### **HEADLINESSTATE AT LARGE**

**By Pragativadinewsservice On Jan 9, 2020**

**Cuttack: Hearing a PIL filed by social activist Jayanti Das, Orissa High Court banned animal sacrifice during the famous Chhatar Jatra of Maa Manikeswari at Bhawanipatna in Kalahandi district.**

**A bench of judges including Chief Justice Sanju Panda and Justice Sangam Kumar directed the government to take steps to clamp restrictions on the regressive rituals.**

**The court ordered the state administration to create awareness among the public to stop the superstitious practice. The court also directed the Kalahandi SP to keep a vigil on the activities of the locals during the festival.**

**As per the order, CCTV cameras will be installed to record the festival awareness programmes and the same will be stored for future purpose.**

**Notably, Social activist Jayanti Das in 2017 filed a public interest litigation (PIL) in Orissa High Court seeking a ban on animal sacrifice during the famous 'Chhatar Jatra'.**

**The activist urged the court to instruct the district administration to check the mass sacrifice of animals during the festival of Maa Manikeswari.**

**Defying restrictions imposed by the local administration, devotees have been sacrificing a large number of animals during Chhatar Jatra of Goddess Manikeswari.**

**During the ceremony, thousands of devotees carry out animal sacrifice every year with a belief of fulfilment of their wishes by the goddess although the administration has restricted the practice since long ago.**

**Odisha HC Bans Animal Sacrifice During Chhatar Jatra**

**ODISHA LATESTTOP**

**By Sambad English Bureau On Jan 9, 2020**

**Cuttack: Orissa High Court has banned animal sacrifice during the famous Chhatar Jatra of Maa Manikeswari at Bhawanipatna in Kalahandi district.**

**Hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at Maa Manikeswari shrine, a bench of judges Chief Justice Sanju Panda and Justice Sangam Kumar directed the government to take steps to clamp restriction on the act carried out by any person or devotees near the temple during Chhatar Jatra.**

**The court ordered the state administration to create awareness among public to stop the superstitious practice like animal sacrifice during Chhatar Jatra to appease the deity.**

**The court also directed the Kalahandi SP to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.**

**As per the order, a camp will be set up at all the villages near the Manikeswari Temple to spread awareness among people to refrain them from the practice. All the awareness programmes will be recorded and stored for future purpose. The CCTV cameras will be installed to record the festival. The school and college authorities as well as students will be approached to take their help in spreading awareness among people to prohibit animal sacrifice**

**Social activist Jayanti Das of Mohammadia Bazaar in Cuttack had moved the High Court in 2017 opposing animal sacrifice during Chhatar Jatra. She had also written a letter to Prime Minister challenging inaction of state administration to check animal sacrifice in the festival.**

**Based on allegation by the applicant, the Prime Minister's Office (PMO) directed the Chief Secretary to take appropriate step against animal killings in name of custom to appease the Goddess.**

**Besides, she had also appealed to Kalahandi district and police administrations to ban animal sacrifice during festival.**

**However, the animal sacrifice continued during the festival every year despite ban by the district administration.**

Thursday, 09 Jan, 12.00 pm

Odisha Sun Times

**Odisha HC bans animal sacrifice during Chhatar Jatra**

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Hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at Maa Manikeswari shrine, a bench of judges Chief Justice Sanju Panda and Justice Sangam Kumar directed the government to take steps to clamp restriction on the act carried out by any person or devotees near the temple during Chhatar Jatra.

The court ordered the state administration to create awareness among public to stop the superstitious practice like animal sacrifice during Chhatar Jatra to appease the deity.

The court also directed the Kalahandi SP to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.

As per the order, a camp will be set up at all the villages near the Manikeswari Temple to spread awareness among people to refrain them from the practice. All the awareness programmes will be recorded and stored for future purpose. The CCTV cameras will be installed to record the festival. The school and college authorities as well as students will be approached to take their help in spreading awareness among people to prohibit animal sacrifice

Social activist Jayanti Das of Mohammadia Bazaar in Cuttack had moved the High Court in 2017 opposing animal sacrifice during Chhatar Jatra. She had also written a letter to Prime Minister challenging inaction of state administration to check animal sacrifice in the festival.

Based on allegation by the applicant, the Prime Minister's Office (PMO) directed the Chief Secretary to take appropriate step against animal killings in name of custom to appease the Goddess.

Besides, she had also appealed to Kalahandi district and police administrations to ban animal sacrifice during festival.

However, the animal sacrifice continued during the festival every year despite ban by the district administration.

**Orissa HC Bans Animal Sacrifice During Chhatar Jatra Fest**

**ODISHAFESTIVALSKALAHANDI**

**By OB Bureau On Jan 9, 2020**

**Cuttack:** Orissa High Court has banned animal sacrifice during the famous Chhatar Jatra festival at Bhawanipatna in Kalahandi district.

The court order came while hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at the Maa Manikeswari shrine.

A bench of Chief Justice Sanju Panda and Justice Sangam Kumar directed the state government to clamp restrictions on the killing of animals and birds by devotees near the temple during Chhatar Jatra.

The bench also asked the government to create awareness against the superstitious practice of sacrificing animals to appease the deity during the festival. Besides, it directed the Kalahandi SP to keep vigil on persons planning to create ruckus by flouting the ban order.

As per the order, a camp will be set up at all the villages near the Manikeswari temple to spread awareness. Moreover, CCTV cameras will be installed to record the festival. The administration will also approach schools, colleges and students to help in spreading awareness against animal sacrifice at the shrine.

Jayanti Das of Mohammadia Bazaar in Cuttack had moved the HC in 2017 opposing animal sacrifice during Chhatar Jatra. She had also written to the Prime Minister, accusing the state administration of inaction on curbing animal slaughter during the festival.

Based on the allegation, the Prime Minister's Office (PMO) had directed the Chief Secretary to take steps against the customary animal sacrifices at the shrine.

Besides, Das had also appealed to the Kalahandi district and police administrations to ban animal sacrifice during festival. However, the barbaric practice continued every year despite the ban by the district administration.

**Ensure no animal sacrifice during Chhatar yatra, orders Odisha HC**

**Bhawanipatna, Jan 9: Orissa High court has ordered to put a blanket ban on animal sacrifice during famous Chhatar yatra at Bhawanipatna in Kalahandi district.**

**District collector and SP will personally be responsible if animal sacrifice takes place during the Chhatar yatra, the court ruled on Wednesday, taking a strong stand on the inhuman act due to superstition.**

**The court directed the district administration to carry out awareness campaigns before one month of the festival to aware people against the ritual.**

**It also ordered to make elaborate security arrangements and install CCTV cameras at the spot of sacrifice.**

Hundreds of animals get sacrificed every year on the occasion of Chhatar yatra of the goddess Manikeswari in the tribal dominated district.

As per rituals, devotees sacrifice animals, were offered to the deity to fulfill their wishes, on the road when the yatra goes from the main temple to jenakhol, a distance of 3 km in the town.

**Orissa High Court bans animal sacrifice during Chhatar Jatra**

<https://pragativadi.com/orissa-high-court-bans-animal-sacr.../>

**Orissa High Court bans animal sacrifice during Chhatar Jatra**

**HEADLINESSTATE AT LARGE**

**By Pragativadinewsservice On Jan 9, 2020**

**Cuttack: Hearing a PIL filed by social activist Jayanti Das, Orissa High Court banned animal sacrifice during the famous Chhatar Jatra of Maa Manikeswari at Bhawanipatna in Kalahandi district.**

**A bench of judges including Chief Justice Sanju Panda and Justice Sangam Kumar directed the government to take steps to clamp restrictions on the regressive rituals.**

**The court ordered the state administration to create awareness among the public to stop the superstitious practice. The court also directed the Kalahandi SP to keep a vigil on the activities of the locals during the festival.**

**As per the order, CCTV cameras will be installed to record the festival awareness programmes and the same will be stored for future purpose.**

**Notably, Social activist Jayanti Das in 2017 filed a public interest litigation (PIL) in Orissa High Court seeking a ban on animal sacrifice during the famous 'Chhatar Jatra'.**

**The activist urged the court to instruct the district administration to check the mass sacrifice of animals during the festival of Maa Manikeswari.**

**Defying restrictions imposed by the local administration, devotees have been sacrificing a large number of animals during Chhatar Jatra of Goddess Manikeswari.**

**During the ceremony, thousands of devotees carry out animal sacrifice every year with a belief of fulfilment of their wishes by the goddess although the administration has restricted the practice since long ago.**

**High Court bans animal sacrifice in Chhatar Yatra**

**Friday, 10 January 2020 | PNS | CUTTACK**

**The Orissa High Court has banned animal sacrifice during the famous Chhatar yatra of Maa Manikeswari at Bhawanipatna.**

Hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at Maa Manikeswari shrine, a bench of Judges Chief Justice Sanju Panda and Justice Sangam Kumar directed the Government to take steps to clamp restriction on the act carried out by any person or devotees near the temple during Chhatar yatra.

The court ordered the State administration to create awareness among public to stop the superstitious practice like animal sacrifice during Chhatar yatra to appease the deity.

The court also directed the Kalahandi SP to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.

As per the order, a camp will be set up at all the villages near the Manikeswari Temple to spread awareness among people to refrain them from the practice. All the awareness programmes will be recorded and stored for future purpose. CCTV cameras will be installed to record the festival. School and college authorities as well as students will be approached to take their help in spreading awareness among people to prohibit animal sacrifice.

Das of Mohammadia Bazaar in Cuttack had moved the High Court in 2017 opposing animal sacrifice during Chhatar jatra. She had also written a letter to the Prime Minister challenging inaction of the State administration to check animal sacrifice in the festival.

Based on allegation by the applicant, the Prime Minister's Office (PMO) had directed the Chief Secretary to take appropriate step against animal killings in name of custom to appease the Goddess.

Besides, she had also appealed to Kalahandi district and police administrations to ban animal sacrifice during festival. However, the animal sacrifice continued during the festival every year despite ban by the district administration.

### **Orissa High Court bans animal sacrifice in Chhatar Yatra**

The Orissa High Court has imposed a ban on sacrifice of animals and birds on the public road or in and around the precincts of Maa Manikeshwari temple at Bhawanipatna.

Published: 10th January 2020 10:53 AM | Last Updated: 10th January 2020 10:53 AM

**By Express News Service**

**CUTTACK:** The Orissa High Court has imposed a ban on sacrifice of animals and birds on the public road or in and around the precincts of Maa Manikeshwari temple at Bhawanipatna in Kalahandi district during Chhatar Yatra.

"No person, including the State, shall be allowed to sacrifice any animal/bird during the festival on the public road or in and around the precincts of the temple," the Court specified in its order along with a slew of mandatory directions to the district administration.

## **Animal Sacrifice Banned For Bhawanipatna Chhatar Jatra**

**By KalingaTV Bureau Last updated Jan 10, 2020**

**Cuttack: Hearing a Public Interest Litigation (PIL), the Orissa High Court has banned animal sacrifice during the famous Chhatar Jatra festival dedicated to Goddess Manikeswari at Bhawanipatna of Kalahandi district. It is to be noted that thousands of animals are sacrificed at this Jatra in the name of custom during Dusshera every year.**

**In the matter of a PIL filed by Cuttack based social activist Jayanti Das the Orissa High Court has issued the ban order on animal sacrifice during Chhatar Jatra. A bench of Judges constituting Chief Justice Sanju Panda and Justice Sangam Kumar directed the Government to take necessary steps to clamp restrictions on animal sacrifice that is carried out by near Maa Manikeshwari temple in Bhawanipatna during observation of Chhatar Jatra in September-October every year.**

**HC also ordered the State administration to create awareness among people to stop the superstitious and barbarous practice.**

**The court also directed SP of Kalahandi to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.**

**Social worker Jayanti Das of Mohammadia Bazaar in Cuttack had moved the High Court in 2017 opposing animal sacrifice during Chhatar jatra.**

**In the last years despite restrictions imposed by the district administration, thousands of animals were sacrificed by the devotees on the occasion of 'Chhatar Jatra' of Goddess Manikeswari in Bhawanipatna.**

### **Chhatar Jatra**

**The ceremonial Chhatar of Goddess Manikeswari is taken out to the Jena Khala on the outskirts of Bhawanipatna from Manikeswari temple. After execution of certain secret rituals there the Chhatar is brought back in a large procession to the temple. The return journey of the Chhatar to the temple is known as Chhatar Jatra. As per age-old rituals, devotees, during this return journey of the holy umbrella (Chhatar) procession, sacrifice animals and birds like goats, sheep, cocks, and pigeons every year to appease the deity.**

### **Reaction**

**On the other hand devotees who used to sacrifice animals during Chhatar Jatra don't seem satisfied with the High Court order. Some of them are of the opinion that the practice cannot be stopped since devotees do it to show their devotion. However, intellectuals have hoped that with ample awareness the age-old practice can be checked.**



**Odisha HC bans animal sacrifice during festival**

**THE ASIAN AGE.**

**Published : Jan 10, 2020, 2:05 am IST Updated : Jan 10, 2020, 2:05 am IST**

**The court also directed the Kalahandi SP to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.**

**As per the order, a camp will be set up at all the villages near the Manikeswari Temple to spread awareness among people to refrain them from the practice.**

**Bhubaneswar: Odisha high court has banned animal sacrifice during the famous Chhatar Yatra of Maa Manikeswari at Bhawanipatna in Kalahandi district.**

**Hearing a PIL filed by social activist Jayanti Das seeking a ban on animal slaughter during Dussehra at Maa Manikeswari shrine, a bench of Chief Justice Sanju Panda and Justice Sangam Kumar on Wednesday directed the government to take steps to clamp restriction on the act carried out by any person or devotees near the temple during Chhatar Yatra.**

**The court ordered the state administration to create awareness among public to stop the superstitious practice like animal sacrifice during Chhatar Yatra to appease the deity.**

**The court also directed the Kalahandi SP to keep vigil on persons planning to create ruckus by sacrificing animals during the festival.**

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**Social activist Jayanti Das of Mohammadia Bazaar in Cuttack had moved the High Court in 2017 opposing animal sacrifice during Chhatar Yatra. She had also written a letter to Prime Minister challenging inaction of state administration to check animal sacrifice in the festival.**

**Based on allegation by the applicant, the Prime Minister's Office (PMO) directed the Chief Secretary of Odisha to take appropriate step against animal killings in name of custom to appease the Goddess.**

**Besides, she had also appealed to Kalahandi district and police administrations to ban animal sacrifice during festival. However, the animal sacrifice continued during the festival every year despite ban by the district administration.**

During Chhatar Yatra, people dressed in tribal costumes sacrifice goats and domestic birds before Goddess Manikeswari as they believe the ritual will appease the deity and help them earn divine blessings for prosperity.

<http://www.fiapo.org/fiaporg/news/odisha-hc-bans-animal-sacrifice-during-festival/>

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FIAPO is India's apex animal rights organisation. As the collective voice of the animal rights movement in India, FIAPO is the catalyst that protects the rights and interests of animals at local and national levels. Created, for the movement, by the movement, FIAPO is India's only federation with more than 120 members and 200 supporter organisations, nationally.

- Vision: Recognition and respect for animal rights in society.
- Mission: To connect and empower animal protectors to achieve animal rights by advocacy, networking and capacity building; to create a high-impact, well-connected movement at all levels which will continually address ongoing animal issues.

#### **Odisha HC bans animal sacrifice during festival**

Source: Asian Age

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#### ORISSA HIGH COURT

<https://indiankanoon.org/doc/88586819/>

Smt. Jayanti Das vs State Of Odisha and Others on 6 January, 2020

W.P.(C) No. 19827 OF 2017 Smt. Jayanti Das ... Petitioner

-Versus-

State of Odisha and others ... Opp. Parties

04. 06.01.2020 This writ petition under [Article 226](#) of the Constitution of India is in the nature of a Public Interest Litigation in which prayer has been made for a direction to the district administration of Kalahandi district to stop slaughter of animals/birds in 'Chatar Yatra' at Bhawanipatna on the public road/public places and also to appoint an efficient judicial officer as observer for protection of fundamental rights under [Article 21](#) of the Constitution of India during such festival.

It is the case of the petitioner that she is a social activist and always fights for the well being and development of the general public at large and she is more concerned for the overall development of the downtrodden people of the society. It is her case that in the name of traditional religious custom and rituals, cruelty is being caused to the animals and birds by mass butchery in public places during 'Chatar Yatra' festival every year and she sought for appropriate direction in the matter for stoppage of such illegal and superstitious animals and birds sacrifice. It is her further case that the authority concerned who are to look into the matter for stoppage of such animal brutality are not paying any

heed to the request of the petitioner. It is her case that in the year 2016, in public places such animals and birds were sacrificed during 'Chatar Yatra'.

According to the petitioner, [Article 21](#) of the Constitution is violated which assures every citizen of India to live with dignity as it is hit by forcefully watching and feeling the pain of slaughter of thousands of animals and birds on the public road during the festival. It is her further case that both physical and mental health of the women, child, school and college going teenaged students are affected by such hazardous activities. It is further stated that inaction of the district administration of Bhawanipatna in stopping the butchery has compelled her to approach this Court on a number of occasions and even though some directions have been passed in that respect to check such activities but no fruitful result came out for which she has approached this Court again.

Mr. Bijaya Kumar Ragada, learned counsel appearing for the petitioner contended that though the case was filed for a direction to the district administration of Kalahandi during Chatar Yatra, 2017 at Bhawanipatna but the same thing is continuing till today and even during Chhatar Yatra, 2019, there has also been slaughtering of animals and birds in public places openly and therefore, this Court should invoke its extraordinary jurisdiction under [Article 226](#) of the Constitution to give reliefs as sought for. Learned counsel for the petitioner brought to the notice of this Court a news item published in 'Orissa Post' dated October 6, 2019 styled as 'Animal Sacrifice Continues at Chatar Yatra despite ban', in which it is mentioned many animals were sacrificed by devotees which is an attempt to please the goddess through the offering and it has been continuing unabated despite administrative ban and has been the source of tension between the cops and devotees on many occasions.

Mr. Jyoti Prakash Pattnaik, learned Additional Government Advocate for the State, on the other hand, submitted that the State has taken sufficient precaution during such festival to prevent animal sacrifice but it is a traditional affair of the tribal community that by sacrificing animals during such festival, deity Manikeshwari would be pleased. However, he submitted that the Government is ready and willing to comply any direction to be given by this Court in preventing/stopping such activities.

From Wikipedia, it appears that Chatar Yatra is a traditional festival celebrated by the people of Kalahandi District, Orissa every year. The festival involves Maa Manikeshwari, the family goddess of the Kalahandi King. Maa Manikeshwari is the prominent presiding goddess of Kalahandi district. The temple of the goddess is situated within the boundary of the ex-rulers of Kalahandi, so that the rulers could observe the auspicious festival Chatar Yatra. Chatar Yatra is meant to celebrate the Vijaya Utsav with cheerful heart and splendid display. The festival is being celebrated during the Mahastami of Durga puja festival every year. The ritual practice of Khonds (Adivasis of Kalahandi Districts) Nabakalevar (the renewal of post-worship) is also performed during the festival. Maa Manikeshwari comes out from the Garbhagriha on Mahastami midnight to Jenakhal which is at about 3 kms. distance from the alma mater. The Yatra starts with Nagar Paribhramana on Mahanavami auspicious morning to please Maa Manikeshwari. A tribal dance which is known as 'Ghumura' is performed. Animal sacrifice is prevalent during this festival. Though the State Government has strictly banned these kinds of activities, still devotees do not follow the rule. About 50,000 animal sacrifices take place during this festival.

In the case of Mohd. Hanif Quareshi and others

**-Vrs.- State of Bihar reported in A.I.R. 1958 S.C. 731, their Lordships of the Hon'ble Supreme Court held that Bihar Preservation and Improvement of Animals Act, 1956, U.P. Prevention of Cow Slaughter Act, 1956 and C.P. & Berar Animal Preservation Act, 1949, so far they prohibit the slaughter of cows of all ages and calves of cows and calves of buffaloes, male and female, are constitutionally valid. Their Lordships have held that subject to restrictions, which Article 25 of the Constitution of India imposes, every person has a fundamental right under the Constitution not merely to entertain such a religious belief as may be approved of by his judgment or conscience but to exhibit his belief and ideas in such overt acts as are enjoined or sanctioned by his religion and further to propagate his religious views for the edification of others. The free exercise of religion by which is meant the performance of outward acts in pursuance of religious beliefs, subject to State regulation imposed to secure order, public health and morals of the people. Their Lordships have further held that the sacrifice of a cow on Bakr-Id Day is not an obligatory overt act for a Mussalman to exhibit his religious belief and idea and consequently, there was no violation of the fundamental rights of the Mussalmans under Article 25(1).**

**In the case of Sardar Syedna Taher Saifuddin Sahib -Vrs.- State of Bombay reported in A.I.R. 1962 S.C. 853, their Lordships have held that as the right guaranteed by Article 25(1) is not confined to freedom of conscience in the sense of the right to hold a belief and to propagate that belief, but includes the right to the practice of religion, the consequences of that practice must also bear the same complexion and be the subject of a like guarantee. Their Lordships have also held that for example, there may be religious practices of sacrifice of human beings or sacrifice of animals in a way deleterious to the well-being of the community at large. It is open to the State to intervene, by legislation, to restrict or to regulate to the extent of completely stopping such deleterious practices.**

**In the case of State of W.B. and others -Vrs.- Ashutosh Lahiri and others reported in (1995) 1 Supreme Court Cases 189, their Lordships have held that the legislative intention of W.B. Animal Slaughter Control Act, 1950, is that healthy cows which are not fit to be slaughtered cannot be slaughtered at all. Their Lordships have held that in the context of Section 12, the religious practice must be such which requires the invocation of exemption provision under Section 12 so as to bypass the main thrust of Section 4. For such an exercise, non-essential religious practices cannot be made the basis. Their Lordships have further held that it is optional for a Muslim to sacrifice a goat for one person or a cow or a camel for seven persons. Once the religious purpose of Muslims consists of making sacrifice of any animal which should be a healthy animal, on Bakr-Id, then slaughtering of the cow is not the only way of carrying out that sacrifice. Thus slaughtering of healthy cows on Bakr-Id is not essential or required for religious purpose of Muslims or in other words, it is not a part of religious requirement for a Muslim that a cow must be necessarily sacrificed for earning religious merit on Bakr-Id.**

**In the case of Animal Welfare Board of India - Vrs.- A. Nagaraja and others reported in (2014) 7 Supreme Court Cases 547, their Lordships have held that animal welfare laws have to be interpreted keeping in mind the welfare of animals and species best interest subject to just exceptions out of human necessity. Their Lordships have also held that every species has an inherent right to live and shall be protected by law, subject to the exception provided out of necessity. Their Lordships have further held that so far animals are concerned, "life" means something more than mere survival or existence or instrumental value for human beings, but to lead a life with some intrinsic worth, honour and dignity. Animal has also honour and dignity which cannot be arbitrarily deprived of and its rights and privacy have to be respected and protected from unlawful attacks.**

The Hon'ble Supreme Court in the case of Durgah Committee, Ajmer and Anr. -Vrs.- Syed Hussain Ali and Ors. reported in A.I.R. 1961 S.C. 1402 has held that even practices though religious, may have sprung from merely superstitious beliefs and may in that sense, be extraneous and unessential accretions to religion itself. Unless such practices are found to constitute an essential and integral part of a religion, the protection under [Article 26](#) may have to be carefully scrutinised; in other words, the protection must be confined to such religious practices as are an essential and an integral part of it and no other.

God is the creator of the universe. He has created the human beings, animals, birds and all the species on this earth. The animals and birds breathe like us. They have also a right to live in harmony with human beings and the nature. Like the parents cannot tolerate to see the blood of their children, deity cannot be pleased by sacrificing the animals. No deity would ever ask for the blood. All deities are kind hearted and bless the humanity to prosper and live in harmony with each other. Sacrificing the animals to please the deity is nothing but a sheer superstition which needs to be addressed so that it can come to an end by way of public awareness, sensitization for which participation of district administration, police, educated mass, students and people from all walks of life is necessary. Butchery of animals on the public place on the festival day is shocking and horrifying. A civilized society cannot accept to see such activities openly and blood of animals flowing on the streets during the procession of the deity. It is high time to check such activities, if necessary by taking stringent action against the violators. The overt act of sacrificing animals in the temples or its premises is not obligatory overt act to reflect religious belief and idea. The rituals attached to animal/bird sacrifice reflect only cruelty, superstition, fear and barbarism and has nothing to do with either religion or culture and such practice is abhorrent and dastardly. The animals have basic rights and it needs to be recognized and protected.

After careful analysis of the fact situation, to check the superstitious activities animal sacrifice during 'Chatar Yatra' and to meet ends of justice, we are issuing the following mandatory directions:

- i) The District Administration shall sensitize, familiarize and educate the general public particularly the tribal community to desist from such superstitious activity of pleasing the deity Manikeshwari during 'Chatar Yatra' by way of animal sacrifices and to adopt an attitude of love and compassion towards all animals/birds;
- ii) The District Administration shall organize awareness camp in that respect in every village and also in and around Manikeshwari Temple, Kalahandi at least a month prior to the 'Chatar Yatra' every year till such practice is completely stopped and the details of the awareness activities shall be kept on record for future reference;
- iii) CCTV cameras shall be installed during such festival to record the procession of the deity;
- iv) The School and College authority of Kalahandi district through their students shall also be requested by the District Administration to assist them in this mission;
- v) The Superintendent of Police shall make arrangements at least a week ahead of 'Chatar Yatra' every year to keep vigil over the activities of the persons who plan to create any kind of nuisance by way of animal sacrifice during such festival days;

vi) Any kind of congregation of public on the date of 'Chatar Yatra' in and around the procession area or inside the temple for the purpose of animal sacrifice should be dispersed immediately and crowd movement should be streamlined;

vii) No person including the State shall be allowed to sacrifice any animal/bird during 'Chatar Yatra' festival on the public road or in and around the precincts of the temple;

viii) The Collector & District Magistrate, Kalahandi and the Superintendent of Police of the district shall ensure strict implementation of the order and if any officer fails in that respect, he shall be made personally liable.

With the aforesaid observations, the writ petition is disposed of. No costs.

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S. Panda, Acting Chief Justice .....

S.K.Sahoo,J.

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