

Clauses 2 to 7, clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.

Shrimati Alva: I beg to move:

"That the Bill be passed".

Mr. Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

13.04 hrs.

PREVENTION OF CRUELTY TO ANIMALS BILL

Mr. Speaker: Shri Ajit Prasad Jain—Shri M. V. Krishnappa. The question may arise as to what happens when a Minister has tabled a motion and has subsequently resigned and whether another Minister may move the motion.

Shri Narayanankutty Menon (Mukandapuram): The motion goes phut.

Mr. Speaker: The Deputy Minister steps into the shoes of the Minister.

Shri Warior (Trichur): If it is an ordinary Member and if he is absent or has resigned, can the motion be moved?

Mr. Speaker: There is a special provision in the rules which says that a 'Minister' means any Member of the Government.

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): Since this morning I have answered all the questions that were in the name of Shri A. P. Jain, it means I am already acting as Minister!

Mr. Speaker: The House wishes that the Deputy Minister may become a senior Minister!

Shri M. V. Krishnappa: I beg to move:

That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals, made in the motion adopted by Rajya Sabha at its sitting held on the 13th August, 1959 and communicated to this House on the 17th August, 1959 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely Pandit Thakur Das Bhargava, Shri M. L. Dwivedi, Shri Masuriya Din, Shri Har Prasad Singh, Shri K. G. Wodeyar, Shrimati Mafida Ahmed, Shrimati Subhadra Joshi, Shri Chapalakanta Bhattacharyya, Kumari Mothey Vedakumari, Shri C. R. Narasimhan, Shri M. K. Jinchandran, Shri Kanhaiyalal Khadiwala, Shri Mohanlal Bakliwal, Shri Inder J. Malhotra, Shri Laxmanrao Shrawanji Bhatkar, Shri Akbarbhai Chavda, Shri Anirudha Sinha, Shri Chandramani Lal Choudhry, Shri K. S. Ramaswamy, Shrimati Uma Nehru, Shri T. C. N. Menon, Shri Baishnab Charan Mullick, Shri Jagdish Awasthi, Shri Amjad Ali, Shri Kamal Singh, Shri Balasaheb Salunke, Shri Atal Bihari Vajpayee, Shri Prakash Vir Shastri, Dr. Sushila Nayar; and Shri S. K. Patil.

Shri Braj Raj Singh (Firozabad): Has he obtained the consent of all those Members?

Shri M. V. Krishnappa: Yes, Sir. Only with the consent of the Members I made the motion.

Hon. Members are aware that this Bill is the outcome of long and varied discussions in the past. On the 5th

[Shri M. V. Krishnappa.]

March, 1954, on the floor of the Rajya Sabha, Shrimati Rukmini Devi Arundale introduced a Bill entitled "The Prevention of Cruelty to Animals Bill, 1953". During the debate on this Bill, the Prime Minister gave his support to the basic approach to the problem but he did not agree to a number of clauses in that Bill. Thereafter, on the assurance of the Government that a Committee would be appointed to look into this matter, the Bill was withdrawn by the mover.

The Government of India accepted the need for a thorough enquiry into the position relating to prevention of cruelty to animals and set up a Committee through a Government resolution on the 16th August, 1954. According to the terms of reference the Committee was required to go into the whole question relating to prevention of cruelty to animals, examine the present legislation in the country and corresponding legislation in other civilized countries, clearly define the word 'animal' for the purpose of the legislation and make such recommendations as are considered necessary having regard to the requirements of scientific and medical research and medical and veterinary treatment, dietary requirements of population, modern methods of slaughtering animals, etc. The Committee as constituted at that time consisted of 13 official and non-official members with Shri V. K. Krishna Menon as Chairman. The personnel of the Committee underwent some changes and later Shri V. B. Gandhi, M.P., and Shrimati Rukmini Devi Arundale were appointed as Chairman and Vice-Chairman of the Committee respectively.

After an intensive local study of the problem in various States and after collecting evidence from the State Governments, local bodies, medical authorities, research institutions, humanitarian organisations and also distinguished individuals, the Com-

mittee submitted its report on the 23rd March, 1957. The Committee, in their report, drew our attention to a number of deficiencies in the Prevention of Cruelty to Animals Act, 1890. As already stated in the Statement of Objects and Reasons, the existing Act has a restricted scope. The operation of the Act is confined to big towns and cities and there too in municipal limits only. The legislation enacted on the subject by the various State Governments is not uniform. The Act defines animal as meaning 'any domestic or captured animal' only, leaving out other animals, on whom also cruelty is inflicted. The existing Act does not provide for punishment of certain acts of cruelty. The penalty provided under the existing Act in respect of certain offences is also inadequate.

These deficiencies and the measures recommended by the Prevention of Cruelty to Animals Committee to overcome the same have been the subject of frequent discussions in the Parliament. I have, from time to time, been answering various questions in both the Houses relating to the Committee's report, recommendations contained therein and the action taken or proposed to be taken on the same. I introduced the Bill in the Rajya Sabha on the 13th March, 1959. The Rajya Sabha considered the Bill on the 12th and 13th of this month and adopted a motion to refer the Bill to a Joint Committee of both the Houses.

The Bill that I have introduced purports to give effect to certain recommendations of the Committee which required Central legislation. The Bill is intended to repeal the Act of 1890, and substitute it by fresh legislation which will remove its shortcomings and enlarge its scope. For instance, the Bill, when passed, will extend to the whole of India except the State of Jammu and Kashmir and will be uniform in its application to all States. It has

defined animal to mean "every species of animal (other than human beings) and every species of bird". It provides for the punishment of certain offences which are not included in the existing Act, and the need for a more severe penalty in some cases. In addition, the Bill provides for the following entirely new measures for animal welfare:

(i) It provides for the constitution at the Centre of an Animal Welfare Board with the object of promoting measures for animal welfare;

(ii) It empowers the Government of India to set up a Committee to regulate the conditions under which experiments on animals can be performed in order to avoid unnecessary pain and suffering; and

(iii) It provides for licensing and regulating the training and performances of animals for the purpose of any entertainment to which the public are admitted through sale of tickets.

Here I must express my sincere appreciation of the valuable work done by the Committee. We have gone carefully through the various clauses of the Bill prepared by the Committee and, as a result of this examination, considered it necessary to modify the draft in some cases. In doing so, one of our objects was to avoid highly controversial issues which would have rendered the implementation of the law difficult. I shall now proceed to describe briefly the principal differences between the Bill under consideration and the draft Bill prepared by the Committee.

Deletion of Chapter V of the draft Bill: The most important difference is the omission of the chapter which dealt with slaughter of animals. In this Chapter, the Committee had included an enabling provision prohibiting slaughter of animals unless they were first rendered insensible to pain by such mechanical, electrical, chemical or other means as the

Central Government may, by notification, specify and no notification shall be issued unless the Central Government was satisfied that adequate arrangements for enforcement exist. This Chapter was intended to apply only to such States or to such areas in any State as the Central Government, after consultation with the State Governments concerned may, by notification, specify. Such methods cannot, however, be introduced in this country until a strong public opinion has been built up in their support, particularly in view of the religious sentiment involved in the traditional methods of slaughter practised by different communities such as *halal* by Muslims, *jhatka* by Sikhs etc. Some research is also necessary to enable Government to decide the method which would be most effective and suitable in Indian conditions. One of the functions of the Board under sub-clause (e) of clause 9 of the Bill will be to look into this. Considering all these aspects, the Government felt that it would not be advisable to include this chapter in the Bill.

Clauses 14 and 15 of the draft Bill prepared by the Committee provided for the constitution by the Central Government of a Committee to control experimentation on animals. The Prevention of Cruelty to Animals Committee had themselves come to the conclusion that the conditions under which experimentation on animals are carried out in the country are generally not unsatisfactory. So far as the Government are aware, Indian workers generally deal with animals humanely. It was not, therefore, considered necessary to appoint a Committee immediately. An enabling provision has, however, been made for setting up such a Committee as and when necessary on the recommendations of the Animal Welfare Board.

The next important change has been made in clause 21. The Prevention of Cruelty to Animals Committee defined a performing animal ("exhibit") to

[Shri M. V. Krishnappa]

mean exhibit at any entertainment to which the public are admitted or exhibit in any street or other public place, whether on payment of money or otherwise. I am, however, of the view that under the existing circumstances, it will not be desirable to bring street performances within the purview of the proposed legislation on account of the difficulty and hardship involved in the registration of such performers. The provision has, therefore, been restricted to entertainments to which the public are admitted through sale of tickets.

Clause 9(d) of the draft Bill prepared by the Committee included among the functions of the Animal Welfare Board, provision for supplying animals on hire or otherwise to persons in need of them when their animals are incapacitated for work on account of illness or any other cause. Hon. Members will appreciate that under the existing circumstances neither the Government nor the proposed Animal Welfare Board can undertake the responsibility of supplying healthy animals to owners of sick or otherwise incapacitated animals.

The use of spur or other similar contrivance with sharp points on any animal has been declared by the Committee as an offence punishable with fine up to Rs. 50 or with imprisonment up to one month, or with both, in clause 11(c) of the draft Bill. We have deleted this clause from the Bill under consideration. As the hon. Members are aware, the use of 'spur' is common in ploughing and horse-riding. It will, therefore, be difficult in actual practice to distinguish between an offence which is punishable and one which is not. The provision is also difficult of enforcement.

Clause 11(m) of the Committee's Bill has come in the new Bill as clause 11(1). From this clause we

have deleted the words "needlessly kills or causes to be killed". This has been done because killing for sport cannot be prohibited.

Clauses 11(n) and 11(o) of the Committee's Bill have also been deleted. Some other minor changes have also been made.

As stated in the Financial Memorandum on the Prevention of Cruelty to Animals Bill, 1959, funds will have to be made available to the Animals Welfare Board as and when it is set up. It is proposed to make an annual ad hoc grant of Rs. 25,000 to the Board from the Consolidated Fund for the first two years of its establishment. For obvious reasons, it is not possible to envisage at this stage how the Board will shape itself and to what extent it will succeed in eliciting public response in the shape of contributions and donations. In any case, as about 3 1/2 years of the Second Plan period are already over, we have suggested inclusion of a provision of Rs. 37.5 lakhs for implementing the recommendations of the Prevention of Cruelty to Animals Committee during the Third Plan period.

The Rajya Sabha have discussed this and, as I have stated, some useful suggestions have been made by them. It has been felt by some hon. Members that this Bill is not comprehensive and it does not provide enough of punishment for some offences. But this is a very comprehensive proposal. We know only too well the importance of livestock in India, especially in the agricultural economy, where the cattle has to play a prominent role, especially in the day to day life of the farmer, who has been dealing with them since generations. Cattle has been very useful to them. It gives them milk, it gives them meat, it gives them manure and wool. Even after its death, its bones and skins are very useful. It has served mankind

so well. But man has always been unkind towards animals, especially so in India. In India, of all animals the cow plays a very prominent part. It is a pity to see that the cow is the most neglected animal in India. We neglect it. The indifference that we show towards the cow is something colossal. We see that the cow, instead of becoming a useful animal, is becoming a pest. In many parts of this country cows are being left as stray and wild cattle and instead of doing service to mankind they are trying to harm him. It is said that in other countries man eats the cow. Here, the cow has started eating man because of our long neglect and indifference towards the cow.

Cow has brought culture to man. These animals have brought culture to man. The cow cultured men. If there is any doubt, I would just narrate an instance of my own village. There was a wise man in my village.

An Hon. Member: Only one?

Shri M. V. Krishnappa: He was well-to-do. He had a nagging wife. The wise man, instead of purchasing jewels to please his wife, actually spent Rs. 800/- to purchase a good cow. It gave him not less than ten seers of milk daily. I can say that from the day that good cow entered his house the lady, who used to be a nagging, troublesome and quarrelsome lady, when she saw a nice good cow which gave ten seers of milk, started nursing her because it gave ten seers of milk. The lady took so much interest in the cow that all her time, from morning till evening, was spent in feeding the cow and milching it and selling the milk which gave her money. She gave some money to the husband and pocketed some for small savings. In that way there was happiness in that family after that cow entered that family. I can say that it is a real instance. It is how by the entrance of a good cow in that unhappy family it brought culture to that nagging lady. That lady was so

busy from morning till evening that she had no time to quarrel with her husband. She had to look after the cow and milch her. So, that cow brought culture to that family. This is so in many cases. A good cow in every house in India will bring happiness to that family. Not only happiness, but it will give milk, it will give manure, it will give work, it will keep one away from idleness which is a very bad thing in Indian conditions and it will engage the whole family. The family will become cultured.

In this report cruelty has never been defined. Either in this country or in other countries the word cruelty has not been defined in precise terms. In some places they say that indifference is cruelty. Certainly, indifference towards animals is the greatest cruelty that man can commit.

Because of neglect and indifference of this cattle wealth in India, there is all-round starvation. Neither can man get enough of food nor can animals be useful to man. In this country, the birthplace of Mahavir, Buddha, Mahatma Gandhi and Asoka, who are known for *ahimsa*, compassion to livestock, kindness and humanitarianism, from the ancient times we boast of it but still we misrepresent the whole thing. We start hating the animals. Indifference is shown towards the animals. Animals which are to be useful to man, instead of being useful to him, are proving a burden to him, specially the cow. We are now thinking of specially re-organising our agriculture. In re-organising agriculture the cow has to play a very prominent role. It is not the co-operative farm, it is the cow operative farm. Cow has to operate in every small family. The co-operative farm has to be cow operative farm, where the cow has to farm and has to give all the happiness to mankind.

With these words, I move. I think the Joint Committee will go into the discussions of the other House also

[Shri M. V. Krishnappa]

and try to amend the Bill wherever it is necessary and give its full suggestions.

Mr. Speaker Motion moved:

That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals, made in the motion adopted by Rajya Sabha at its sitting held on the 13th August, 1959 and communicated to this House on the 17th August, 1959 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Pandit Thakur Das Bhargava, Shri M. L. Dwivedi, Shri Masuriya Din, Shri Har Prasad Singh, Shri K. G. Wodeyar, Shrimati Mafida Ahmed, Shrimati Subhadra Joshi, Shri Chapalakanta Bhattacharayya, Kumari Mothey Vedakumari, Shri C. R. Narasimhan, Shri M. K. Jinchandran, Shri Kanhaiyalal Khadiwala, Shri Mohanlal Bakliwal, Shri Inder J. Malhotra, Shri Laxmantao Shrawanji Bhatkar, Shri Akbarbhai Chavda, Shri Anirudha Sinha, Shri Chandramani Lal Choudhry, Shri K. S. Ramaswamy, Shrimati Uma Nehru, Shri T. C. N. Menon, Shri Baishnab Charan Mullick, Shri Jagdish Awasthi, Shri Amjad Ali, Shri Kamal Singh, Shri Balasaheb Salunke, Shri Atal Bihari Vajpayee, Shri Prakash Vir Shastri, Dr. Sushila Nayar; and Shri S. K. Patil.

Only those hon. Members, who are not members of the Joint Committee, will participate in the discussion.

Shri Naushir Bharucha rose—

Mr. Speaker: Shri Bharucha is not on the Committee?

Shri Naushir Bharucha (East Khadesh): I am not on the Committee.

I desire to speak on only one aspect of this Bill. I am sure so far as the general principle of prevention of cruelty to animals is concerned it is a thing which is preached by all religions and I do not think that anybody would be against it. Unfortunately, I find that so far as Chapter IV dealing with experimentation on animals is concerned, that is a chapter which causes us concern. It will be seen that so far as the scheme of Chapter IV is concerned, it excludes experiments on animals for the purpose of advancement of scientific knowledge. But while there is this general exemption for experiments for such purposes the following part of Chapter IV proposes the constitution of a committee as the discretion of the Government which committee may supervise and control experiments on animals. It will be the duty of this committee to see that animals are not subjected to unnecessary pain before, during or after experiments and the committee is also empowered to make rules for the purpose of carrying on its work.

13.27 hrs.

[MR. DEPUTY-SPEAKER in the Chair].

This Bill seeks to replace an Act of 1890 but it would seem that we are still not emerging from the mentality prevailing in 1890. We are forgetting the fact that the modern age is an age of advancement of learning and anything that contributes towards it, whether we experiment on animals or otherwise, should not be interfered with at all. It may be argued that so far as the scheme of Chapter IV is concerned, it will not interfere with genuine, *bona fide* experiments and only where experiments are conducted by people who are not either authorised or who have not the necessary training for the purpose, the committee will intervene. But the powers which are proposed to be given to the committee are so vast that, for instance, the

committee will interfere where experiments on animals are carried on if it is of the opinion that these experiments can be avoided and replaced by books, models, films or other equally efficacious media of instruction. It also says that experiments are not to be performed merely for the purpose of acquiring manual skill.

Now I would like the House to consider this case. Bearing fully well in the mind that dumb animals have got to be protected—it is our duty—I place acquisition of knowledge in the forefront of everything. If as a result of that there is cruelty to be practised on animals I am one of those who will advocate practising of such cruelty which is absolutely unavoidable. In fact, I am of the opinion that there should be no restriction whatsoever, where experiments are being carried on, either by a committee or any other officious board for interfering with such experiments. What will be the result of this?

Suppose a particular institution carries on experiments for the purpose of determining the reaction in the case of fracture of the spine. In such cases actually with one stroke the spine of an animal is severed in order to find out what the reactions of that animal are. It is a very cruel type of experiment and the animal is rendered completely useless. But it is such a purpose that this type of experiments have to be repeatedly performed. Suppose a sentimental committee—and I am sure that people who serve on this committee will have more sentiments than knowledge—for morbid sentiments rather than reason and out of the purest and best of intentions keep on interfering with these experiments. Supposing an institution, for the purpose of advancing learning, is carrying on this experiment, as the Bill stands, it will be open to the Committee to go and inspect the premises and stop the experiment. Who is going to judge whether the experiment is being performed in a proper way or not? The

Committee. The Committee has no scientific knowledge for that purpose. It will be largely composed of society ladies who will have more sentiment than either skill or knowledge, with the result that it will keep on interfering with these experiments. It may be that ultimately in a court of law, the performers of this experiment may be acquitted. But, no institution would like to have popular resentment created against it by even being accused in a case like this. For the reputation of an institution, even if a case is brought to a court against it, it is a big stigma. The Committee would be interfering with this type of experiment. I think the entire Chapter IV relating to experimentation on animals requires to be dropped. The only thing to be kept is this. Where the experiment is for the purpose of advancing knowledge by new discovery of physiological or other knowledge, such experiments must be completely excluded. I am prepared to make one exception to that. Where experiments are being carried on, not by an institution, but by individuals who have obviously no skill or knowledge, those officers on whom the duty is laid to prevent cruelty to animals, can take up the matter to the court and get them punished. One can understand that. Barring that, no other experimenter either in a school or college or in scientific institutions should be left in any doubt that there is a possibility of somebody interfering with him. It has been mentioned that the Committee can interfere in the case of any experiments, even those performed by medical college students or any one else, which experiment it thinks is cruelly performed for the purpose of acquiring manual skill. Manual skill in surgery is a most important thing. Unless manual skill is acquired by a doctor by repeatedly experimenting and causing an amount of cruelty which inexperience or want of skill causes at first. How is it possible to carry on an experiment when you prevent that and say that it shall not be carried on for acquiring manual skill

[Shri Naushir Bharucha]
and efficiency? I think all this re-
quires to be carefully considered and
that ought to be excluded.

I am of opinion—my views may be
considered radical and they may even
be resented by some—that not only
animals are fit subjects for experi-
mentation, but I would go a step
further and say that human beings,
criminals who have been sentenced to
death are fit subjects. The experi-
ments are of a dangerous character
for acquiring knowledge in medical
science may be performed on such
condemned men with their consent. If
such people survive, I would say
that they should be offered their re-
lease. On this basis, experiments
may be performed on condemned
human beings. There is nothing
wrong in that. After all, what is the
principle on which they are condem-
ned to death? It is that a person has
committed an offence against society.
When he offers himself for a dan-
gerous experiment to serve society and
promote knowledge, I would say he
should be entitled to freedom. There-
fore, let us not be bogged down by
the mentality of 1890. Let us em-
erge from it and with a rather firm
and stout heart let us say that ex-
periments we shall perform and
nothing shall interfere in the per-
formance of these experiments except
in the most obvious case
of crude experiments cruelly
performed by unskilled persons. I
think this is a very important thing,
particularly at a time when we want
to have medical knowledge extended
over a wide field. It is very neces-
sary that advancement of learning
must not be stopped or hindered by
any threat of interference by anybody
or any committee. I hope the Joint
Committee will take that fact into
consideration.

श्री रमेशो बर्मा (देवरिया) : उपाध्यक्ष
महोदय, भारतवर्ष जो कि ऋषि, मुनियों
और सतों का मुल्क रहा है और यह वह
देश है जहाँ कि अहिंसा की महिमा गायी
गयी है और जिस भारत भूमि पर कि गौतम

बुद्ध, महावीर जैसे महर्षि हो चुके हैं। हमारे
देश में केवल मनुष्यों के प्रति ही दया और
अहिंसा का भाव नहीं होना चाहिए बल्कि
इस मुल्क में जानवरों के प्रति और पशु
पक्षियों के प्रति भी अहिंसा का भाव रहा है
और शायद इससे किसी को विरोध न हो कि
भारतवर्ष की जो संस्कृति है उसकी महत्ता
इसी में है कि मानव समाज के प्रति ही नहीं
बल्कि जीव मात्र के प्रति भी करुणा और दया
की व्यवस्था इस भारतीय संस्कृति में रही है।

भ्राज भी खाद्य की दृष्टि से और
हर दृष्टि से भारतवर्ष बहुत कुछ असमर्थ
हो गया है क्योंकि हजारों वर्षों की गुलामी
में यह देश रहता आया है। भ्राज मले ही
इस मुल्क में लोगों को भरपेट भोजन खाने
को न मिलता हो लेकिन यहां पर भ्राज के बिन
भी पशुओं और चिड़ियों आदि के लिए अपने
राशन में से कुछ अंश उनके लिए निकाल
 देने की व्यवस्था है। गरीब से गरीब लोग
भी देहातों में पशुओं और चींटियों को खिला
कर तब भोजन करते हैं। यह इस मुल्क
की विशेषता रही है। लेकिन भ्राज कुछ ऐसी
हालत और माहौल बन गया है कि भ्राज अगर
कहा जाय कि पशुओं का वच नहीं होना
चाहिए और पशुओं के साथ अहिंसा का बर्ताव
किया जाय तो शायद सरकार की एकोनामी
ठीली हो जाय। भ्राज भारतवर्ष में खाद्यान्न
नहीं होता और गेहूं, चावल आदि लोगों को
भरपूर नहीं मिलते। ऐसी हालत में यदि यह
कह दिया जाय कि यह मुल्क एकदम अहिंसक
हो जाय, मछली न खाये और वन्य जानवरों
का शिकार न करे तो शायद यह चलने वाला
नहीं है और यह यहां के खाद्यान्न का एक बहुत
बड़ा अंग भी है। ऐसी हालत में इस शताब्दी
में हमारे लिए यह कहना और संचना मुश्किल
हो गया है कि क्या तरीका और कौन सा ढंग
इस मुल्क में अपनाया जाय क्योंकि यह आप
क्यों भूल जाते हैं कि हमारा देश ऋषियों
और मुनियों का देश रहा है। यह देश
अहिंसा को बहुत मान्यता देता रहा है,

लेकिन ग्रहिसक होने के बावजूद इस मुल्क में बहुत से लोग हरिणों और मछलियों का शिकार करके अपने भोजन की व्यवस्था करते हैं। ऐसी हालत में हम क्या करें यह आज सरकार के सामने, समाज के सामने और जो लोग एक नई संस्कृति और परम्परा कायम करना चाहते हैं उनके सामने एक भारी प्रश्न है।

मैं आपसे कहूँ कि इस देश में जहाँ के लिए यह कहा जाता था कि यहाँ पर घी, दूध की नदियाँ बहती थीं वहाँ पर आज कैसी शोचनीय अवस्था है। हमारे देश में पशुधन का निरन्तर ह्रास हो रहा है। इस देश में पशुधन का पालन सिर्फ इसीलिए नहीं होता था कि हमारी कृषि बहुत कुछ पशुधन पर निर्भर करती थी और करती है बल्कि उन पशुधन के बाईप्रोडक्ट्स दूध दही आदि भी मिल जाते थे। मैं तो इस मत का हूँ कि आज भी यदि हम अपने पशुधन की रक्षा कर सकें और उनकी उन्नति कर सकें तो जहाँ हमारा देश कृषि के मामले में आत्मनिर्भरता की ओर बढ़ सकेगा वहाँ इस देश में आज जो घी और दूध की कमी पाई जाती है वह कमी भी दूर हो सकेगी। ऐसा करके हम दुनिया के सामने एक नमूना पेश करेंगे किन्तु यह कब तक हो सकेगा यह कुछ कहा नहीं जा सकता।

मुझे यह देख कर खुशी हुई कि सरकार यह बिल इस उद्देश्य से लाई है ताकि पशुधन पर बेरहमी न की जाय और उनके साथ प्रमानवीय व्यवहार न किया जाय। मैं जहाँ इस बिल का स्वागत करता हूँ वहाँ यह जरूर कहूँगा कि इसका स्कोप बढ़ना चाहिए। हमारे श्री मन्त्र ने जो एक्सपेरीमेंट्स के लिए जानवरों का प्रयोग करने की बात कही है वह किसी हद तक ठीक हो सकती है और उन तरीकों के जरिए आजकल मेडिकल साइंस में जो उन्नति हुई है उसको डिनार्ड नहीं किया जा सकता। लेकिन मैं तो कहूँगा कि मानव उद्धार के लिए, मानव रक्षा के लिए यदि आप इस तरीके के प्रयोग करते हैं तो क्या साइंस

इस रास्ते पर नहीं जा सकती कि हम पशुधन को भी रक्षा करते हुए और पशुधन के साथ भी दया भाव रखते हुए उनको ट्रीचर न करें और उनको सतायें नहीं? मैं समझता हूँ कि बहुत सी चिकित्सा पद्धतियाँ ऐसी भी हैं जिनमें कि पशुधन के साथ बेरहमी नहीं की जाती और उनको ट्रीचर नहीं किया जाता। प्रायुर्वेदिक, यूनानी, होमियोपैथी आदि ऐसी ही पद्धतियाँ हैं और उनके लिए यह कोई नहीं कह सकता कि वह पद्धतियाँ बेकार हैं। मैं यह भी नहीं मान सकता कि बगैर पशुधन को सताये हुए और अन्य रंग से यह मेडिकल एक्सपेरीमेंट्स किये ही नहीं जा सकते। हमारा देश एक खेतिहर मुल्क है और पशुधन की रक्षा किये बिना और उसको बढ़ाये बिना हम अपने देश की कृषि की उन्नति नहीं कर सकते। अब हमारे यहाँ खेती का विस्तार तो बढ़ रहा है और पिछले दस वर्ष के आंकड़ों से यह सिद्ध हो जाता है कि पहले जितनी भूमि पर खेती होती थी अब उससे अधिक भूमि पर खेती की जा रही है फिर भी हालत यह है कि उतना खाद्यान्न अब प्राप्त नहीं कर पाते हैं जितना कि १० साल पहले प्राप्त होता था। आखिर इसका कारण क्या है? अब खेती के लिए पहला आवश्यक अंग पशु है और जाहिर है कि अगर आपका पशुधन नहीं बढ़ेगा तो आपकी खेती भी नहीं बढ़ सकती। हमारे देश में पशुधन का निरन्तर ह्रास हो रहा है और हमारे किसान भी इस चीज को समझते हैं कि बिना पशुधन के हम अपने खाद्यान्न की पैदावार नहीं बढ़ा सकते। लेकिन यह खेद का विषय है कि यह सब जानते हुए भी आज हम देख रहे हैं कि वे एक एक इंच जमीन तो जोत लेते हैं लेकिन पशुधन के चरागाहों के वास्ते कुछ भी जगह नहीं छोड़ते। पशुधन के लिए चारे की व्यवस्था न करना और उनके लिए चरागाह न छोड़ना भी पशुधन के इस बेरहमी करना है। यदि आप चाहते हैं कि इस मुल्क की कृषि की पैदावार बढ़े तो उसके लिए पशुधन का भी बढ़ाया जाना आवश्यक

[श्री रामजी वर्मा]

है। पशुघन का बढ़ाया जाना न केवल दूध और दही की दृष्टि से बल्कि खेती की दृष्टि से भी जरूरी है। और बिना चरागाहों की व्यवस्था किये हुए आप अपना पशुघन का विकास नहीं कर सकते और उसकी रक्षा नहीं कर सकते। आप खेती के विस्तार में कमी करें और पशुओं की संख्या बढ़ायें और उनके लिये चरागाहों का प्रबन्ध करें और मुझे पूर्ण विश्वास है कि ऐसा करने से आप का खाद्यान्न का उत्पादन बढ़ेगा। इसलिए चरागाहों के वास्ते भूमि छोड़ने की व्यवस्था अवश्य होनी चाहिये।

इसके अतिरिक्त हम देखते हैं कि आज उन पशुओं के लिए जिनको कि हम खेती के काम में लाते हैं जिनको कि हम बोझा ढोने के काम में लाते हैं या जो पालतू जानवर होते हैं उनके लिए दवादारू का कोई माकूल प्रबन्ध नहीं है। गांवों में तो कोई प्रबन्ध है ही नहीं कस्बों में भले ही मनुष्यों के लिए अस्पताल हों और साथ ही पशुओं की चिकित्सा के वास्ते भी कहीं छोटे मोटे अस्पताल हों लेकिन गांवों में तो उनको चिकित्सा का कोई प्रबन्ध नहीं है। आप इक्के और तांगे में जोते जाने वाले घोड़ों को देखिये। मैं यहीं दिल्ली की बात कह सकता हूँ छोटे छोटे कस्बों की तो बात ही क्या ग्रामतौर पर आपको ऐसे घोड़े जुते हुए मिलेंगे जिनके कि शरीर पर व्रण है और उनको और अन्य रोग लगे होते हैं लेकिन उनकी चिकित्सा की कोई व्यवस्था नहीं की जाती। जो लोग इन को तांगों और इक्कों में जोतते हैं वे उनके साथ निहायत बेरहमी से पेश आते हैं और बस उनसे पैसा ही पैदा करना जानते हैं। एक तरह से हम अपने स्वार्थ को भूल गये हैं जिनके जरिए हमारा स्वार्थ चलता है कम से कम उनको तो हम जीवित रखें और मारोय्य रखें। मैं तो चाहता हूँ कि इसकी व्यवस्था आप कानून के जरिए करें कि रोगी पशु से कोई देहात में काम न लिया जाय और सबारी में न जोता जाय। मैं चाहता हूँ कि अन्य पशु पक्षियों के लिए भी इस तरह की व्यवस्था होनी चाहिए।

आपने बहुत से कानून बनाये हैं जंगलों के लिए जहां जंगली जानवर रहते हैं। लेकिन आंकड़ों से मालूम होता है कि बहुत से स्पीसीज खत्म हो गये हैं। आप यह तै न कर लीजिए कि यह सारी सृष्टि केवल मनुष्यों के लिए ही है। मानव समाज के लिए पशु पक्षी और जंगल के जानवर भी आवश्यक हैं। लेकिन हम देखते हैं कि बहुत से जंगली जानवरों के स्पीसीज खत्म हो रहे हैं जैसे जंगली सुभ्रर है या जंगली डक है। उनकी सुरक्षा का प्रबन्ध होना चाहिये। आपने शिकार के लिये नियम बनाया है कि १५ जून और १५ अक्टूबर के बीच शिकार न किया जाये लेकिन लोग शिकार इस समय भी करते हैं पौचिंग करते हैं और बहुत से जानवरों को ऐसे ही मार देते हैं। इसको रोकने की कोई व्यवस्था नहीं है। इन जंगली जानवरों का गलत तरीके से शिकार होता है और ये वहीं सड़ते रहते हैं। इसको रोकना चाहिए। इस बारे में आपको सख्ती करने की जरूरत है। आपको जंगल के बारे में इस कानून को सख्त करना होगा।

मैं आपसे कहूँ कि यह राम और कृष्ण का देश है और यहां बहुत से जानवरों की पूजा होती है। हिन्दू गऊ की पूजा करते हैं और बन्दर को भी आदर की दृष्टि से देखा जाता है। तो जो कानून हो वह जनता की भावनाओं का ध्यान रखते हुए बनाना चाहिये। लेकिन आज हम देखते हैं कि सरकार विदेशी मुद्रा का अर्जन करने के लिए बन्दरों को बाहर भेजती है। और इस प्रकार केवल २७ लाख की विदेशी मुद्रा प्राप्त होती है। इतने से लाभ के लिए सरकार बड़ी संख्या में बन्दरों को जिनके प्रति भारतवर्ष में एक बड़े वर्ग की पूज्य भावनाएं हैं बाहर भेजती है। मैं समझता हूँ कि विदेशी मुद्रा अर्जित करने के और भी बहुत से तरीके हो सकते हैं। हमारे देश में ऐसे भी लोग हैं जो रोगी पशुओं से काम लेकर पैसा कमाते हैं। इसी तरह जो हमारी सरकार २७ लाख के लिये बन्दरों का निर्यात करती है

यह आपके लिए और सरकार के लिए शर्म की बात है ।

एक माननीय सदस्य : यह तो सब के लिए शर्म की बात है ।

उपाध्यक्ष महोदय : उनके लिए नहीं है क्योंकि वह तो उसके खिलाफ आवाज उठा रहे हैं ।

एक माननीय सदस्य : लेकिन वह तो आपके लिए भी कह रहे हैं ।

उपाध्यक्ष महोदय : मैं तो हुआ । लेकिन वह तो उसके खिलाफ आवाज उठा रहे हैं ।

श्री० रणबीर सिंह (रोहतक) : लेकिन जिसका यह खेत खाते हैं वह क्या करे ?

श्री रामजी वर्मा : पैदावार इसलिए नहीं घट रही है कि बन्दर खेत खा जाते हैं लेकिन इसलिए पैदावार कम हो रही है कि आपके पास खाद वगैरह नहीं है । यदि पशु अधिक मात्रा में हों तब तो पैदावार और ज्यादा होगी । खेतों में तो आज से दस वर्ष पहले ज्यादा पैदावार होती थी । आज कम क्यों होती है इसका कारण यही है कि हमारे पास साधन कम हैं । बन्दरों के कारण कम नहीं हुई है । अधिक मात्रा में पशु होने से तो मानव समाज का लाभ ही होगा ।

बरेली में एक दवाघों का इंस्टीट्यूट है । वहां पर दवा के लिए भैंसों का इतना खून निकाल लिया जाता है कि वे बेकार हो जाती हैं । अगर मैं कहूँ कि दवा का कोई और प्रकार होना चाहिए तो उसका कोई भ्रसर नहीं होगा क्योंकि आप जिस मार्ग पर चल रहे हैं उसको बदलेंगे नहीं । इसलिए मैं कहना चाहता हूँ कि उनका इतनी मात्रा में खून निकाला जाये ताकि वे उसके बाद भी अच्छी तरह से जीवित रह सकें ।

मुझे इतना ही कहना था । चूँकि यह बिल ज्वॉइंट कमेटी के सामने जायेगा इसलिये

मैं समझता हूँ कि वहां माननीय सदस्य इसके हर पहलू पर विचार करेंगे और एक ऐसा कानून पेश करेंगे जिसमें प्रकट हो कि हमारे यहां न सिर्फ मानव के लिए ही बल्कि पशुओं और पक्षियों के लिए भी क्या भावना है ।

श्री० रणबीर सिंह : उपाध्यक्ष महोदय, इस बिल का समर्थन करते हुए मैं यह कहे बिना नहीं रह सकता कि हमारे देश में पशुओं और पक्षियों के प्रति दया करने की और उनका पालन करने की भावना शुरू से रही है । लेकिन अगर आज अगर हम अपने पशुओं का दूसरे देशों के साथ मुकाबला करें जहां वह भावना नहीं है जो कि हमारे देश में है तो हम अपने पशुओं में और उनके पशुओं में बढ़ा फर्क पाते हैं । इस कानून में यह रखा गया है कि एक बोर्ड बनाया जायेगा जो कि पशुओं के प्रति हमदर्दी पैदा करने के लिये भारगोनाइ-जेशन को सहायता देगा । लेकिन ऐसी संस्थाओं की इस देश में कोई आवश्यकता नहीं है । पहले ही लोग इस देश में जहां तक जबानी हमदर्दी का ताल्लुक है पशुओं के साथ जबानी हमदर्दी रखते हैं । लेकिन वह हमदर्दी जबान से भागे नहीं जाती । जो भाई हमदर्दी रखते हैं बन्दर के साथ, जो भाई हमदर्दी रखते हैं गऊ के साथ जब ये जानवर उनकी दुकान के सामने जाते हैं तो वे उनके पीछे लाठी लेकर भागते हैं । लेकिन जब वह जानवर किसी दूसरे का खेत चरते हैं और उसका नुकसान करते हैं तो उनकी हमदर्दी उन जानवरों के साथ रहती है, चूँकि उनका अपना कोई नुकसान नहीं है । शायद वह लोग यह समझते हैं कि बन्दरों के फसल को खाने से ज्यादा पैदावार होती है । लेकिन जिसने मेहनत से खेत कमाया है और गन्ना या अनाज पैदा किया है उसकी फसल को जब बन्दर खाते हैं तो वह अनुभव करता है कि यह पशु पक्षियों की हमदर्दी किस हद तक जानी चाहिये ।

उपाध्यक्ष महोदय, लेकिन इस सारी भावना के बावजूद, जैसा कि मैं ने शुरू में कहा, जब हम अपने देश के पशुओं का मुकाबला

[बी० रणवीर सिंह]

दूसरे देशों के पशुओं से करते हैं तो हमारा सिर घाम से झुक जाता है। मैं किसी देश के नाम का हवाला नहीं दूंगा मैं केवल इतना ही कहूंगा कि दूसरे देशों के भ्रन्दर जो गायें हैं वे हाथी जैसी हैं। हम लोग गाय के नाम की बड़ी दुहाई तो देते हैं लेकिन हमारे यहां बहुत सी ऐसी गायें हैं जो केवल एक सेर ही दूध देती हैं। दूसरे देशों में आप देखें कि गायें ३५ सेर और ४० सेर दूध देती हैं और गायें हाथी जैसी शक्ति की हैं। इसको देखकर हमको भ्रन्दाजा होता है कि हम न केवल कारखानों में ही दूसरे देशों से पिछड़ गये हैं बल्कि जो बंगर पालने का तरीका है उसमें भी हम उनसे पीछे हैं।

उपाध्यक्ष महोदय : भ्रगर गाय की शक्ति हाथी जैसी हो जाये तब तो हम उसको नहीं पूजेंगे।

बी० रणवीर सिंह : मैं समझता हूँ कि भ्रगर उससे फायदा होगा तो चाहे हम पूजा का नाम न लें लेकिन उसकी रक्षा जरूर करेंगे।

आपको पता ही है कि पंजाब से बहुत अच्छी अच्छी भैंसे और गायें कलकत्ता के भ्रन्दर, मद्रास के भ्रन्दर और बम्बई के भ्रन्दर जाती हैं जहां बहुत सारे करोड़पति लोग रहते हैं जो गऊ के नाम पर बहुत भ्रांसु बहाते हैं और गाय की दुहाई देते हैं। लेकिन इन शहरों में गायों और भैंसों का यह हाल है कि जहां उसने दूध देना कम किया या बन्द किया कि उनको कसाई के यहां भेज दिया जाता है और इस तरह से देश की बहुत बढ़िया नस्ल के पशु, गो कि वह दूसरे देशों के मुकाबले में ज्यादा अच्छे नहीं होते, नष्ट कर दिये जाते हैं। एक बार मैं और डा० पंजाबराव देशमुख कलकत्ता गये थे। हम दोनों बूचड़खाने में बाबू ठाकुरदास भागव के साथ पहुंचे और हम ने वहां गायों को खड़े देखा। मैं ने मजाक में डा० पंजाबराव देशमुख से कहा कि जहां तक आप के प्रदेश का वास्ता है, मैं समझता हूँ कि वहां की अच्छी से अच्छी गायें भी यहां जो बुरी ने बुरी गायें

काटी जा रही हैं, उन का मुकाबला नहीं कर सकतीं। हमारे देश के पशुओं की यह हालत है। आज मध्य प्रदेश और दूसरी जगहों में गऊ पर बहुत ज्यादा श्रद्धा रखी जाती है, लेकिन वहां भ्रगर गाय और बैल की हालत को देखा जाये, तो पता चलेगा कि दो बैल की जोड़ी दस मन से ज्यादा बोझ उठा कर नहीं चल सकती और गाय एक सेर से ज्यादा दूध नहीं दे सकती। गाय और बैल के नाम पर चाहे कोई कुछ कहे, लेकिन दरअसल हमारे यहां पशुओं के साथ एक बड़ा भारी जुल्म हो रहा है। पंजाब में गाय और भ्रन्दरों की दुहाई नहीं दी जाती है, लेकिन भ्रगर हिन्दुस्तान के किसी दूसरे हिस्से का भ्रादमी वहां के गाय, बैल या भैंस को देखता है, तो उस का दिल खुश हो जाता है, भ्रगर उस के दिल में पशुओं के लिए श्रद्धा है। जब वह वहां पर दूध की मिकदार को देखता है, तो उन्नका दिल खुश हो जाता है। आज भ्रगर पंजाब का किसान हिन्दुस्तान के दूसरे हिस्सों के किसान से ज्यादा खुशहाल है, तो उस के दो तीन कारण हैं। एक कारण तो पंजाब की नहरें हैं, लेकिन दूसरा बड़ा कारण है पंजाब का पशुधन। मैं अपने जिले के बारे में जानता हूँ। भ्रकेले हमारे जिले को गाय और भैंस बाहर भेजने से, जो कि उत्तर प्रदेश से लेकर बंगाल तक जाते हैं, करोड़ों रुपये की भ्रादनी होती है। हमारे जिले में किसानों की खुशहाली की यह हालत है कि जिस किसान के पास तीन चार एकड़ जमीन है, उस के पास भी पक्का मकान है, उस की औरत के कपड़े अच्छे हैं, उस के रहने-सहने का तरीका और उस का खान-पान अच्छा है।

उपाध्यक्ष महोदय : वह कपड़े औरत के ही अच्छा रखता है या अपने में ?

बी० रणवीर सिंह : साबुन का कारखाना यू० पी० में है। अभी वह पंजाब में लगा नहीं है। जब लग जायगा, तो उस के कपड़े भी अच्छे हो जायेंगे।

मैं आप से भ्रज कर रहा था कि वहां किसान की हालत अच्छी है, उस की एक वजह

बह है कि वहाँ का पशु अच्छा है। वहाँ पशु के लिये जबानी हमदर्दी नहीं है। मुझे याद है कि जेल में मेरे साथ एक कैदी थे। जब उन्होंने मुझ से पूछा कि मैं कौन से जिले का हूँ, तो उन्होंने मुझ से मजाक किया कि आप के जिले में भ्रादमी गाय और भैंस को अपनी औरत और बच्चों से ज्यादा प्यार करता है और उन के पालन-पोषण और उन के पहलाने-बुलाने का काम इतने प्यार से करता है, उन का इतना ख्याल रखता है, जितना कि वह अपने बच्चों और औरत का नहीं रखता है। उपाध्यक्ष महोदय, अगर हम ने पशु का पालन करना है, उस की नस्ल सुधारनी है और उस को जुलम से बचाना है, तो यह कुदरती बात है कि उस से बहुत ज्यादा प्यार करना होगा, उस को अच्छी खुराक देनी होगी और अच्छी तरह नहलाना-बुलाना होगा और हर तरह से उस की सेवा में तत्पर रहना होगा। उस में सिर्फ जबानी जमा-खर्च से काम नहीं चलेगा।

हमारे देश की हासत यह है कि लोग कहते तो यह है कि हमें पशुओं से प्यार है, लेकिन वे उन को मारना चाहते हैं—एक दम किसी हथियार से नहीं, बल्कि वे उन को भूखा मारते हैं, उन को खुराक नहीं देते हैं। मुझे खुशी है कि इस बिल में उस का भी जिक्र किया गया है और कहा गया है कि जो डंगर की अच्छी तरह से सेवा-शुश्रुषा नहीं करेगा और उस को अच्छी खुराक नहीं देगा और उस को कमजोर रखेगा, तो उस को भी एक महीने की सजा दी जा सकती है। मैं समझता हूँ कि यह बहुत अच्छी है। इस से हिन्दुस्तान के दूसरे प्रदेशों का इम्तहान होगा कि वे अपने पशुओं को किस तरह से रखते हैं। अभी मेरे साथी बोले और उन्होंने पशुओं के लिये हमदर्दी जाहिर की, लेकिन जब इन के पशु जा कर देखें, तो हमारे सूबे के लोगों को दुख होता है।

एक वक्त था कि जब बाबू ठाकुर दास भार्गव ने बड़े जोर से कहा था कि इस देश में किसी डंगर को नहीं मारना चाहिये। हमारे कृषि मंत्री, डा० पंजाबराव देशमुख ने कहा कि यह कैसे हो सकता है। जब मैं बीच में बोलने लगा तो मैंने कहा कि जब बाबू ठाकुरदास भार्गव के सामने डंगर को मारने का सवाल आता है, तो उनकी आँखों के सामने हिसार के बैल और सांड, गाय और भैंस आते हैं और जब डाक्टर साहब के सामने यह सवाल आता है कि खराब और नाकारा डंगर को मारा जाय या नहीं, तो उनकी आँखों के सामने मध्य प्रदेश की पतली पतली गायें और नाकारा सी भैंसें और बैल होते हैं और उन्हें मालूम है कि वे न खेती के काम के हैं और न वे काश्तकार की आमदनी को बढ़ा सकते हैं। उन से तो नुकसान ही होता है, क्योंकि आप जानते हैं कि मिसल मशाहूर है कि खोटा पैसा खरे पैसे को बाजार से निकाल देता है। जो अच्छे डंगर हैं, उनको इसलिये पनपाया नहीं जा सकता है कि इतने ज्यादा खराब और दुबले-पतले डंगर हैं, जिन की परवरिश वह करना चाहते हैं और वह उन की शक्ति के बाहर होता है। दूसरे प्रदेशों के लोग इस बारे में बड़ी भावना रखते हैं कि डंगरों के ऊपर जुलम न हो। लेकिन जब उनके पशुओं को देखा जाता है, तो उनकी भावना का तोल हो जाता है कि वे दरअसल किस हद तक सच्ची हैं।

श्री लालीबस्ता (इन्दौर) : मध्य प्रदेश की गाय और बैल हथिनी के बच्चे की तरह होते हैं। शायद माननीय सदस्य समझ रहे हैं कि मध्य प्रदेश के गाय बैल बहुत कमजोर होते हैं। हमारे यहां मालवा के गाय बैल बहुत अच्छे होते हैं।

श्री० रणवीर सिंह : मध्य प्रदेश तो अब तक एक बहुत लम्बा चौड़ा इलाका है। उसमें मध्य भाग का भी हिस्सा है, पुराने मध्य

[श्री० रणवीर सिंह]

प्रदेश का भी हिस्सा है और विन्ध्य प्रदेश का भी उसमें हिस्सा है। मालवा के गाय-बैल अच्छे होते हैं, यह बात ठीक है।

14 hrs.

मुझे खुशी है कि इसमें यह प्राविज्ञन रखा गया है कि जो अपने पशुओं को अच्छी खुराक नहीं देगा, उस को सजा होगी। इसमें यह भी लिखा है कि जो बोर्ड बनेगा, वह ऐसी आरगनाइजेशन को बढ़ावा देगा, जो पशुओं की रक्षा और उन की नस्ल सुधार के बारे में काम करती है। मुझे इस में कोई ऐतराज नहीं है, लेकिन मैं यह निवेदन करना चाहता हूँ कि ऐसे आरगनाइजेशन इस देश में अब भी बहुत हैं, लेकिन वे जिस तरह से काम करती हैं, मैं समझता हूँ कि वे देश के हित के लिए नहीं हैं और न ही वे पशु-पालन के हित के लिये हैं। ऐसी आरगनाइजेशन के लिये उस बोर्ड को पैसा नहीं देना चाहिये। मैं चाहूँगा कि बेशक इस क्लब को निकाल दिया जाये, या उस को ठीक ढंग से ड्राफ्ट किया जाये। मैं चाहता हूँ कि बोर्ड का जितना रुपया खर्च हो, वह इस तरह की अच्छी संस्थायें बनाने पर ज्यादा खर्च हो, पशु और पक्षियों की नस्ल सुधारने और उनको जन्म से बचाने के लिए खर्च हो। यह भावना देश में काफी है और यहां तक कि मेरी राय में वह पशु और पक्षियों की नस्ल सुधार के खिलाफ जाती है। हमारे जैसे लोग, जिनके पास बड़े अच्छे पशु हैं और जो पशु की बड़ी रक्षा करते हैं लेकिन जब यहां पर हम उनकी बात को सुनते हैं तो हम भ्रमण होते हैं, उनकी बातों के खिलाफ कहने को। बन्दरों की यहां जब बात की जाती है तो हमें ताज्जुब होता है यह देख कर कि उनकी जो कथा है, उसको वे लोग भूल जाते हैं, दुकानदार लोग जब उनकी दुकानों के नज़दीक बन्दर आते हैं, तो उनको पास फटकने नहीं देते कि उनके दिल में हमदर्दी जाग्रत हो जाती है जब वे यह कहते हैं कि इनको क्यों मारा जाता है। हिन्दुस्तान के जो ७० फ़ीसदी

किसान हैं वे बन्दरों को देख करके इतना घबराते हैं और उनको मारने के लिये इतने उतावले हो जाते हैं कि कई बार उनको जब वे मारने के लिये गोली चला देते हैं तो इन्सान भी जल्मी हो जाते हैं। जहां उनकी भावनाओं की हमारे दिलों के अन्दर कद्र है और जहां हम उन्हें इस बात पर ऐतराज करते हुए सुनते हैं कि यहां से बन्दर क्यों अमरीका इत्यादि देशों को भेजे जाते हैं, इसके साथ ही साथ मैं उन्हें कहना चाहता हूँ कि वे जरा इस बात पर भी ऐतराज करें कि हमारे अच्छे बैल, अच्छी गायें, अच्छी भैंसें, जो कि मद्रास, कलकत्ता और बम्बई जाती हैं, उनको वहां क्यों कतल कर दिया जाता है। मुझे खुशी होती अगर वे इस बात पर ऐतराज करते और इसके बारे में कोई सुझाव देते। उन्हें चाहिये था कि वे बताते कि किस तरह से हिन्दुस्तान की अच्छी नस्लों को बचाया जा सकता है।

मैं इस बात से कभी सहमत नहीं हो सकता कि अच्छी नस्ल का जो फायदा है, दूध का जो फायदा है, वह कलकत्ता, बम्बई इत्यादि वालों को न दिया जाए और पशुओं के यहां से वहां ले जाने पर पाबन्दी लगा दी जाए। जिस तरह से अनाज के ऊपर कंट्रोल लगाना कोई बुद्धिमानी की बात नहीं साबित हुई है, उसी तरह से, जो लोग यह समझते हैं कि अच्छी नस्ल के पशुओं को यहां से मद्रास, कलकत्ता इत्यादि न जाने दिया जाए ताकि उनकी रक्षा हो सके, ठीक नहीं है और मैं उनके साथ सहमत नहीं हो सकता हूँ। लेकिन मैं चाहता हूँ कि इस बिल के पास होने के बाद जो बोर्ड बने, वह इस बात पर ज्यादा से ज्यादा ध्यान दे कि जो अच्छी नस्ल हिन्दुस्तान की आज कलकत्ता, बम्बई, मद्रास इत्यादि में जाकर खतम हो जाती है, वह खतम न होने पाये, उसकी रक्षा हो सके और इसकी तरफ और अधिक ध्यान दिया जाए।

जहां तक संस्थायें बनाने की बात है और उसके बारे में जो आपकी सब-क्लाज़ है, उसको मैं चाहता हूँ कि इस ढंग से बदला जाये जिससे कि प्रचार वाली बात तो निकल जाए और किस तरह से सही तीर पर अच्छी नस्ल वाले जानवरों की रक्षा हो सकती है किस किस्म की आर्गेनाइजेशन और संस्थायें इस काम को अच्छी तरह से कर सकती हैं, उस किस्म की संस्थाओं को बढ़ावा दिया जाना चाहिये और बोर्ड द्वारा उनको ग्रांट्स दिये जाने का प्रबन्ध होना चाहिये ।

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, Sir, I welcome this Bill not whole-heartedly but in a very cautious and experimental manner. It is a compromise Bill. It will not please those persons who are great humanitarians; it will not afford much satisfaction to those persons who are for scientific experimentation of all kinds. It will not, I am sure, be in conformity with those principles to which reference has been made on the floor of this House this morning. It will not also go as far as some of the humanitarian societies want us to go.

I feel that in this matter we have got to experiment. And, as the first experiment in this direction this Bill is quite good. I do not think this Bill is going to be the last word on the subject. It is the first word; and as time passes, I am sure, we will have improved and amended versions of this Bill.

I have nothing but congratulations for the framers of this Bill because they have done something which free India will need very badly. The Prevention of Cruelty to Animals Act of a very very limited nature and very very limited scope was passed in 1890. Though the country is rich in humanitarian traditions and in all kinds of spiritual traditions, nobody thought of amending this Act which was passed in 1890. It was left to free India to

appoint a committee to go into the question of prevention of cruelty to animals, to study the report which was presented by that committee and to bring forward a Bill which is more or less in conformity with the general recommendations of that committee.

If I remember rightly, the idea of having a committee came from my sister Shrimati Rukminj Arundale. It was she who made some kind of statement on the subject either in the form of a Bill or a Resolution and our Prime Minister said that the matter would be investigated properly. It was investigated and the result is this Bill.

There are certain aspects of this Bill which need a great deal of emanation. Cruelty is ingrained in human beings. There are all kinds of cruelty. If I may be permitted to say so, there are as many kinds of cruelty as there are kinds of human beings. So there can be many kinds of cruelty. If you prevent one kind of cruelty, the human being will invent another kind of cruelty. There are some countries which have specialised in the invention of torture. There are other countries which have specialised in the invention of different forms of cruelty.

Therefore, to have a comprehensive legislation on the prevention of cruelty is impossible, is beyond the scope of any human being, is beyond the scope of any human organisation and beyond the scope of any human pundit of law or framer of law. It is impossible. Still I say that some of the well-known forms of cruelty have been listed in this Bill. Some of the well-known methods of cruel treatment have been enumerated in this Bill. From that point of view, I think, this Bill goes quite far. But I despair about the human nature in spite of the fact that some persons make very eloquent speeches about animal welfare and about human welfare and all that sort of thing. Because, I know that if you want to prevent

[Shri D. C. Sharma]

cruelty in one form, human nature will think of some cruelty in another form. Therefore, though this legislation is limited, it is good. The fundamental problem for us is to eradicate cruelty from human nature. How can that be done? I think all the prophets of all the religions have tried to do that; all the sages and saints have tried to do that but cruelty has persisted. I was happy to hear the hon. Minister talk about a nagging wife and how she was turned into a docile wife by the care that she took of a cow. It is a very great recipe to be remembered by those who have a nagging wife. Luckily I have no wife and therefore, this recipe may not be of any good to me. But I must say that we have to take into account the harmonising influence of our contact with animals and birds. This education has got to be taken in hand. A man, when he is dealing with a man or a woman, has one face but when he is dealing with an animal or a bird has a different face. But we have got to tell people that contact with the cow or the horse or even a monkey or a bird of a sparrow is one of the greatest form of educations in sympathy, understanding and compassion. The contact with a bird or an animal is much more useful from that point of view than 100 lectures given on the value of sympathy and other such allied matters. Therefore, the problem is more educational than penal.

But I believe that so far as the penal provisions of this Bill are concerned, they are utterly inadequate and insufficient. It looks to me as if we had forged a toy gun in order to kill an elephant. This Bill is called the Prevention of Cruelty to Animals Bill and I look upon it as a Bill which is more educational. People know what kind of cruelty is being practised. All of us may not know all these things. But after reading this Bill we will come to know what kind of things are being done against our animal kingdom, bird kingdom and against other kingdoms with which we

have more close and intimate relationship. But I would say that the framers of this Bill have done it in a half-hearted manner. They have listed all the forms of cruelty and given all kinds of details about those things but so far as the punishment of those persons who practise this sort of cruelty on animals is concerned, their hands have trembled and their conscience has faltered and their pen has not been dipped in the proper kind of ink. Do you mean to say that you can prevent cruelty to animals by prescribing a fine of Rs. 50? Certainly not. Again, do you think that you can prevent cruelty to animals by having an Animal Welfare Board with a magnificent allocation of Rs. 25,000. It is a big joke; it is a big farce.

I would, therefore, say that this Bill has got to be tightened up so far as penal clauses are concerned. It must have more substance in it so far as the allocation of funds for animals welfare is concerned. Our animal population in this big country is very great. I am not going into the relative merits of the cows of Rohtak and the cows of M.P. The cow-keeper knows the value. I used to be a cow-keeper at one time before the Partition. Afterwards I have ceased to be a cow-keeper; it is very unfortunate. The cow-keepers can dwell upon the relative advantages of the cow of one region or another region. To me all cows are good, sacred, whether they are lean or fat, small like myself or big like somebody else. I do not distinguish between one kind of cow and another kind. It requires a great deal of human ingenuity to say that you feel unhappy when a cow from one particular region is slaughtered and that it is so—so when a cow from some particular region is slaughtered. I do not subscribe to this kind of humanitarianism; it is abuse of humanitarianism. All the cows and all the animals are the same in my eyes whether they are of standard weight or not of standard weight.

If a census were taken, our country will be found to be very rich in cattle wealth. I think our hon. Deputy Minister. Shri Krishnappa, will be able to give you those details. Even if we go to the other regions, we will find that a cow is essentially a part of the household. I have seen persons without wives, without children, persons whose solace and comfort is a cow or a goat or some other animal.

Therefore, to say that you are going to have an Animal Welfare Board with the princely allocation of Rs. 25,000 to look after the cattle wealth of this country is a joke upon the Parliament, a joke upon the cattle of India and a joke upon the countrymen of India.

Shri M. V. Krishnappa: We have provided Rs. 37 lakhs in the Third Plan.

Shri D. C. Sharma: But look at the functions of the Animal Welfare Board—I think the hon. Minister has provoked me. The Animal Welfare Board has more functions than any similar organisation. It has a long list of functions; yet, how is it going to be constituted? It is going to be an official Board. I would say that this Board should have more of the elected element in it than of the nominated element.

Look at the duties that this Board has to perform. We begin with (a) and come to (k). All these duties will be performed with the help of Rs. 25,000 which the Ministry of Food and Agriculture has doled out to it out of its great sense of generosity for the animal world. I would respectfully say, "if you want to have an Animal Welfare Board have it in the real sense of the word". If you give it powers, give it also the wherewithal to discharge its powers. If you allot certain functions to it, give it also the capacity to be able to fulfil those functions. You are saddling it with so many functions without giving the

right kind of subvention for carrying out those things.

So, Sir, this Bill is good so far as it goes; but, so far as the constitution of the Animal Welfare Board is concerned it is faulty, and though it is all right so far as the functions of the Board are concerned it is very inadequate so far as the fulfilment of those functions in concerned.

I am glad that cruelties to animals have been studied in detail. But you ask a man to pay a fine of Rs. 50 if he practises cruelty on animals. I would say that cruelty is cruelty whether it is practised on man or on animals. In fact, I would say that cruelty practised on animals should be punishable to a greater extent than cruelty practised on man. A man can wreck his vengeance against a man, a man can stand up against a man, a man can be vocal against a man, but animals cannot be vocal against a man. You have to see the different forms of cruelty before you come to think of it. Therefore, I would request the Joint Committee to make the punishment as deterrent as possible.

Sir, our experience of social legislation is that soon it becomes a dead letter, and that it is very seldom that social legislations are implemented as fully and as vigorously as possible. I am sure that this thing is going to happen to this Bill also. I would, therefore, very respectfully submit that the punishment should be made as deterrent as possible. For 1,000 cases of cruelty you will be able to detect one; perhaps, I would say, in 10,000 cases of cruelty you may be able to detect one. If you detect one case of cruelty out of 10,000 such cases and send that man away with a fine of Rs. 50, I think you are not doing justice to the animal kingdom about which the hon. Minister spoke so eloquently.

I, then, come to the question of persons who are to carry out the functions of this Bill. For instance,

[Shri D. C. Sharma]

I think, a lot of power has been given to sub-inspectors of police. I have nothing to say against sub-inspectors of police; I think that they should have that power. But I would respectfully submit—and that was represented to us also when the Committee went round—that for this purpose you should not make use entirely of our police but you should draft into service also those persons who are interested in this kind of work. I would not mind if Members of Parliament, if Members of Legislatures, if municipal councillors, if members of panchayats are given some kind of right to bring to light cases of cruelty to animals and to have those persons apprehended who practise any kind of cruelty. How many sub-inspectors of police do we have in this country? I do not know; I think there are not many sub-inspectors of police. And, how many of them are going to discharge their duties properly so far as this thing is concerned? This cruelty is being practised everywhere, and I am glad that they have defined this in one of the clauses.

Therefore, if you want to put teeth into this Bill, if you want to make this Bill fully operative, you must take ample use, very big use of those members of the public who are interested in this kind of thing. You may invest them with some kind of authority, some kind of power, so that they become active agents in this country for promoting welfare.

One thing more. So far as experimentation of animals is concerned, I think the provisions that have been given in this Bill are such as will not make this experimentation a reckless affair. They will not make this experimentation an affair which smacks of cruelty. I think due precaution has been taken, and I am glad that the framers of the Bill have drawn upon the experience of the Committee in doing that kind of thing. At the same time, they have a safeguard that they will have a Com-

mittee and that Committee can inspect the institutions concerned and see whether those are doing this kind of thing or not. An hon. friend over there referred to an institute where he said that buffaloes were being used for some kind of experimentation. I do not know what that means, but I say that we have got blood banks all over the world where human beings donate their blood for the good of other persons and I do not see any reason why this experimentation should not be carried on in those circumstances which are free from the tinge of cruelty.

Most of the persons who earn their livelihood by making use of these performing animals are illiterate persons. They belong to a certain class. They may be called nomads or by any other name, but they are there all over the world. In fact, I went to one country and I saw a gentleman making use of a performing bear. I asked the people of that country from where that gentleman had come. They said that he had come from India. They think that all persons who go with performing animals belong to India. These persons may do certain undesirable thing—I do not know—but they are illiterate and this is the only source of their livelihood. Therefore, the registration in this case should be made as easy as possible. I do not say that they should not be registered; they should be registered, but the registration should be made as harmless as possible. They should not be harassed. They should not be victimised by those persons who think themselves to be the guardians of law and order.

One thing which has not been provided for in this Bill is this. I think there must be a different law for that, and I feel that this aspect of the matter should have been dealt with in greater detail, though it may have been dealt with in lesser detail. I refer to the question of hunting and shooting. My hon. friend the Minister will say that they have other Bills

on this subject. There are, but in order to make this Bill as comprehensive as possible, something should have been about that aspect of the matter also.

Then I think that the onus of transport of these animals and birds should not merely be on the owners but on the agencies of transport such as the railways. The onus should be placed on the railways and other agencies engaged in transportation and something should be done in this respect also.

Something has been done so far as the *phooka* business is concerned. This business is being so much abused that men like me feel very humiliated and unhappy when they think of it. I think the provisions in regard to this Business are good.

I think this Bill will do something to educate the public. But I would say that proper education will come not only through this Bill but also by making the provisions of the Bill known to the schools and the colleges and to the general public. I suggest that out of the money that is allotted for the Animal Welfare Board, a big chunk should be set apart for propagating the ideas contained in this Bill. This is education, but what is the kind of education that is needed in this country? As it is, we all pay lip sympathy to animals and birds. The real education that our country needs is this: that we are not always to look at the animals and the birds from the utilitarian point of view.

The hon. Minister was right when he said that in other countries man eats the cow but in our country the cows are eating men. It is true. Why? Because, as soon as the cow ceases to yield milk, in spite of all the fine things that we say about her, we turn her loose and she becomes a stray cow, and then what happens? I do not want to describe it. Therefore, on the one hand, we have to look at the animals not only from the

utilitarian aspect but also from the humanitarian aspect; we should look at them not only from the aspect of increasing our knowledge but more than that, our countrymen have got to be educated and made to realise that they should look upon these animals and birds as friends.

The other day I was reading a sad account of the sad and untimely death of the Governor of one of our States. It was a sad thing that I read about in the papers. What did I find? A bird, a small *mina*, was talking; it was asking the Governor to rise. What I mean to say is, when a small *mina* can enter into our feelings, we human beings do not know how to enter into the feelings of those animals and birds, and it is that aspect of the matter which needs our attention.

I hope that this Bill will go at least a very small way in educating the public and I feel that this Bill is the first of its kind. I hope after two or three years we will have an amended Bill which will be more comprehensive and which will give a more deterrent punishment to those who inflict cruelty on animals.

Shri Prakash Vir Shastri rose—

Mr. Deputy-Speaker: Shri Prakash Vir Shastri is on the Joint Committee, I suppose. Shri Warrior.

Shri Warrior: I have to make only a few observations, because the Bill, as it is, is a welcome measure. We do not want any cruelty to be shown against anybody; we do not want any cruelty to be shown not only to the animals and birds but also to the plants. But when we implement the provisions of the Bill, will there be cruelty to the people who are having animals or birds? That is a very crucial question in our Indian conditions. I am not against the laudable objects of the Bill. The objects are good. But when we come to implement the provisions of the Bill, the difficulty arises.

For instance, Shri Naushir Bharucha referred to the killing of animals for

[Shri Warior]

experimentation. Apart from that, the Deputy Minister of Agriculture said in his speech that this Bill is going to be extended not only to the urban areas but to the countryside. That is the real object of the Bill. There are two concepts in this Bill for the prevention of cruelty to animals. The western countries have a different concept from ours. In the western countries also there are Bills of this type. The United Kingdom and other countries have got such Bills, but their concept is to free the people from the troubles that these animals are creating.

For instance, even in India, when the British were here, and when they went on leave or left the country for good, they used to put their dogs in a paddock or in a cell, administer electric shocks or something and kill them. That is not considered cruelty. That is considered most humane, because they used to think that the dogs would become stray dogs. Further, they did not feel like taking their dogs to the United Kingdom, to their homes abroad, especially by paying high fare in the ships or the aeroplanes.

In Malaya and other places where there is a predominantly Chinese population, there is a method of killing these animals for the sake of pork, beef and other things. They send the animals for electrification. That is not considered as a cruelty there. So, the concept of cruelty in the western countries is quite different from the concept of cruelty in our land. Here we have our traditions. Apart from the Muslim traditions, we have our Indian or Hindu traditions and also the Buddhist traditions.

Now, all killings are not considered as cruelty. From time immemorial, in our parts of the country, especially the Namboodiri brahmins used to have *yagas* where the goats are killed. How they are killed is rather peculiar. Some people are engaged

in it. They close all the holes of the beast—the mouth, the eyes, the ears and the rest. They close all the *navadwaras*, the nine holes, that the animal has. Then, by simply making the animal suffocate for hours together, they kill it. It cannot be killed by any instrument for the purpose of the *yaga*. That is their theory. I do not know whether they got it from the Vedas or whether it is their own invention. Afterwards, what is supposed to be the best portion of the animal is taken out, burnt, roasted and the Namboodiri performing the *yaga* eats it. This is not considered as a cruelty. Namboodiri brahmins are supposed to be complete vegetarians. They are not supposed to eat even fruits and vegetables which are supposed to have been transported by the ships over the seas. For instance, they do not eat the cashew-mangoes, onions, etc. But such orthodox people use the meat of the goat in the way I mentioned.

So, the concept of cruelty must be there, but all these things must be considered. What is the position in the countryside today? This is a Bill for the prevention of cruelty to animals. I would suggest that the prevention of cruelty be applied to semi-animals and not to man. Man may look after himself. But there are semi-men, because, according to the Hindu shastras, he who has no knowledge is an animal: विद्या विहीन पशु. Our people are only seven per cent. or eight per cent. or ten per cent. literate. All the illiterates are *pashus* according to the Hindu Code. So, these *pashus* must also be protected from cruelty.

Shri M. V. Krishnappa: Literacy is not *vidya*. A man may be literate but he may not possess *vidya*. Literacy is something different from *vidya*. *Vidya* is something more than literacy.

Shri Warior: *Vidya* can be reduced or extended. I do not know whether literacy cannot be called *vidya*. Anyhow, we are not considering that *vidya*, but *vidya* for livelihood.

Shri Achar (Mangalore): It is not *vidya* at all, if I may interrupt.

Shri Warrior: In our country, *vidya vihinas* are *pashus* and they are living in conditions of that type.

Pandit Thakur Das Bhargava: May I know which *Shashtra* says that *vidya vihinas* are *pashus*? We have heard धर्म विहीनः पशुः ।

Shri Warrior: Some *Dharma Shashtra* or other. I do not remember the name. I did not know that I have to quote it here.

Shri Achar: संगीत सहित्य कला
विहीनः साक्षात् पशुः ।

Mr. Deputy-Speaker: It is in *Hitopadesh*.

“आहार निद्रा भय मैयुनंच सामान्यभेतत्
पशुभिः नराणाम् ।
धर्मो हि तेषाम् अधिको विशेषो धर्मेण
हीनः पशुभिः समानः ।”

श्री च० का० भट्टाचार्यः धर्मेण हीनः
पशुभिः समानः ।

Mr. Deputy-Speaker: Then too there is as much a percentage as he says; more than that perhaps.

Shri C. K. Bhattacharya: The percentage will be greater.

Shri Warrior: I am thankful to you for the quotations. Anyway, that is already imbedded in our literature and in our *Shastras*. So, what I mean to say is that 70 to 80 per cent. of our population are the peasants and they are the people who are keeping these cows, dogs and other animals. How are they living? How are they treating their own children? How are they treating their own kith and kin? That question also comes. When *Shri Krishnappa* wants the cows to be protected, fed, watered, nurtured and sheltered, what about the shelter of the peasants? Where will he shelter himself? Now, in every peasant household, the father and, if the mother is alive, mother lie on the

same cot and the daughter and the son-in-law lie under the cot. In such a place where is shelter to be given to the animals?

Then, it is said that they must be watered. In *Shri Krishnappa's* own place, in *Cuddappa* district and the ceded districts of *Rayalaseema* hundreds of thousands of people get drinking water only quinquennially, that is to say, once in every five years. So, they migrate *en masse* to those places where there is rain or drinking water. Many of them have come to *Kerala* also. I have seen thousands of *Telugu* people coming to our place and living under trees, in railway quarters, railway compounds and such other places. Such people take their cows also with them. If they are going to be penalised under this Act, over and above their migration difficulties, I do not know where it will lead to.

Mr. Deputy-Speaker: They will have to take their cows with them.

Shri Warrior: Then it will be a problem for the *Railway Minister* also. Now, they are travelling ticketless. Then cows will also be travelling ticketless. This is a real problem. I am not posing any hypothetical question.

Apart from that, there are so many difficulties. There is the question of feeding the animals. What is the position of fodder? The *Deputy Minister*, *Shri Krishnappa* himself, had answered questions in this House that unless stray cows are eliminated somehow calmly and without cruelty, the existing cows could not be fed. The milch cows cannot be fed, because the fodder position is very bad and we have to import it in large quantities. Still, we tell the peasantry: you must feed the animal well, water it well and shelter it well. Where is the realism in this? That is the question which we have to discuss. Now, there are penal clauses also in the Bill. Any police officer can go and search any hutment and get hold of anybody. Of course, he

[Shri Warrior]

will be released in the ordinary way. If he is convicted, the penalty is Rs. 50.

All those points have to be gone into from the point of the people, crores and crores of our peasantry, impoverished people, who do not have the means to give their children two meals a day. First of all, they have to be sheltered and fed. Then, what are the water facilities in the villages? Would they realise these things? Simply importing certain ideas, and I have no doubt that this is importation of an idea from western countries....

Shri M. V. Krishnappa: It is there already in the old Act.

Shri Warrior: I know the old Act. It must be scrapped. It had its own objective under the British. The British who preach prevention of cruelty to animals had butchered more of our cows, buffaloes and bullocks for their own eating, for getting beef. Nothing deterred them from doing that. It was for that purpose that they passed that Act. Still, they went on hunting. So, they passed that Act for their own interests, their own pleasures.

I am not against the object of the Bill. In the beginning itself, I have said that. According to the Hindu concept, you must not cut certain trees on certain days. *Vana Mahotsava* is not a new thing. It is an old thing according to the Hindu literature. But now when you ask for *Vana Mahotsava* and prevention of cruelty to animals, you are importing new legislation with the concept which the westerners had. That is my contention. If it is an eastern concept, then there is no objection.

So, in my opinion, first of all you have to make the position amply satisfactory for our peasantry who are keeping these cattle. For example, there is a provision that one should

not chain an animal or tie it with a rope or anything of that sort. I have seen convicts being transferred from one lock-up to another, from one jail to another. Our people in the South do not have this system there. So, whenever a convict is taken from Delhi to, say, Madras or Kerala, then all the people gather to see him, because they think it is a new sort of *orang-utan*. *Orang-utan* means man-monkey—*orang* means man and *utan* means monkey. In such a country, where these things are happening, it is absurd to say that an ordinary animal should not be tied with a rope. Now, what is happening is that cruelty is shown more to the people than to the animals. Of course, I do not want cruelty shown to animals. I do not want the goats to be brought here and slashed. I do not want experiments about the sharpness of the sword or some knife on the throat of a goat. I do not want that. At the same time, I do not also want the people to be harassed on that account by extending the provisions of this Act.

As can be seen from clause 11 of Chapter III, it is very difficult to define "cruelty to animals", as other hon. Members have also observed. It is true. We had been practising kindness to animals from times immemorial. Why not take a leaf from that and learn how we had been practising kindness in our country? In our country, in places where water is plenty—in Kerala we get 120 inches of rain—we build granite tubs in every place on the road and fill them with water for the stray animals to drink water.

The Europeans do not want stray animals. There is no crow in Singapore. Why? In Malacca, there are crows. Malacca is only a few miles from Singapore. The reason why there is no crow in Singapore is because the Britishers and the Europeans do not want them. They are shot away.

We have no monkey in my own, Trichur. Why? Because we exported them and because we did not want them. That is not cruelty. That animal is showing more cruelty to us than we are doing. Even in South Avenue and North Avenue, we have more cruelty from the monkey than we are showing to the monkey. (Interruption). There are more monkeys in North Avenue than in South Avenue. So, that aspect also must be considered.

Mr. Deputy-Speaker: Is Shri Verma not there?

Shri Warrior: I do not know whether there is caste system among the monkeys to make them Vermas or Sharmas.

Mr. Deputy-Speaker: I did not mean that. Our hon. Member, Shri Verma, was advocating here for the preservation of monkeys. I thought he was living there in North Avenue or in South Avenue.

Shri Warrior: He can preserve them in some museum. Why should they be let loose?

श्री रामजी वर्मा : साउथ ऐवेन्यू में बन्दरों की कोई तकलीफ नहीं है ।

Shri Warrior: I do not know Hindi.

Mr. Deputy-Speaker: He says that he is living in South Avenue where he does not feel any trouble from the monkeys. Monkeys are so kind to him that they do not give him any trouble.

Shri S. M. Banerjee (Kanpur): They serve as servants.

Shri Warrior: This might be his feeling.

Shri M. V. Krishnappa: They pick up Communists only.

Shri Warrior: Not only Communists, but pucca Congressmen also. Their dhoti is not different from ours for

the monkeys. Monkeys interfere in the houses of Congressmen also and not only in the houses of Communists.

Mr. Deputy-Speaker: Is he going to conclude now?

Shri Warrior: Now, it says: .

"beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal....".

Our half-starving peasant has a bullock cart. A half-starving person will have only a quarter or three-quarters starving bullock. Without beating it will not walk. What can you do? If it is employed in ploughing, it will lie down. What can be done? No beating, no kicking. Then, the plough will not be there and all Shri Krishnappa's programme of agriculture will go phut. Ordinarily, any man knows that the cow is his own property, the bullock is his own property....

Mr. Deputy-Speaker: When I read that I also felt like that, though it is not for me to say that.

Shri M. V. Krishnappa: It is not done deliberately. It is already there in the old Act and it has not created any trouble.

Mr. Deputy-Speaker: For a peasant to be punished if he beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal, it will be too harsh certainly. Then, he should only worship, I suppose.

Shri M. V. Krishnappa: If he does it wilfully.

Shri Warrior: The authorities who are going to see that these clauses are implemented are the Police who spare no batons on our backs. Those are the people to implement this and not I or Shri Sharma or Thakur Dasji. We will not beat people. But those people who are handling batons on the backs of people are to implement

[Shri Warior]

this. For beating a bull, I may get many a beating. What shall I do? So, I must say that it is the most unrealistic way. I do not know the legal quibblings. I do not think that this is the way to prepare a Bill with such a laudable object. They must be realistic if the intention is to implement it and if it is in the interest of our people and our country.

Then it says:

"Keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord;"

Is the cord round the human being, who might be convicted for a crime and may be acquitted also the next moment, permissible here? If that is permissible, why an unruly animal cannot be chained or tied with a cord? I cannot understand this.

Then again it says:

"without reasonable cause abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst;"

Starvation and thirst are simple words and simple sentiments to be expressed in this land of starvation and thirst! You are worried about starvation and thirst for animals. But what about starvation and thirst and famine conditions in many parts of India for people? It is so unrealistic. I do not know whether the framers of this Bill were living in this world, on this rough earth or somewhere else.

Then, the penal clauses are there. Clause 32 says:

"If a magistrate of the first or second class or a presidency...."

I will tell you that in my experience of the last 25 or 30 years of public life. I have found that if you unnecessarily give any authority to a coercive

apparatus of the Government, surely you will see corruption on the one side and harassment on the other. I will tell you a funny story. The former His Highness the Maharaja of Travancore was approached by a simple man to get a job. The Maharaja jokingly said, "Go and count the waves in the sea". The man just went to the sea-shore and stood there. A ship was coming. He said, "Do not come. You are disturbing the waves. The Maharaja has ordered me to count them. You cannot disturb the waves." The people on the ship said, "Are baba, we cannot do work then." So, he said, "All right. You give me Rs. 500." So by and by, he collected a huge amount and one fine morning, the Maharaja saw a huge palatial building rising just in front of the Maharaja's palace. He asked his minister as to whose building was this and the minister said, "My lord, it is the building of that man whom you employed to count the waves in the sea."

Now, a policeman goes into the hut of an ordinary peasant, makes a search and takes away his cow. What will be the result? It is a simple question in this land. We are not Harishchandras. What is the result? I do not impute any motive. The position of a constable is also that. Over and above all that, the Pay Commission's report is withheld for so many days. He cannot but get some extra money. You may term it illegal, but it is quite legal for him because he can then have a square meal. I do not subscribe to that attitude at all. I do not encourage that. But that is the position. That is the real condition here. That is what I making out. Eliminate that condition and you can have this.

Then, under clause 33 there is another general power of seizure, examination and what not. And all this in the name of cruelty to animals and not cruelty to semi-animals! There are semi-animals also. I ask

Shri Krishnappa: what is the position of a rikshaw-puller in our land? Is he not an animal—at least a semi-animal?

Shri M. V. Krishnappa: I have no objection to the hon. Member bringing an amendment defining an animal as a man also.

An Hon. Member: Man is an animal.

Shri Warrior: I am not speaking of man but of a semi-animal, the semi-animal kind of life of an illiterate rikshaw-puller. Is he nourished? Is he fed? Is he given his wages? Is he not beaten here? I have seen gentlemen sitting in the rikshaws for want of more speed kicking the rikshaw-puller with their feet. I have seen that. I will give evidence before this Joint Committee about those rikshaw-pullers, who have actually had it. You take your chappals and beat them in their face. Where is an Act for them? Where is the prevention for them? Where is the board for them? In such a situation, I will put these facts, these general questions before the Joint Committee and I hope the Joint Committee will give its considered opinion about all these things and make the necessary amendments.

Some hon. Members rose—

Mr. Deputy-Speaker: Now it is three o'clock. We might take up the other business now.

15 hrs.

Motion Re. REPORT OF SANSKRIT COMMISSION

Mr. Deputy-Speaker: The House will now take up further consideration of the motion moved by Shri Supakar on the 5th May, 1959, namely:—

"That this House takes note of the Report of the Sanskrit Commission, 1956-57, laid on the

Table of the House on the 28th November, 1958."

and also of the amendment moved by Shri Vajpayee—

That at the end of the motion, the following be added, namely:—

"and recommends that steps be taken to make study of Sanskrit compulsory at the Secondary stage."

Time originally allotted was 8½ hours, but the discussion has already gone on for 5 hours and 23 minutes on the 5th, 6th and 7th May, 1959.

May I know how many hon. Members there are yet who want to speak on this?

Some Hon. Members rose—

Pandit Thakur Das Bhargava (Hissar): I had just commenced.

Mr. Deputy-Speaker: Pandit Thakur Das Bhargava was on his legs. Shri Prakash Vir Shastri has spoken. Does he want to speak twice? Three, four....

Shri C. K. Bhattacharya (West Dinajpur): I want two or three minutes.

Mr. Deputy-Speaker: I would not restrict him to that limit.

Some Hon. Members: He has spoken.

Mr. Deputy-Speaker: He has also spoken; he took 24 minutes.

Shri C. K. Bhattacharya: That is why I humbly suggested two or three minutes. I assure you I shall not exceed that.

Mr. Deputy-Speaker: We shall have to change the rules. That would take a long time before I can allow it.