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Through Courier

20<sup>th</sup> July, 2011

To

The Kanchanjunga Coop. Group Housing Society Ltd.  
H.No. 470, Sector 14, Urban Estate,  
Gurgaon-122001  
Through its President/Secretary

Subject:- Your illegal, arbitrary, and absurd "ban" on the keeping of pets by residents

Dear Sir,

We have been instructed to write to you by the Chairperson of the Animal Welfare Board of India, Ministry of Environment and Forests, which is a statutory body set up under an Act of Parliament, i.e. The Prevention of Cruelty to Animals Act. Our client has required that we state as follows:-

- 1) That the Board has learnt through complaints received from the concerned and troubled residents of your society, other concerned citizens residing in the National Capital Region and even other parts of India, and from a news article that was circulated by the Times of India last week, that the Kanchanjunga Coop. Group Housing Society Ltd. has purported to impose a 'ban' on pets, and harass residents with the so called ban. In the said regard we wish to apprise you as follows:-
  - a) That you are obviously, sadly unaware that the bye-law 12A of the bye-laws framed by you, is unlawful, arbitrary, and at variance with a fundamental freedom guaranteed to the citizens of India, i.e. the freedom to choose the life they wish to live, which includes facets such as living with or without companion animals ;

- b) That if the residents of the society choose to keep pets, and are not violating any municipality guidelines/bye-laws in the process, you cannot interfere with that right. In fact, even the general body of residents cannot together divest any single resident of the same ; and
- c) That merely because the power to frame bye-laws is available to the society, **you cannot frame bye-laws that are at variance with the laws of the country.**

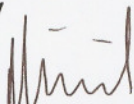
2) It would also perhaps interest you to know that even the 'rules and regulation/ terms and conditions of the HUDA authority' that you refer to in your first bye-law, i.e. bye-law 1, do not, and cannot disallow the keeping of pets.

3) The Animal Welfare Board of India would also have you know that your so-called 'ban', while on the one hand, being of no effect since it has been 'imposed' without your having the jurisdiction to ban, is on the other hand a means of harassing legitimate house owners and residents. If they choose to, they can drag you to court / before the Registrar for this gross infringement of their rights and freedoms as citizens.

4) We therefore, under instructions from and on behalf of our client, hereby call upon you to publicly withdraw the so-called ban, and drop the illegal Clause 12A from the bye-laws of the society. We may also put you to notice that if you fail to accede to this reasonable and lawful demand, the Board shall be left with no option but to take legal recourse against you, in addition to advising the residents to ignore your ban since it is of no consequence, and can be of no effect.

You are put to notice in the above terms.

Yours truly



For INTEGRAL LAW OFFICES