

Clarification regarding "Bulls" under Notification listing animals that can not be used for exhibition, training or performing

This is a clarification on the scope, ambit and reach of the Notification No. G.S.R. 528E dated 11 July 2011 issued by the Ministry of Environment & Forests, at New Delhi, under Section 22 of the Prevention of Cruelty to Animals Act, 1960 (Act No. 59 of 1960).

Alongside is a copy of the above mentioned Gazetted Notification which is **specie specific**. The six species therein protected are Bears, Monkeys, Tigers, Panthers, Lions and Bulls. The Central Government has unequivocally and explicitly specified that all the above six species shall not be exhibited or trained as performing animals w.e.f. the date of publication of the above Notification.

Under Definitions of the Prevention of Cruelty to Animals Act, 1960, under which Act this Notification has been issued, the word "animal" means any living creature other than a human being.

Therefore male, female, young, old, neutered, castrated, (whatever be the stage, or condition of the legally protected animal) of each of the enlisted species, the same is mandated to be covered and governed by this Notification dated 11 July 2011.

Furthermore, oxen, bullocks (castrated), cows, calves, male and female, etc., are all covered under the classification of "Bulls" in this Notification in absence of specific distinction. The central government has not discriminated against castrated or non-castrated Bulls because it intends to afford equal protection to all six types of enlisted species of the animal kingdom including a castrated Bull irrespective of the fact as to whether a surgical operation for castrating was performed, or the castration was carried out non-surgically.

Some circuses had castrated lions, which were also given up because of the initial Notification, and no one questioned it then on those grounds, nor was it brought up by the Indian Circus Federation, who had challenged the initial Notification in a court of competent jurisdiction. For the record, it is said to be easier to tame castrated/neutered animals to perform.

Hence, in this context, castrated animals have been extended the same level of protection under the applicable benevolent law without meting out unequal treatment to the same biological species, member of the subfamily Bovinae, family, class, phylum, type, and genus.

Biologically Phylum of all Bulls remains the same because Phylum signifies the primary subdivision of a taxonomic kingdom, grouping together all classes of organisms that have the same inveterate, inherited, and congenital body plan.

The word used in the Hindi Notification for Bulls is *Saand*. The meaning of *Saand* is given as male of cow. The Hindi version of the Notification also lists the male of the species.

On the same analogy as the Lions, this Notification covers castrated bulls/bullocks, etc., to afford the same legal protection to eradicate the peril of cruelty to animals.

The Notification herein is aligned to the object and purpose of the Prevention of Cruelty to Animals Act, 1960 and according to the very object of the Act this Notification should even more be deemed to apply squarely to the castrated bulls as well.

There is no doubt that the Notification is specie specific. Therefore on the basis of this Notification, *Jallikattu*, *Dhirio*, bullock-cart racing, and all other forms of exhibition, training or performing of Bulls (as clarified above) are illegal every where in India.

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अधिसूचना

NOTIFICATION

नई दिल्ली, 11 जुलाई, 2011

New Delhi, the 11th July, 2011

सा.का.नि. 528(अ).—पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960 (1960 का 59) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के तत्कालीन सामाजिक न्याय और अधिकारिता मंत्रालय की तारीख 14-10-1998 की अधिसूचना सं. सा.का.नि. 619(अ) को इन बातों के सिवाए अधिक्रान्त करते हुए, जिन्हें ऐसे अधिक्रमण से पूर्व किया गया है या करने का लोप किया गया है, यह विनिर्दिष्ट करती है कि इस अधिसूचना के प्रकाशन की तारीख से निम्नलिखित पशुओं को तमाशा दिखाने वाले पशुओं के रूप में प्रदर्शित अथवा प्रशिक्षित नहीं किया जाएगा, अर्थात् :—

G.S.R. 528(E).—In exercise of the powers conferred by Section 22 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), and in supersession of the Notification of the Government of India in the erstwhile Ministry of Social Justice and Empowerment No. G. S. R. 619 (E), dated 14-10-1998, 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. भालू
2. बन्दर
3. बाघ
4. तेंदुआ
5. शेर
6. साँड़

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

[फा. सं. 27-1/2011-रहब्ल्यूटी]

[F. No. 27-1/2011-AWD]

अंजनी कुमार, निदेशक (ए.डब्ल्यू)

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