

THE PREVENTION OF CRUELTY TO
ANIMALS (PUDUCHERRY AMENDMENT)
BILL, 2017

(Bill No. 15 of 2017)

A

BILL

**to amend the Prevention of Cruelty to Animals
Act, 1960 in its application to the Union
territory of Puducherry.**

BE it enacted by the Legislative Assembly of the
Puducherry in the Sixty-eighth Year of the Republic of
India as follows:—

Short title and
commencement.

1. (1) This Act may be called the Prevention of Cruelty to Animals (Puducherry Amendment) Act, 2017.

(2) It extends the whole of the Union territory of Puducherry.

(3) It shall come into force on such date as the Government may appoint by notification in the Official Gazette, appoint.

Amendment of
section 2.

2. In section 2 of the Prevention of Cruelty to Animals Act, 1960 (hereinafter referred to as the Principal Act), after clause (d), the following clause shall be inserted, namely:—

Act
59 of
1960.

"(dd) 'Jallikattu' means an event involving bulls conducted with a view to follow tradition and culture on such days from the months of January to May of a calendar year and in such places, as may be notified by the Government, and includes 'manjuviratu', 'vadamadu' and 'erudhuvidumvizha'."

Amendment of
section 3.

3. Section 3 of the Principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

"(2) Notwithstanding anything contained in sub-section (1), conduct of 'Jallikattu', subject to such rules and regulations as may be framed by the Government, shall be permitted."

4. In section 11 of the Principal Act, in sub-section (3), after clause (e), the following clause shall be added, namely:—

Amendment of section 11.

"(f) the conduct of 'Jallikattu' with a view to follow and promote tradition and culture and ensure preservation of native breeds of bulls as also their safety, security and wellbeing."

5. The following proviso shall be added to section 22 of the Principal Act, namely:—

Amendment of section 22.

"Provided that nothing contained in this section shall apply to conduct of 'Jallikattu'."

6. In section 27 of the Principal Act, after clause (b), the following clause shall be added, namely:—

Amendment of section 27.

"(c) the conduct of 'Jallikattu' with a view to follow and promote tradition and culture and ensure survival and continuance of native breeds of bulls."

7. After section 28 of the Principal Act, the following section shall be inserted, namely:—

Insertion of section 28-A.

"28-A. Saving in respect of 'Jallikattu'.—Nothing contained in this Act shall apply to 'Jallikattu' conducted to follow and promote tradition and culture and such conduct of 'Jallikattu' shall not be an offence under this Act."

STATEMENT OF OBJECTS AND REASONS

The Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) was enacted to prevent the infliction of unnecessary cruelty and suffering of animals, has been extended to the Union territory of Puducherry under the Puducherry (Laws) Regulation, 1963 with effect from 01-10-1963. This Act also recognises the need to exempt the application of its provisions in certain circumstances. The Supreme Court of India, in its judgment in Animal Welfare Board of India Vs. A.Nagaraja (Civil Appeal No. 5387) has found that the conduct of 'Jallikattu' is violative of the provisions of the Central Act 59 of 1960, particularly, sections 3,11 and 22 of the Act. The existing provisions of the said Act do not contain any provision for the conduct of 'Jallikattu', a sport of valour which has been in existence for promoting tradition and culture among the Tamilians. The Puducherry and Karaikal regions are encircled within the boundaries of Tamil Nadu and as the event of 'Jallikattu' has played a major role in this territory and it ensures survival and continuance of native breeds of bulls. Therefore, the Government decided to exempt the conduct of 'Jallikattu' from the provisions of the said Central Act 59 of 1960 in its applications to the Union territory of Puducherry. For this purpose, necessary provision has been incorporated on the lines of amendment made in this behalf by the Government of Tamil Nadu. The Bill seeks to achieve the above object.

A. NAMASSIVAYAM,
Minister for Animal Husbandry.

MEMORANDUM REGARDING FINANCIAL IMPLICATION

There is no financial implication involving this Bill

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause (dd) of section 2 of, and sub-section (2) of section 3 of the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960), proposed to be inserted by clauses 2 and 3 of the Bill authorise the Government to issue notification or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

A. VINCENT RAYAR,
Secretary
Legislative Assembly Secretariat.

online publication at "<http://styandptg.puducherry.gov.in>"

Government Central Press
Directorate of Stationery and Printing
Puducherry-605 009.