

"That the Title stand part of the Bill."

*The motion was adopted.*

*The Title was added to the Bill.*

SHRIMATI SHEILA KAUL: I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

17.03 hrs.

#### PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRIES OF AGRICULTURE AND RURAL DEVELOPMENT (SHRI R. V. SWAMINATHAN): I beg to move:\*

"That the Bill to amend the Prevention of Cruelty to Animals (Amendment) Act, 1960, be taken into consideration."

The subject 'Prevention of Cruelty to Animals' comes under the Concurrent List of the Constitution.

The Central Government has played an active role to take measures to prevent cruelty to animals in the last two decades.

The Prevention of Cruelty to Animals Act, 1960, was enacted by the Central Government with a view to prevent cruelty to animals and to amend laws relating to the subject of Prevention of Cruelty to Animals.

The Prevention of Cruelty to Animals Act of 1960 replaced the earlier Prevention of Cruelty to Animals Act of 1890.

The Central Government established the Animal Welfare Board in 1962 under Section 4 of Prevention of Cruelty to Animals Act of 1960.

The Animal Welfare Board works as an Apex Level Organisation and coordinates the work of associations and bodies concerned with Animal Welfare and renders financial assistance to such organisations.

Keeping in view the experience gained in the working of the Prevention of Cruelty to Animals Act for the past 20 years and the suggestions made by the Legal Affairs Committee of the Animal Welfare Board, the amendments proposed were circulated to the State Governments. Concurrence has been received from the State Governments of Maharashtra, West Bengal, Bihar, Tamil Nadu, Orissa, U.P., Rajasthan, Karnataka, Madhya Pradesh, Himachal Pradesh, Meghalaya and Union Territories of Chandigarh, Dadra and Nagar Haveli and Andamans.

With a view to give national character to the Animal Welfare Board, the Animal Welfare Board is proposed to be renamed as Animal Welfare Board of India.

The composition of the Board is being made more broad based. Animal Welfare Board will have additional representatives from the Central Ministries of Home Affairs, Education and the Indian Board of Wild Life and also three persons actively engaged in animal welfare work and well known humanitarians. The existing membership of 5 Municipal Corporations is being reduced to 2.

The term of the Board after reconstitution is to be for a period of 3 years. In case there is a vacancy on the Board, the succeeding member will hold office for the unexpired period of 3 years.

Functions of the Board covered under Section 9 (d) relating to ameliorating conditions of beasts of burden are being widened to cover amelioration of all animals. Sec. 9 (g) which relates to grant of

\*Moved with the recommendation of

the President.

[Shri R. V. Swaminathan]

financial assistance for formation of pinj-rapols, sanctuaries and the like is being amplified, to expressly cover rescue homes for animals and animal shelters.

Punishment for treating animals cruelly under Sec. 11 is proposed to be modified to cover additional cases of cruelty and also to provide for a minimum punishment by way of fine for treating animals cruelly.

At present the practice of *phooka* or *doom dey* is punishable under Section 12. The scope of this Section is being widened to cover also the giving of injections.

17.07 hrs.

(MR. SPEAKER in the Chair)

A new Section has been proposed for inclusion in the amendments with a view to enable the Committee for control and supervision, for experiments on animals, to register premises where experiments are carried out and also to form sub-committees so as to function more effectively.

We are including a section whereby the rules made by the Board and the Committee are placed before the Parliament within 30 days.

With these words, I beg to move that the Bill to amend the Prevention of Cruelty to Animals Act, 1960 be taken into consideration.

MR. SPEAKER: Motion moved.

"That the Bill to amend the Prevention of Cruelty to Animals Act, 1960, be taken into consideration."

Now I call upon Shri Baju Ban Riyan to speak.

\*SHRI BAJU BAN RIYAN (Tripura East): Mr. Speaker, Sir, the law to prevent the merciless and cruel slaughter of our domestic and wild animals is in force since 1960. The earlier law was brought

in force in 1890, some sections of those laws have now been brought before this House for amendment. How the Board is to be constituted, how to prevent the cruel killings of animals, how to punish those who indulge in killing of animals, these are some of the issues that are raised in this discussion. For educational purposes also, to increase our knowledge, certain animals have to be killed, dissected and examined. This Bill seeks to legislate this aspect also. I have nothing to say against the amendments to all these sections and I fully support them. But I have to say something on the way the Government and the people of our country have treated the domestic and wild animals in the past. The 'Board' has been delegated much power and how they will function has also been laid down. The Board holds meetings, they make some recommendations for protection of animals, but this Bill has not specified them. We have not been told how many times the Board meets in a year, what recommendations have been made by them for protection of the animals and how far they have succeeded in protecting the interests of the animals. It appears that the amendments to sections dealing with the Board have been brought forth to look after the interests of the members of the Board themselves, like providing them with allowances and other benefits and to include some favourites in the Board. In Section 12 and Section 11 of Chapter 3 it has been laid down how the persons who indulge in killing of animals are to be treated. But we should not lose sight of the fact that those who kill hens and goats etc. to sell their meat and earn livelihood have to kill these domestic animals cruelly. This Bill says that such cruel killings are an offence and liable for punishment. I will demand that in such cases when people are compelled to kill animals to earn their livelihood should be treated leniently and may not be punished for cruelty under this Bill. Those who run horse-drawn carriages or carts drawn by bullocks or buffaloes are compelled to drive a hole in the nose of such animals for the purpose of controlling them properly while

\*The Original Speech was delivered in Bengali.

driving the carriages. This Bill says that this is an act of cruelty to animals. I will request that such persons may not be treated as offenders under this legislation. A word 'Holka' or 'Dumdet' has been used here in the context of those milk-sellers who use wrongful methods to extract more milk from their cattle. But you have to keep a watch on who is using what method, legitimate or illegitimate and that is a difficult job. It is true that the domestic animals in our country live a difficult life. The reason is that most people rear domestic animals for their livelihood. But their earnings are so poor that they cannot provide proper treatment to these animals. Proper shelter cannot be provided, adequate fodder cannot be provided. The Government should come to their aid by supplying cheap fodder and proper treatment facilities for the sick animals all over the country. This will immensely help the farmers, those who earn their livelihood by driving horse drawn carriages and bullock carts etc. and those who sell meat. This Bill should include these provisions. The Government is going to set up an all India Central Board. If necessary, they can set up State Boards or Zonal Boards also. They should specially attend to supply of cheap fodder and treatment facilities for these domestic animals all over the country.

Sir, India abounds in wild animals also. Some wild animals are consumed by some people as food. The vultures and the crows are to be found all over the country. They are extremely useful birds. They eat away all the rotten, decomposed organic things and keep the environment clean. Without them lot of diseases will spread all over the country and the nation's health will suffer. They in fact act as nation's scavengers. But the Government is totally indifferent to them. I am not aware of any steps taken by the Government to help them set up their nests where they can lay eggs and breed peacefully. I will request the Government to attend to this aspect also. They are not provided a shelter in any sanctuary or in any zoo also.

17.20 hrs.

### RESOLUTION RE: COMMUNAL HARMONY

MR. SPEAKER: Mr. Riyan, just a minute. Now the Prime Minister.

THE PRIME MINISTER (SHRIMATI INDIRA GANDHI): Sir, this is a painful task; but I am glad that all hon. Members opposite have agreed to this Resolution. And, in fact, we have incorporated the suggestions that have been made from the other side. So, without saying anything further, I think I will just read the resolution on it: I beg to move:

"Resolved that this House expressed its deep anguish and concern over the situation recently created in the Punjab and strongly condemns certain calculated acts of sacrilege committed by some miscreants and fanatical elements in Amritsar, aimed at creating disharmony, disorder and misunderstanding among the patriotic and peace-loving people of the State. The House re-affirms its commitment to the national policy of secularism, tolerance and amity among all sections of Indian citizens, and trusts that the people of Punjab will not allow themselves to be swayed by any mischievous and irresponsible actions of a few misguided and anti-national persons. This House reiterates that the law shall take its course to bring the culprits to book speedily and trusts that all communities and every section of public opinion in Punjab will strive to maintain the traditional communal harmony, goodwill and peace, and continue to work together for the greater good of the State and the country."

MR. SPEAKER: The question is:

"Resolved that this House expresses its deep anguish and concern over the situation recently created in the Punjab and strongly condemns certain calculated acts of sacrilege committed by some miscreants and fanatical elements in Amritsar, aimed at creating disharmony, disorder and misunderstanding among the patriotic and peace-loving people of the State. The House re-affirms its commitment to the national