

PERFORMING ANIMALS (REGISTRATION) AMENDMENT RULES, 2001

MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION

NOTIFICATION

New Delhi, the 8th January, 2002

S.O.35(E) - Whereas the draft **Performing Animals (Registration) amendment Rules, 2001** were published, as required by Sub-section (1) of Section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), vide Ministry of Culture Notification No. S.O. 1044 (E), dated the 17th October, 2001 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii), dated the 17th October, 2001 and whereas objection and suggestions from all persons likely to be affected thereby were invited before the expiry of the period of thirty days from the date on which copies of the Gazette containing the said notification have been made available to the public:

And, Whereas, copies of the said Gazette were made available to the public on the 17th October, 2001;

And, whereas no objection or suggestion has been received from the public in respect of the said draft rules by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, namely:-

1. (1) These rules may be called the Performing Animals (Registration) Amendment Rules, 2001
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Performing Animals (Registration) Rules, 2001 (hereinafter referred to as the said rules), in rule 2, for clause (g), the following clause shall be substituted, namely:
(g) "Prescribed authority" means the Central Government, or such other authority including the Board or the State Government, as may be authorised by the Central Government".
3. In the said rules, in rule 3, in sub-rule (1) the following proviso shall be added, namely:
"Provided that the race horses which have been registered by the owners with the Turf Authorities shall not, on intimation of such registration to the prescribed authority, require registration under this rule and the general conditions as specified in rule 8 shall apply to such registration, subject to such other conditions as may be imposed by the prescribed authority".
4. In the said rules, in rule 8, in sub-rule (1),
 - (a) for the word "shall", the word "may" shall be substituted;
 - (b) in clause (xvii),
 - (i) the words 'an air cushioned' shall be omitted;
 - (ii) for the figure and word "3 times", the words "eight times" shall be substituted;
 - (iii) after sub-clause (d), the following sub-clauses shall be inserted, namely:

“(e)each horse immediately after the race and again after a period of six hours but within eight hours of the race shall be subject to the veterinary inspection to check, for injuries.

(f) the horses shall be housed in stables admeasuring 12ft x 12ft with adequate facility for the houses to see each other with adequate provision for proper ventilation and protection against heat and an environmentally - friendly atmosphere as far as possible”.

(iv)the following proviso shall be added at the end, namely

“Provided that if the whip is used more than eight times in race, the prescribed authority in consultation with the Turf Authorities shall decide, if the use of such whip in excess of the number specified, was for any reason to save the horse or the jockey from any accident, for the purpose of initiating any action under the Act”.

(c) in clause xx, at the end,

the following shall be added namely:

“and the use of steroids shall be avoided as far as possible provided the steroids may be used if no other option is available to be supported by a veterinary prescription and the ‘purchase of such steroids shall be from a duly authorised source”;

(d) after clause xxiv, the following new clause shall be inserted, namely:

“xxv, ‘persons desirous of transporting horses from one place to another shall adhere to the following minimum norms to enhance conditions of travel as also safety of the horses, namely:-

(a) no horse shall be tied up in such a way that his head and neck movements are unnaturally restricted while travelling.

(b) all horses must be watered at least every four hours and provided adequate ration of hay during the journey lasting more than eight hours.

(c) adequate ventilation and free flow of fresh air in the vehicle shall be ensured during transport.

(d) rubber mats shall preferably be used for flooring instead of straw bedding.

(e) horses shall not be transported within twenty four hours of having raced.

(f) no horse shall be raced, where the period of journey exceeds six hours, unless twenty four hours have elapsed since completion of the travel”.

[F.No. 1/7/2001 - D.A.W. (Pt.)]

R. DATTA, Jt. Secy.

Foot Note: The principal rules were published vide number S.O. 267(E) dated, the 26th March, 2001.

BAN ON EXHIBITION/TRAINING OF FIVE PERFORMING ANIMALS

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

NOTIFICATION

New Delhi, the 14th October, 1998

G.S.R.619(E) - Whereas the High Court of Delhi in C.W.P. No.890/91 by its order dated 21st August, 1997 directed that "the Central Government may take up the notification dated 2-3-1991 for consideration afresh" and "take into consideration such material as may be available with it or it may choose to collect through any of the authentic agencies or such other agency or committee of experts as it may choose to appoint".

Where in pursuance of the order of the Hon'ble High Court of Delhi, the Central Government constituted a Committee under the Chairmanship of Additional Inspector General of Forests (Wildlife) to have a fresh look at the notification G S P No. 252 dated 2-3-1991 in the light of the additional material available with any authenticated agencies such other agency or persons;

Whereas the said Committee submitted its report to the Central Government.

Whereas the Central Government has taken into consideration the report of the said committee:

Now, therefore, in exercise of the powers conferred by section 22 of the Prevention of Cruelty to Animal Act, 1960 (59 of 1960), and in supersession of the Notification of the Government of India in the erstwhile Ministry of Environment and Forests G.S.R. No. 252 dated 2-3-1991 and G.S.R. No. 485 dated 7-8-1991, except as respects things done or omitted to be done before such supersession, the Central Government, hereby specifies that the following animals shall not be exhibited or trained as performing animals, with effect from the date of publication of this notification, namely:-

1. Bears
2. Monkeys
3. Tigers
4. Panthers
5. Lions

[File No.9-9/97-A.W.]
Dr. M.S.Ahmed, Jt. Secy.