MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

NOTIFICATION

New Delhi, the 15th December, 1998

S.O. 1074. Whereas the draft Breeding of and Experiments on Animals (Control and Supervision) Rules, 1998 were published, as required by sub section (1) of Section 17 of, the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) under the notification of the Government of India, Ministry of environment and Forests number S.O. 789(E) dated, the e September, 1998 in the Gazette of India, Extraordinary , Part II, section 31 Sub-section (ii) inviting objections and suggestion from all the persons likely to be affected thereby, before the expiry of the period of thirty days from the date on which copies of the Gazette, containing the said notification are made available to the public;

And, whereas the said Gazette was made available to the public on 8th September, 1998.

And whereas the objections/suggestions received in respect of the said draft rules, have been duly considered-by the Committee for control and supervision of experiments on animals;

Now, therefore, in exercise of the powers conferred by sub-section (1) (1A) and (2) of section 17 of the Prevention of Cruelty to Animals Act, 196 (59 of 1960), the Committee for control and supervision of experiments on animals hereby makes the following rules, namely:

1. Short Title and commencement. - (1) These rules may be called the Breeding of and Experiments on Animals (Control and Supervision) Rules, 1998.

(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. "breeder" means a person including an institution, which breeds animals for the purpose of transfer to other authorised institution for performing experiments;

c. "Committee" means the Committee under section 15 of the Act for control and supervision of experiments on animals;

(d) "establishment means any individual, company, firm, corporation, institution other than schools up to higher secondary level, which performs experiments on animals;

(e) "experiment" means any programme/project involving experiments on an animal /animals for the purpose of advancement by new discovery of physiological knowledge which will be useful for saving or prolonging life or alleviating suffering or for combating any disease whether on human beings or animals;

(f) "Institutional Animals Ethics Committee" means a body comprising of a group of persons recognised and registered by the Committee for the purpose of control and supervision of experiments on animal performed in an establishment which is constituted and operated in accordance with procedures specified for the purpose by the Committee;

(g) "contract Research" means any research undertaken by an individual, company, firm, corporation or institution on behalf of a foreign individual, company, firm, corporation or institution for any consideration;

(h) "collaborative research" means any research undertaken between two or more research institutions on an equal footing which does not involve any financial or monetary considerations and is undertaken solely for the purpose of advancement of scientific research and human welfare;

(i) "specified format" means the form specified for the purpose by the Committee from time to time.

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3. Breading of animals - (a) No establishment shall carry on the business of breeding of animals or trade of animals for the purpose of experiments unless it is registered.

(b) Every breeder/establishment carrying on the business of breeding animals or trade of animals for the purpose of experiments, shall, apply for registration within sixty days from the date of commencement of these rules and, stop breeding of animals if registration is subsequently refused to it by the Committee.

4. Registration of establishments. - (a) No establishment shall perform any experiment on animals unless it is registered.

(b) Every establishment performing experiments on animals, shall, apply for registration within sixty days from the date of commencement of these rules and, stop performing experiments on animals if registration is subsequently refused to it by the Committee.

5. Application for registration. - (a) The application for registration by a breeder under sub-rule (b) of rule 3 and an establishment under sub-rule (b) of rule 4 shall be made in the specified format to the Member- Secretary or any other officer authorised in this regard by the Committee.

(b) The Member-Secretary or the authorised officer of the Committee, may for deciding the issue of registration, ask for information relating to premises where the experiments are to be conducted, animal housing facilities, details of breeding of animals and its trade, other infrastructure including availability of manpower trained in handling animals and for verification of facts mentioned in the application for registration, and if satisfied, shall register such establishment or the breeder.

(c) A breeder or the establishment on registration for the purpose of performing experiments on animals shall comply with the conditions as may be specified, at the time of registration, by the Member-Secretary of the Committee or any officer authorised in this regard by the Committee.

6. Details of the experiments conducted. - (a) Every registered establishment shall maintain a register as per the specified format and keep complete particulars about the kind of animal to be used for conducting any experiment, the health of the animal, the nature of experiment to be performed, and the reasons necessitating the performance of such an experiment on particular species.

(b) The Member-Secretary or the officer authorised by the Committee in this behalf may examine the register so maintained, and if, he is not satisfied irrespective -of the -opportunity given for improvement, he may bring the same to the notice of the Committee seeking directions in this regard.

7. Stocking of animals. The animals shall be stocked by the breeder and the establishment in the following manner:-

(a) animal houses shall be located in a quiet atmosphere undisturbed by traffic, and the premises kept tidy, hygienic and the animals protected from drought and extremes of weather;

(b) animal cages for small animals and stables for large animals shall be such that animals

can live in comfort and overcrowding is avoided;

(c) where standards have been laid down by the Indian Standards Institution, the cages, the stable, as the case may be, shall conform to those standards;

(d) animals attendants must be suitably trained and experienced in the duties allotted to them,

(e) animals shall be looked after, before and after the experiments by a trained and experienced attendant;

(f) there-shall be satisfactory arrangement for looking after the animals during off hours and on holidays,

8. Permission of the Committee required for conducting experiments. - (a) Every registered establishment before acquiring an animal or conducting any experiment on an animal/animals shall apply

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for permission of the Committee or the Institutional Animals Ethics Committee recognised for the purpose by the Committee along with the details contained in the specified format to the Member Secretary of the Committee or the Institutional Animals Ethics Committee, as the case may be.

(b) The Member Secretary of the Committee or the Institutional Animals Ethics Committee, shall cause the application for permission to be brought before the Committee/Institutional Animals Ethics Committee as the case may be, and the Committee/ Institutional Animals Ethics Committee after scrutiny of the application, if satisfied, may grant permission to the establishment stating the name of the species and the number of animals that can be acquired for carrying out the experiments.

(c) The Committee or Institutional Animals Ethics Committee, as the case may be, may, while granting permission for conducting experiments on animals, put conditions as it may deem fit to ensure that animals are not subjected to unnecessary pain or suffering before, during or after the performance of experiments on them.

(d) The Committee may require the establishments and Institutional Animals Ethics Committees and persons carrying on experiments on animals to forward to the Committee such information as it may require, on completion of experiments for which the permission has been granted.

9. Performance of experiments.- In conducting experiments on animals, regard shall be had to the following conditions, namely:

(a) experiments shall be performed in every case by or under the supervision of a person duly qualified in that behalf, that is, Degree or Diploma holders in Veterinary Science or Medicine or Laboratory Animal Science of a University or an Institution recognised by the Government for the purpose and under the responsibility of the person performing the experiment;

(b) experiments shall be performed with due care and humanity;

(c) animals intended for the performance of experiments are properly looked both before and after experiments;

(d) experiments involving operative procedure more severe than simple inoculation or superficial venesection shall be performed under the influence of anaesthetic to prevent the animal feeling pain and it shall remain so throughout the experiment. Anesthesia shall be administered by a Veterinary Surgeon trained in methods of anesthesia or a Scientist/technician so trained for this purpose and who shall remain present near the animal till the completion of the experiment;

(e) animals which in the course of experiments under the influence of anaesthetic are so injured that their recovery would involve pain or suffering shall be destroyed humanely while still under the influence of anesthesia;

(f) when there is reason to believe that an animal is suffering abnormal or severe pain at any stage of a continuing experiment, it shall be painlessly destroyed at that stage without proceeding with the experiment;

(g) the experiment shall not be performed for the purpose of attaining or retaining manual

skill except in schools, colleges and recognised training institutions;

(h) experiments shall not be performed by way of an illustration;

(i) experiments shall not be performed as a public demonstration;

(j) the substance known as Urari or Curari or any such paralysan shall riot be used or administered for the purpose of any experiment except in conjuction with anaesthetic of sufficient depth to produce loss of consciousness;

(k) no experiment the result of which is already conclusively known, shall be repeated without previous

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justification;

(l) there shall not be applied to the eye of an animal by way of experiment any chemical substance for the purpose of absorption through the conjunctival membrane or through the cornea calculated to only give pain;

(m) dogs held for experimental purposes shall not be debarked.

(n) where experiments are performed in any institution, the responsibility therefor is placed on the person in charge of the institution and in cases where experiments are performed outside an institution by an individual qualified in that behalf, the-experiments, are performed on his responsibility.

10. Transfer and acquisition of animals for experiment. - (a) A breeder shall not transfer any animal by sale or otherwise to an establishment which is not registered under these' rules.

(b) An establishment shall not acquire any animal by sale or otherwise except from a registered breeder/establishment.

(c) Every establishment after acquisition of a animal or animals shall not transfer such animal or animals by sale or otherwise to any other establishment or person except to a registered breeder/establishment.

(d) The animals used for experimentation in a production/ breed improvement programme

may be given out by the breeder' institution for domestic use.

(e) No animal shall be imported by a breeder or an establishment which is available in the country.

(f) A breeder or establishment shall comply, with the directions given by the Committee for the purpose of controlling and supervising experiments on animals.

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11. Records. - (a) Every, establishment/Institutional Animals Ethics Committee shall maintain a record of the animals under its control and custody in the specified format..

(b) Every establishment/Institutional Animals Ethics Committee shall furnish such information, as the Committee may from time to time require in the specified format.

(c) All laboratories shall inform the exact number/ species of animals to the Member Secretary or any officer authorised in this regard by the Committee as per the specified format.

12. Contract animal experiments.- No establishment shall contract or undertake to perform contract research or experiments on contract basis on behalf of any other establishment or research or educational Institution, This shall not apply to collaborative research between academic institutions.

13. Composition of Institutional Animals Ethics Committee. - Every Institutional Animals Ethics committee shall include a biological scientist, two scientists from different biological disciplines, a veterinarian involved in the care of animal, the scientist in charge of animals facility of the establishment concerned, a scientist from, outside the institute, a non scientific socially aware member and a representative or nominee of the specialist may be co-opted while reviewing special project using hazardous agents such as radio-active substance and deadly micro organisms.

14. Power to suspend or revolve registration. - (a) If the Committee is satisfied, on the report of the Member-Secretary of the authorised officer of the Committee made to it as a result of any inspection or information received otherwise that the rules made by it are not being complied with by any establishment or breeder or an Institutional Animals Ethics Committee, the Committee may, after giving a reasonable opportunity to the establishment or breeder or Institutional Animals Ethics Committee of being heard in the matter, revoke the registration of such establishment or breeder or Institutional Animals Ethics Committee either for a specified period or indefinitely, or may allow the establishment of- breeder or Institutional Animals Ethics Committee to carry on subject to such special conditions as the Committee may impose.

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(b) The Committee may, pending the final determination, if, it is of the opinion that an establishment or breeder has prima facie failed to comply with the provisions of these Riles, suspend the registration of such establishment or the breeder.

(c) The Committee may in the event of revocation or suspension of registration of an establishment or breeder, issue such directions as it, deems fit for the care and protection of the animals which are under the custody or control of such establishment or the breeder.

(d) That in the event of suspension or revocation of a license, such establishment or breeder shall forthwith on the communication of the order cease to perform any experiment on, any animal or acquire or transfer any animal.

{F. No. 7-5/98-AW]

ASHOK PAL SINGH, Member Secretary

Committee for the Purpose of Control &

Supervision of Experiments on Animals

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