

**Shri Anil Madhav Dave**

Hon'ble Minister of State for Environment, Forests & Climate Change  
(Independent Charge)  
Government of India

1 August, 2016

**Subject: Request for India's Animal-Protection Laws to Be Strengthened, Not Weakened**

Honourable Shri Anil Madhav Dave,

We are a coalition of animal protection organisations working to protect animals across the globe, and together represent millions of members and supporters. We are writing to first congratulate you on your new role as the Minister of State for Environment, Forests and Climate Change (MEFCC) and to urge you to keep bulls and other animals protected. As an active environmentalist, we look forward to having your support in protecting animals in India.

We strongly object to the proposed amendments to the Prevention of Cruelty to Animals (PCA) Act, 1960 which had been initiated by your predecessor, Mr. Prakash Javadekar. We have come to know from news reports that the MEFCC is set to move a Cabinet note for weakening the Prevention of Cruelty to Animals Act, 1960. This move comes at a time when citizens have been campaigning for stricter laws to protect animals following the death of police horse Shaktimaan, and other publicized cases of animal abuse such as a dog who was thrown off of a rooftop in Chennai and the recent gruesome incident of three puppies being burnt alive by juveniles in Hyderabad. The MEFCC reportedly may raise the amendment—which aims to allow the abuse of bulls in jallikattu, bullock cart races and animal fights and abuse of other animals—during the ongoing monsoon session of Parliament. Our offices have been inundated with complaints from people in India and all over the world who are shocked by this attempt to allow bulls to be used for cruel spectacles which are currently banned – and that if allowed, would result in injuries and deaths to countless bulls and people.

As you may know, the 7 May 2014 Supreme Court of India judgement confirms a **ban** on the use of bulls in jallikattu and other performances. The honourable Supreme Court has already recognised that such spectacles violate the PCA Act, in addition to the Ministry of Environment and Forests' notification of 7 July 2011 declaring that bulls cannot be used as performing animals.

In its judgement dated 7 May 2014, the Supreme Court categorically held that the concerned ministry cannot allow jallikattu, bull races or bullfights and cannot modify the notification dated 11 July 2011 (which banned forcing bulls to perform) without taking the AWBI's view with respect to the same. The court also ruled that cruelty is inherent in these events, as bulls (which include buffalo bulls) are not anatomically suited for such races. Making them participate is subjecting them to unnecessary pain and suffering, which no regulations can prevent, and so such races are not permitted by law.

It was further stated that when culture and tradition are at variance with the law enacted by Parliament, the law will take precedence over culture and tradition.

Paragraph 33 on page 60 of the judgement reads:

All animals are not anatomically designed to be performing animals. Bulls are basically Draught and Pack animals. They are live-stock used for farming and agriculture purposes, like ploughing, transportation etc. Bulls, it may be noted, have been recognized as Draught and Pack animals in the Prevention of Cruelty to Draught and Pack Animals Rules, 1965. Draught means an animal used for pulling heavy loads. Rules define large bullock to mean a bullock the weight of which exceeds 350 Kgs. Bullocks have a large abdomen and thorax and the entire body has a resemblance to a barrel shape, which limits ability to run.

Bulls have also limitations on flexing joint[s] and the rigid heavily built body and limited flexion of joints do not favour running faster. Due to that body constitution, the Prevention of Cruelty to Animals (Transportation of Animals on Foot) Rules, 2001, especially Rule 11 says that no person shall use a whip or a stick in order to force the animal to walk or to hasten the pace of their walk. Bulls, it may be noted, are cloven footed (two digits) animals and two digits in each leg can comfortably bear weight only when they are walking, not running. Horse, on the other hand, is a solid hoofed plant-eating quadruped with a flowing mane and tail, domesticated for riding and as a draught animal.

Paragraph 34 on page 61 of the judgement reads:

**Bulls, therefore, in our view, cannot be a performing animal, anatomically not designed for that, but are forced to perform, inflicting pain and suffering, in total violation of Sections 3 and Section 11(1) of PCA Act. [emphasis added]**

The Honourable Supreme Court also declared the following:

Paragraph 8 on page 99 reads:

**Parliament is expected to make proper amendments of the PCA Act to provide an effective deterrent to achieve the object and purpose of the Act and for violation of Section 11, adequate penalties and punishments should be imposed.**

Paragraph 9 on page 99 reads:

**(9) Parliament, it is expected, would elevate rights of animals to that of constitutional rights, as done by many of the countries around the world, so as to protect their dignity and honour.**

Whereas, if the proposed amendments take shape of law, the rights of animals would further be diluted rather than being elevated and would be against the spirit of Supreme Court's judgment.

Lifting the protection against cruelty that's currently afforded to bulls or other animals would be a black mark on our nation, which has always been looked up to by people around the world because of our cultural reverence for animals. Towns in Colombia, Ecuador, France, Portugal and Venezuela have declared themselves to be against bullfighting, and Catalonia, a region in Spain, has banned it. **We hope you agree that India must not consider overturning our own ban on the use of bulls for fights and other performances when sensibilities around the world are changing in favour of animal protection.**

The cruelty inflicted upon bulls during jallikattu, bull races and bullfights is almost unimaginable. The very purpose of jallikattu is to terrify bulls until they run in a frenzy. This often results in bulls breaking their legs or even dying in their efforts to escape the rowdy, often drunken crowds. The cruelty documented in AWBI-authorized inspections of jallikattu includes people forcing bulls to drink liquids (likely alcohol) and deliberately terrifying them by twisting and biting their tails; stabbing, hitting and jabbing them; blindfolding them and yanking their nose ropes painfully. As the terrified bulls run and attempt to escape, they are punched, jumped on and dragged to the ground by the crowds. When jallikattu was permitted in past years, hundreds of human participants were injured each year and many were killed. In January 2011, during jallikattu events **in one four-day period**, 215 people – 154 of whom were spectators – sustained injuries and two people died.

What's more, Article 51A (g) in The Constitution of India 1949 makes it the mandate of every Indian citizen "to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures". Our tradition and culture are therefore compassionate, not cruel.

And of course, the father of our nation, Mahatma Gandhi, famously said, "The greatness of a nation and its moral progress can be judged by the way its animals are treated".

As the new Minister of State for Environment, Forests and Climate Change of our great country, we urge you to take every step in your power to ensure not only that bulls and other animals remain protected but also that their protection be strengthened. Specifically, we urge you to ensure that the use of bulls as performing animals remains banned and that any revision of the PCA Act be for the purpose of strengthening, not weakening, the protection of animals.

Some of the representatives from our coalition would like to meet with you in person to discuss this matter further at any time convenient to you.

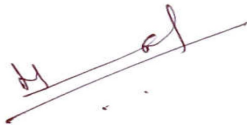
Thank you for your time and attention to this important issue. We look forward to your unmatched leadership in addressing this matter as a high priority.

Should you have any questions, we can be reached through Dr. Manilal Valliyate at [ManilalV@petaindia.org](mailto:ManilalV@petaindia.org) or 9910817382.

Respectfully yours,

Dr. Chinny Krishna  
Chairman Emeritus  
Blue Cross of Chennai

Gauri Maulekhi  
Founder  
People for Animals, Uttarakhand



Dr. Manilal Valliyate  
Director of Veterinary Affairs  
PETA India



Shakuntala Majumdar  
Thane SPCA

Gajender .K. Sharma



India Country Director  
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Dr. Shiranee Pereira

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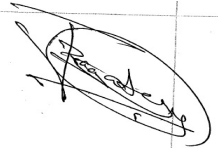
NG Jayasimha  
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Dr. Naresh Upreti  
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Animal Rahat



Prakash Sasha  
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Elsa Foundation

Abhinav Srihan  
Founder/Managing trustee  
Fauna Police

Annexure:

1. Hon'ble Supreme Court's judgment banning Jallikattu, Bull Races and Bull fights- Annexure-I
2. Inspection reports on jallikattu and bullock cart races- Annexure-II
3. Video footages of jallikattu and bull race cruelty

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- Shri Ajay Narayan Jha, Secretary, MEFCC, for information and necessary action please.