

REHABILITATION OF CIRCUS ANIMALS

No.9-9/97-AWD
Government of India
Ministry of Social Justice & Empowerment
(Animal Welfare Division.)
Shastri Bhawan, New Delhi-110001.
Dated the 23rd June, 2000.

To,
All Chief Wildlife Wardens

Subject:- Rehabilitation of Animals covered under the Government of India Notification dated 14.10.98 as well as other wild animals - regarding

Sir,

I am directed to enclose a copy of the order passed by the High Court of Kerala in O.P. No.155/99 in the matter of N.R. Nair and Others Vs Union of India and Others related to the circuses, and to say that in a significant judgement that could have an impact on the use of animals for entertainment and animal welfare, the said High Court ruled that animals have inherent rights of dignified existence akin to the fundamental rights of citizens.

2. It has been observed by the court that, "Though not a homo sapien, they are also being entitled to humane treatment. In many respects they behave better than man, they kill to eat and eat to live. They do not practise deception, fraud or falsehood as humans do, and all except the very lowest, exhibit some degree of intelligence ranging from learned responses to complex reasoning. What is more, they do not proliferate and deplete the resources."
3. The Court has upheld the Government of India Notification dated 14.10.1998 putting a ban on training of bears, monkeys, tigers, panthers and lions in circuses and other establishments and has observed that it was time society realized and importance of animals and their crucial role in ecology.
4. Not only the High Court of Kerala but also the High Court of Delhi, besides the High Court of Karnataka at Bangalore and High Court of Madras at Chennai has upheld the above notification.
5. It is implied that the circuses are not permitted to exhibit or train the said animals, which in turn must be affecting the upkeep of such animals. It is the duty of the
6. To meet this requirement, Central Zoo Authority under the aegis of Ministry of Environment and Forest has set up five shelters for rehabilitation of animals rescued from circuses. These are:
 - (a) Sri Venkateswara Zoological Park, Tirupati;
 - (b) Indira Gandhi Zoological Park, Visakhapatnam;
 - (c) Bannerghatta National Park, Bangalore;
 - (d) Nahargarli Biological Park, Jaipur; and
 - (e) Arignar Anna Zoological Park, Vandalur, Chennai

However, the setting up of the sixth shelter located at Nandankanan Biological Park, Bhubaneswar which has been delayed due to super cyclone is expected to be completed very shortly.

7. The final hearing regarding handing over the animals in W.P. No. 890/91 in the matter of Indian Circus Federation & Another Vs. Union of India & Ors. Pending in the High Court of Delhi will be held on 24.7.2000

8. All Chief Wildlife Wardens are requested to be in readiness to take possession of animals kept in circuses for their rehabilitation in the above mentioned shelters under intimation to this Ministry.

Yours faithfully,
(DILIP SINGH)
Director
Tel. No.3387539
Fax. No.3384918

Copy to:- 1. The Additional Inspector General of Forests (Wildlife), Ministry of Environment and Forests, Paryavaran Bhawan, Lodi Road, New Delhi for information and necessary action.
2. Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, Lodi Road, New Delhi for information and necessary action.

(DILIP SINGH)
Director