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MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

NOTIFICATION

New Delhi, the 26th March, 2001

S.O. 267 (E). - Whereas the draft **Performing Animals (Registration) Rules, 2000** were published, as required by sub-section (1) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), under the notification of the Government of India in the Ministry of Social Justice and Empowerment number S.O. 1162 (E) dated the 26th December 2000 in the Gazette of India. Extraordinary, Part II, Section 3, Sub Section (ii) dated the 27th December, 2000 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the Gazette containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the 1st January, 2001;

And, whereas no objection or suggestion has been received from the public in respect of the said draft rules by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, namely :

1. **Short title and commencement :**

   (1) These rules may be called the **Performing Animals (Registration) Rules, 2001.**

   (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions** : In these rules unless the context otherwise requires -

   (a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);

   (b) "Board" means the Animal Welfare Board of India, established under section 4 and as reconstituted from time to time under section 5A of the Act;

   (c) "film" means a cinematograph film as defined in the Cinematograph Act of 1952 (37 of 1952);

   (d) "fitness certificate" means a certificate granted by a veterinary doctor to be nominated by the prescribed authority certifying the health and fitness of the animal;

   (e) "owner" means the owner of an animal and includes any other person in possession or custody of such animal whether with or without the consent of the owner;

   (f) "ownership certificate" means a certificate granted under section 42 of the Wildlife (Protection) Act 1972 (53 of 1972);

   (g) "prescribed authority" means the Board or such other authority or officer as may be authorised by the Board;

   (h) "performing animal" means an animal which is used at or for the purpose of any entertainment including a film or an equine event to which the public are admitted;

   (i) "schedule" means a Schedule appended to these rules;

   (j) "veterinary doctor" means a person registered with the Veterinary Council of India established under the Indian Veterinary Council Act, 1984 (52 of 1984).

3. **Application of registration :**

   (1) Any person desirous of training or exhibiting a performing animal shall, within thirty days from the commencement of these rules, apply for registration to the prescribed authority and shall not exhibit or train any animal as a performing animal without being registered under these rules.

   (2) Any person desirous of exhibiting or training any performing animal shall apply for registration in the form of application set out in the **First Schedule**.

   (3) Every such application shall be made to the prescribed authority.

4. **Fee and registration :** Every application for registration shall be accompanied by a fee of Rupees five hundred which may be paid either in cash or in such other manner as may be specified by the Board for this purpose.

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5. **Power to call for additional information :**

(1) The prescribed authority may call for such additional records and information as it may deem fit from the applicant in respect of the particulars furnished by it.

(2) If the prescribed authority is satisfied about the proposed performance and the method to be adopted for the training of such animals by the applicant it may grant registration.

(3) The prescribed authority while granting registration may impose such other conditions, as it may deem appropriate for the training and upkeep of such performing animals.

6. **Form of certificate of registration :**

(1) The certificate of registration shall be issued by the prescribed authority in the form set out in the **Second Schedule.**

(2) Every registration shall be given a serial number in a order in which it is made, and it shall be indicated in the certificate of registration.

7. **Prior information for use of performing animals in films** : -

(1) Every owner desirous of hiringout or lending a performing animal in the making of a film shall give prior information in the format as specified by the prescribed authority for this purpose to specifying the kind of animal, age of animal, physical health of the animal, the nature of performance to be done by the animal, the duration for which the animal shall be used for such performance, the duration and method of training of the animal for such performance and justification for the use of such animals in the film and such other information as may be required by that authority.

(2) Every such application shall be accompanied by a fitness certificate issued by a veterinary doctor certifying the health and fitness of the animal along with a ownership certificate in case of animals covered under the wildlife (Protection) Act, 1972 (53 of 1972).

8. **General conditions for registration**

(1) The prescribed authority while granting registration may impose such terms and conditions as it deems appropriate and shall impose the following conditions in granting registration, namely :

i. every owner who has ten or more such performing animals shall have a veterinarian as a regular employee for their care treatment and transport.

ii. the owner shall not transport such animals by road continuously for more than 8 hours and except in cages admeasuring as specified in the **Fifth Schedule**;

iii. the owner shall ensure proper watering and feeding halts during such transportation;

iv. the owner after transportation shall provide feeding and retiring enclosures in respect of the animals specified in the **Sixth Schedule**;

v. the owner shall ensure that any animal is not inflicted unnecessary pain or suffering before or during or after its training or exhibition;

vi. the owner shall not deprive the animal of feed or water in order to compel the said animal to train or perform any trick;

vii. the owner shall train an animal as a performing animal to perform an act in accordance with its basic natural instinct;

viii. the owner shall not make a performing animal perform if it is sick or injured or pregnant;

ix. the owner shall ensure that no sudden loud noise is deliberately created within the vicinity of any performing animal or bring an animal close to fire, which may frighten the animal;

x. the owner in case the performing animal is to be exhibited under artificial light, the overall intensity of such light shall not be more than 500 LUX;

xi. the owner shall not subject the animals to any action which may either kill or injure or use the animal in scenes which may cause injury to the animals;

xii. the owner shall not use any tripping device or wires or pitfalls for such animals;

xiii. the owner shall not expose any animal to either burning fire or to fire accidents;

xiv. the owner shall not keep any animal including horses in close proximity while shooting scenes involving explosives or other loud noises;

xv. the owner shall ensure that props such as spears, nails splinters, barbed wires and other such props shall not cause injury to the animals during the performance;

xvi. the owner shall ensure that the equines are not made to walk on hard surfaces without being shoed and shall further ensure that the animals are not used in downhill slides or rodeo slide stops without proper skid and hock boots;

xvii. the owner of any equine shall not use any whip other than an air cushioned shock absorbing whip which has been scientifically tested to prove that it will not cause weals, bruising or other damage to the horse and subject to the conditions that (a) the whip shall not have raised binding, stitching, seam or flap. (b) the whip shall be used by licensed jockeys only. (c) the owner shall also ensure that the whip is not used other than either on the quarters in either the forehand or the backhand

position or down the shoulder in the backhand position or use the whip with the arm above shoulder height. (d) the whip shall not be used more than 3 times in a race;

xviii. the owner shall ensure that the animal is not used on floors that are very smooth without the use of non-skidding mats;

xix. the owner shall ensure that large gathering of animals is not allowed in such a way which may cause or result in stampede to the animals;

xx. the owner shall ensure that the animal is not made or incited to fight against other animals and shall further ensure that sedatives or tranquillisers or steroids or any other artificial enhancers are not administered to or inserted in any animal except the anaesthesia by a veterinary doctor for the purpose of treatment of an injured or sick animal;

xxi. the owner shall ensure that the animal shall not be transported or be kept or confined in cages and receptacles which do not measure in height, length or breadth as specified under the Transport of Animal Rules, 1978, the Recognition of Zoo Rules, 1992 or under any other Act, rule or order for this purpose;

xxii. the owner shall ensure that the animal is not continuously used for excessive number of takes in shooting a film without providing adequate rest to the animal and in the event of a snake being used it shall not be made to ingest any substances or made to crawl across tarred or any other heatened surface and shall not be contorted to wrestle;

xxiii. the owner shall ensure that while using an animal in shooting a film, the fight sequence shall not be shot in any livestock holding area including poultry area and shall further ensure that no birds are shown in cages;

xxiv. the owner shall inform the prescribed authority at least four weeks in advance informing the place, date and time of the actual making of the film wherein the animal is to be used;

(2) The prescribed authority may also impose such other conditions for the grant of registration as may be deemed appropriate to it for the welfare of animals.

9. **Register** - Every person to whom a certificate of registration is issued under these rules shall have his name entered in a register which shall be kept in the form set out in the **Third Schedule**.

10. **Inspection of register** - The register kept for the purpose of these rules shall be open to inspection during office hours on any working day on payment of a fee of twenty rupees and any person may take extract therefrom or may require the prescribed authority to issue to him a certified copy of any entry made therein on payment of a fee of fifty rupees.

11. **Application for variation of entries in register** - Every application for the variation of any particular entered in the register maintained for the purpose of these rules shall be in the form set out in the **Fourth Schedule** and when any particular is varied the existing certificate of registration shall be cancelled and a new certificate be issued.

12. **Submission of report by veterinary doctor** - Every person who has been granted registration under these rules shall ensure that a monthly report of all the performing animals in the form to be specified by the prescribed authority in respect of their health, deaths and births duly certified by a veterinary doctor is submitted to the prescribed authority on or before the 7th of every succeeding month.

13. **Prohibition on exhibition and training of specified performing animals** - Performing animals whose performance has been prohibited under sub section (2) of section 22 of the Act shall not be trained or exhibited as a performing animal.

14. **Power to inspect** -
(1) The prescribed authority may depute an officer or authorise any other person, to inspect the mode of transport, care and upkeep of the animals, or to be present at the time of training or exhibition of the performing animals or during making of a film to ensure that the conditions of registration are being complied with.
(2) The owner shall not obstruct the entry of such officer or authorised person and extend all possible assistance to enable him to discharge his duty.

15. **Report of inspection** - The officer deputed or person authorised under rule 14 shall after inspection submit a report to the prescribed authority about the compliance of the rules and the conditions as specified by the prescribed authority.

16. **Cancellation of registration in respect of which registration has been granted :**
1. Every animal in respect of which registration has been granted under rule 5 shall be exhibited and trained subject to the conditions of registration and these rules.
2. Every animal in respect of which registration has been granted under rule 5 shall be exhibited for a film subject to the conditions of registration and these rules.
3. The prescribed authority in the event of breach of any of the conditions of registration under rule 5 or

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any provision of the Act or the rules made thereunder may suspend the registration pending enquiry and after granting an opportunity of hearing revoke the registration so granted or issue such orders or directions as it may consider proper for the welfare of the animals.

17. **Issue of duplicate copies of certificate** - Any person who has been granted registration under these rules may, on proof by him that the original certificate of registration has been lost or destroyed and on payment of a fee of one hundred rupees, be given a duplicate copy of the certificate of registration which for the purposes of these rules shall have the same effect as the original certificate of registration.

FIRST SCHEDULE

Form of Application

(see rule 3 (2))

I, the undersigned, do hereby apply for registration under the Performing Animals (Registration) Rules, 2000 and do hereby declare the following particulars to be true and complete to the best of my knowledge and belief

Signature _____

Date _____

Address to which order of approval is to be sent

_____

_____

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PARTICULARS

1. Full Name of applicant (in block letters)
2. State name (if any used in India)
3. Nationality
4. Either (a) address of fixed place of residence in India. and (b) the postal address in India to which letters may be forwarded.
5. Address or address (if any) in India, other than temporary addresses while on tour at which applicant trains or intends to train performing animals (If none, write "None")
6. State whether registered under the Performing Animals Rules, 1973 If so. State the number and date of certificate of registration
7. Copy of ownership certificate if the animal is a protected specie under the Wildlife (Protection) Act 1972.
8. (i) Particulars of performing animals proposed to be

	Species	Sex	Age	Number
(a) trained				
(b) exhibited				
(c) trained and exhibited for use in films				

(ii)Trained performing animals already available as prescribed above for being exhibited

9. Describe the nature of the performance or Performances in which the performing animals are to be exhibited or for which they are to be trained, mentioning any apparatus which is used or to be used for the purposes of the performance.

Explanation :Detailed description of what is to be done by the animals taking part in the performance method of training and should state the approximate duration of the performance the number of performances to be given in one and the same day and the number of animals of each kind taking part in the performance.

SECOND SCHEDULE

Certificate of Registration

(see rule 6)

This is to certify that the person to whom the under-mentioned particulars relate has this day been registered under ıe Performing Animals (Registration) Rules, 2000 with the Registration Authority for the

Serial Number of Entry in Register _____

Signature of Clerk of Registration Authority

Name of the place : _____

Date : _____

Particulars

Name of trainer or exhibitor	Nationality	Either (a) Address of fixed place of residence in India or (b) permanent postal address in India to which letters addressed to the trainer or exhibiter may be forwarded	Address or addresses at which the performing animals are to be trained	Particulars of any previous registration	Kind of proposed performing animal			Description of general nature of perfor-mance	Date of Registration	Particulars of any order of Court made under section 24 of the Prevention of Cruelty to Animals Act, 1960
					To be trained	To be exhibited	To be trained/ exhibited for use in films			
					Kind No.	Kind No.	Kind No.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

THIRD SCHEDULE

Form of Register

(see rule 9)

Particulars

Sl. No.	Name of trainer or exhibitor	Nationality	Either (a) Address of fixed place of residence in India or (b) permanent postal address in India to which letters addressed to the trainer or exhibiter may be forwarded	Address or addresses at which the performing animals are to be trained	Particulars of any previous registration	Kind of proposed performing animal			Description of general nature of perfor-mance	Date of Registration	Particulars of any order of Court made under section 24 of the Prevention of Cruelty to Animals Act, 1960
						To be trained	To be exhibited	To be trained/ exhibited for use in films			
						Kind No.	Kind No.	Kind No.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

FOURTH SCHEDULE

Form of Application for Variation Particulars

Entered in Register

(see rule 11)

Application to have the particulars entered in the register with respect to the applicant varied.

To

The prescribed authority

Full Name of the applicant (in block letters)

Number and date of Certificate of Registration

I return herewith my certificate of registration under the Performing Animals (Registration) Rules, 2000 and I hereby apply to have the particulars entered in the Register with respect to be varied as follows and the reasons given below:

I also request that my existing certificate may be cancelled and a new certificate of registration may be issued to me.

Signature _____

Address _____

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FIFTH SCHEDULE

Suggestive Size of Cages for Transportation

(See rule 8 (ii))

Species	Length (m)	Breadth (m)	Height (m)
Slender loris	0.40	0.25	0.35
Slow loris	0.60	0.25	0.45
Horse (domestic/wild)	3.00	1.00	1.75
Ass (domestic/wild)	2.25	80	1.28
Zebra	2.60	95	1.80
Elephant (Adult)	4.80	2.40	2.84
Hippopatamus (Common)	4.06	2.10	1.50
Pigmy Hippo	1.52	1.00	0.74
Civet	0.79	40	0.38
Mongoose	0.56	25	0.13
Duck	0.38 to 0.63	22 - 0.35	78
Dove	0.46	0.20	0.21

SIXTH SCHEDULE

Minimum prescribed size for feeding/retiring cubicle/enclosures for important mammalian species of captive animals

(see rule 8 (iv))

Name of the Species	Size of the cubicle/enclosures in meters		
	Length	Breadth	Height
Family - Felidae			
Leopard	2.00	1.50	2.00
Small cats	1.80	1.50	1.50
Family - Elephantidae			
Elephant	8.0	6.0	5.5
Family - Rhinocerotidae			
One-horned Indian Rhinoceros	5.0	3.0	2.5
Family - Carvidae			
Brow antlered deer	3.0	2.0	2.5
Hangul	3.0	2.0	2.5
Swamp deer	3.0	2.0	2.5
Musk deer	2.5	1.5	2.0
Mouse deer	1.5	1.0	1.5
Family - Bovidae			
Nilgiri tahr	2.5	1.5	2.0
Chinkara	2.5	1.5	2.0
Four horned antelope	2.5	1.5	2.0
Wild Burrialo	3.0	1.5	2.0
Indian Bison	3.0	2.0	2.5
Yak	4.0	2.0	2.5
Bharal, goral, wild sheep and markhor	2.5	1.5	2.0
Family - Equidae			
Horses	6.0	4.0	3.0
Wild Ass	4.0	2.0	2.5
Family - Canidae			
Jackal, wolf and wild dog	2.0	1.5	1.5
Family - Vivirridae			
Palm Civet	2.0	1.0	1.0
Large Indian civet & binturong	2.0	1.5	1.0
Family - Mustellidae			
Otters all types	2.5	1.5	1.0
Rate/Hogbadger	2.5	1.5	1.0
Martens	2.0	1.5	1.0
Family - Procyonidae			
Red Panda	3.0	1.5	1.0
Family - Lorisidae			
Slow loris and slender loris	1.0	1.0	1.5

[F.No.19/1/2000-AWD]
DHARMENDRA DEO, Jt. Secy.

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