

TRAFFIC

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ADVISORY: For wildlife law enforcement action and vigilance at the Sonapur Cattle Fair, Sonapur, Bihar 2015



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TRAFFIC
the wildlife trade monitoring network



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Introduction

Sonepur Cattle Fair, the biggest cattle fair of Asia, also locally called as *Harihar Kshetra Mela*, is all set to begin on 25 November 2015 and will continue for a month in Sonepur, Bihar. Although this fair has immense cultural and sacred significance*, the fair is also seen as an opportunity by illegal wildlife traders to openly sell protected species of wildlife.

TRAFFIC has been monitoring this trend for last two years (2013, 2014) and has also collected information about the illegal trade at the Fair for the past 10 years through various direct and indirect sources. The shocking findings indicating blatant violation of the law have been reported periodically by TRAFFIC through short and timely articles and reports. TRAFFIC investigators have routinely surveyed the fair and investigate various sections of the fair including the *Chiriya Bazaar* (bird market).

TRAFFIC's investigation of Sonepur Fair in 2013 was published in Issue 20 of *TRAFFIC Post*, TRAFFIC's newsletter on wildlife trade in India, and its investigation in 2014 was published in Issue 22 and 23 of the newsletter. These have proved to be an eye-opener for enforcement and other agencies working in the field of wildlife conservation and protection. The findings have revealed several incidents of wildlife trade in violation of the Wildlife (Protection) Act of India (WPA), 1972 clearly indicating that some aspects of the renowned Fair are on the wrong side of the law.

In 2014, TRAFFIC's investigation of Sonepur Fair brought further concerns as not only had the illegal activities continued throughout the Fair, also the number of species recorded in illegal trade had risen since 2013.

Given below is a comprehensive overview of the violations recommended for immediate attention and requisite law enforcement action:

Elephants: The capture and transportation of the Asian Elephants *Elephas maximus* to Sonepur is a regular occurrence. TRAFFIC observed 37 elephants at the fair in 2013, including six tuskers and six calves and 39 elephants including five tuskers and five calves in 2014, a marginal increase from 2013 (TRAFFIC 2013, Tripathi; The Telegraph, 2013, Telgraph 2014, TRAFFIC 2014). Reportedly some of these animals were transported from Assam to Bihar for sale at the Fair.

Therefore, any such sale as specified above is in contravention of the WPA, 1972, as the Act does not permit any commercial transaction of Elephant that is listed under the Schedule I of the WPA, 1972. Transportation may be permitted, however, with a proper authorization from a legal authority. However, TRAFFIC investigators failed to find any such permit with any of the Elephant traders during the past two years. In fact most traders or the Elephant handlers refused even to discuss the matter, bringing a lack of transparency into the transaction process.

THE LAW: Being listed under the Schedule I, under Section 40 (2) of the WPA, 1972, it is prohibited to possess, acquire, dispose of and transport a captive elephant without written permission of the Chief Wildlife Warden or the Authorized officer under the WPA, 1972. Section 43 of the WPA, 1972, restricts the sale, purchase or transfers of captive elephants from one person to another for monetary considerations or any other profitable gain (MoEF, 2010; Bist *et al.*, 2001).

Furthermore, information from reliable sources indicated that more Elephants were traded privately and not displayed at the Sonepur Fair.

Further information obtained through first-hand investigation and through previous studies indicate there is a demand for live Elephants in Kerala and that full grown tuskers are bought from the Sonepur Fair for temples. Elephants are also bought locally by rich landlords who keep them as status symbols. While the influx of these animals seems to have slowed from Assam due to the tightening of regulations, an overwhelming majority of the Elephants from Assam are reportedly wild caught.

Table: Elephants displayed at Sonepur fair from 2001-2014

Year	Number of Elephants at the Sonepur Fair
2001	92
2002	77
2003	56
2004	67
2005	78
2006	65
2007	77
2008	65
2009	65
2010	41
2011	32
2012	35
2013	37
2014	39



Source: *The Telegraph*, November 22, 2013 and TRAFFIC visits during November and December, 2013 and 2014.



Birds: The Sonapur Fair is a hub for illegal bird trade in both indigenous and non-native (exotic) bird species, that largely takes place through the bird market or Chiriya Bazaar located at the fair. TRAFFIC investigations uncovered that the native birds on sale at the fair were in fact those protected under the WPA, 1972.

In 2014, TRAFFIC observed at least 26 species of Indian birds for which trade is prohibited under the WPA. In 2013, 18 species of Indian bird were found in trade at Sonapur Fair.

THE LAW: There is a legal prohibition on the trade in Indian indigenous birds since 1990-91. Most indigenous bird species are also protected under the WPA, 1972. Hunting and trade is prohibited under the Act. While the laws are clear on issues relating to the breeding and sale of these protected species in India, those concerning the non-native (exotic) species remains unclear.



The trending prices for aforementioned

species may range from high to low. Some exceptions to these rates were the Golden-fronted Leafbird and Shikras, being sold at phenomenally high price. It was further discovered that Munias and Parakeets were being sourced from cities such as Muzaffarpur, Lucknow, Delhi, Patna and Kolkata. Parakeets were also being smuggled from Nepal. Hill Mynas found in Assam are brought to Mir Shikar Toli and Sonapur for sale. The main provider of indigenous birds to the Sonapur Fair is the Nakhas Market located in Lucknow (Uttar Pradesh) and the Mir Shikar Toli (Professional Bird catcher area) in Patna (Bihar).

An estimate of around 7 00 000 birds are trapped each year in India (Ahmed, 2004). With trade in non-native (exotic) birds being used as a cover (due to absence of any clear legislation) for the trade in indigenous birds, the extent of bird trade at the Sonapur Fair is most disconcerting.



The table below presents a comparison between 2013 and 2014 for protected Indian bird species sold at the Fair:

SPECIES	NUMBER OBSERVED IN 2013	NUMBER OBSERVED IN 2014	WPA, 1972 SCHEDULE
Rose-ringed Parakeet <i>Psittacula krameri</i>	3000+	7000	IV
Alexandrine Parakeet <i>Psittacula eupatria</i>	1500+	2500	IV
Plum-headed Parakeet <i>Psittacula cyanocephala</i>	300+	500+	IV
Red-breasted Parakeet <i>Psittacula alexandri</i>	50+	300+	IV
Spotted Dove <i>Spilopelia chinensis</i>	12	150+	IV
Hill Mynah <i>Gracula religiosa</i>	30+	200	I
Gold-fronted Chloropsis <i>Chloropsis aurifrons</i>	1	30	IV
Himalayan Bulbul <i>Pycnonotus leucogenys</i>	5	15	IV
Red-vented Bulbul <i>Pycnonotus cafer</i>	15	600	IV
White-rumped Shama <i>Copsychus malabaricus</i>	8	23	IV
Red Munia <i>Amandava amandava</i>	1000+	3000	IV

SPECIES	NUMBER OBSERVED IN 2013	NUMBER OBSERVED IN 2014	WPA (SCHEDULE)
Black-headed Munia <i>Lonchura atricapilla</i>	3000+	6000	IV
White-throated Munia <i>Lonchura malabarica</i>	600+	1000	IV
Spotted Munia <i>Lonchura punctulata</i>	1500+	2000	IV
Common Myna <i>Acridotheres tristis</i>	500	1000	IV
Bank Mynah <i>Acridotheres ginginianus</i>	700	1000	IV
Shikra <i>Accipiter badius</i>	17	23	I
Yellow-footed Green-pigeon <i>Treron phoenicopterus</i>	25	50	IV
Yellow-browed Bulbul <i>Acritillas indica</i>		20	IV
Brahminy Myna <i>Sturnia pagodarum</i>		50	IV
Chestnut-tailed Starling <i>Sturnia malabarica</i>		50	IV
Peregrine Falcon <i>Falco peregrinus</i>		7	I
Black-shouldered Kite <i>Elanus axillaris</i>		2	IV
Brown Fish Owl <i>Ketupa zeylonensis</i>		2	IV
Red-whiskered Bulbul <i>Pycnonotus iococus</i>		300	IV
Baya Weaver <i>Ploceus philippinus</i>		5	IV



India is also a growing consumer of non-native pet species including cockatoos, conures, macaws, chimpanzees, marmosets, sugar gliders, wallabies, pythons, bearded dragons, green iguanas and many more and Sonepur is also a platform for trade in many of these non native animal species. While these species are not protected under the Wildlife (Protection) Act of India, their trade is regulated through the Export Import policy as well as an international convention – CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora), to which India is a signatory. They cannot be sold or bought without adequate permissions and permits. Thus, in the absence of any rules, the trade of exotic birds and animals in different places within India is on the increase. TRAFFIC field investigators found a large number of exotic birds

placed on sale without requisite permits from the appropriate commercial licensing authorities to carry out breeding or trading activities in Sonepur fair.

Scores of birds are crammed in cages and die due to suffocation and duress caused by cramped conditions, lack of adequate food, water and proper veterinary care. Thus the mortality rate of captured birds is on the rise with their general welfare being a constant concern both in transit and at site.

BirdLife International has identified India as a nation with 61 globally threatened bird species affected by overexploitation caused by trapping for trade, with predominant uses being for pets and for consumption.

Other mammals: During the investigation in 2013 and 2014, TRAFFIC observed the sale of the following primates at the Fair : Rhesus Macaques *Macaca mulatta* commonly known as the Nazuri monkey and Hanuman Langurs *Presbytis entellus* commonly known as the Grey Langur. These animals are sourced from Nepal, Uttar Pradesh and Mir Shikar Toli (Patna) and reportedly bought for sale to institutions conducting medical experiments.

TRAFFIC India field investigators also recorded Black-naped Hares *Lepus nigricollis* and Nilgai *Boselaphus tragocamelus* at the fair. There was also an Indian Porcupine *Hystrix indica* on display at the Fair in 2014. Trade in all of these is a clear violation under the WPA, 1972.



Sonepur Fair, one of the most popular fairs of Asia, appears to serve as a hub of illegal trade activities in protected wildlife species. Unless these nefarious activities are stopped the international reputation of this Fair will be seriously tarnished.

TRAFFIC appreciates the efforts taken in the past few years by various enforcement agencies to control this growing menace at the Fair but unfortunately these interventions have not proven sufficient to curtail illegal wildlife trade. Therefore, TRAFFIC calls for the following immediate actions.

Call for Action:

1. **No Elephants should be allowed on the fairground premises and the display of elephants must be phased out. There should be more efforts to educate elephant owners, buyers and sellers on the nature of the Elephant trade and its impact on the conservation of the species in the wild.**
2. **Checks need to be conducted on the animal and bird inventory at the fair, to ensure that no protected species are being sold. Efforts should be made to collect more data on wild animals traded and displayed at Sonepur. Continuous presence of effective wildlife law enforcement staff at the Fair for the period of one month during the Fair is significant to achieving this.**
3. **Publicity campaigns in and around the premises of the fair to educate the buyers about the legality of the trade and its implication on both the seller and the buyer should be undertaken.**
4. **The Government should ensure that all transportation of live animals should adhere to the necessary welfare and transport regulations including the IATA standards that are especially relevant to the wildlife coming into India from other countries.**
5. **In the bird market, there should be proper cage sizes, food and water availability and provision for vaccination for animals held there, including to prevent the spread of avian and other animal-borne diseases. There should be veterinary attendance at all times during the entire course of the fair.**

* Gajendra Moksha, also called The Liberation of Gajendra, is a Puranic legend from the 8th Skandha of Bhagavad Purana, one of the most sacred books in Hinduism. It is one of the famous exploits of Lord Vishnu wherein Lord Vishnu came down to earth to protect Gajendra, the Elephant, from the clutches of Makara, the Crocodile, and awarded him moksha or salvation. This is the ancient legend that lies behind the world famous Sonepur Animal Fair held at Harihar Kshetra on the occasion of Kartik Purnima in Bihar every year (Jain,2014).

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TRAFFIC carries out research and provides analysis, support and encouragement to efforts aimed to ensure that wildlife trade is not a threat to the conservation of nature. In India, it operates as a programme division of WWF-India.

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