

The Maharashtra Prevention of Cruelty to Animals (Conduct of Bullock Cart Race) Rules, 2017

MAHARASHTRA

India

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Rule

THE-MAHARASHTRA-PREVENTION-OF-CRUELTY-TO-ANIMALS-CONDUCT-OF-BULLOCK-CART-RACE-RULES-2017

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The Maharashtra Prevention of Cruelty to Animals (Conduct of Bullock Cart Race) Rules, 2017 Published vide Notification No. PAVIA. 1017/CR-61/PART-1/ADF-3 No. PAVIA. 1017/CR-61/Part-1/ADF-3. - In exercise of the powers conferred by section 38B read with sub-section (2) of section 3 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), in its application to the State of Maharashtra and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (1) of section 38B of the said Act, namely :-

1. Short title.

- These rules may be called the Maharashtra Prevention of Cruelty to Animals (conduct of bullock cart race) Rules, 2017.

2. Definition.

(1) In these rules, unless the context otherwise requires, - (a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), in its application to the State of Maharashtra ; (b) "Collector" means a Collector of a District appointed by the State Government under sub-section (1), section 7 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966) ; (c) "Organizer" means any person, organization, institution or group of persons, who intends to conduct the bullock cart race event ; (d) "owner" means a person who owns the bulls/bullocks participating in bullock cart race event ; (e) "participants" means person who participate in bullock cart race including cart man

;(f)"Registered Veterinary Practitioner" means a person defined under clause (g) of section 2 of the Indian Veterinary Council Act, 1984 (52 of 1984).(2)Words and expressions used but not defined in these rules shall have the same meanings assigned to them in the Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

3. Procedure for application to conduct bullock cart race.

(1)Any organizer who intends to conduct a bullock cart race shall apply at least fifteen days before the bullock cart race event, to the Collector of the District, in the format specified in Schedule 'A' appended hereto, along with security deposit of rupees fifty thousand in the form of bank guarantee or term deposit receipt, per bullock cart race event along with identity proof and address proof of the organizer.(2)The security deposit will be forfeited by the Collector, for reasons specified in sub-rule (3) of rule 10.(3)After receipt of the application under sub-rule (1), the Collector may cause to inspect a venue where the bullock cart race may be conducted. The officer who has conducted the inspection shall submit the report to the Collector.

4. Grant of permission.

(1)The Collector shall after receipt of the report or otherwise, grant the permission within seven working days to the organizer to conduct the bullock cart race event subject to the conditions specified in sub-section (2) of section 3 of the Act and of these rules.(2)If at any time, the Collector is satisfied that the organizer has not complied with the conditions, he shall cancel the permission.(3)At the time of granting permission, the Collector shall depute two Officers not below the rank of 'Naib Tahasildar' and 'Police Sub Inspector' to attend for the entire duration of the race event at the date, time and venue provided in the Application and permission. In the event, the officers find that there is any violation of the Act, the Rules or of the permission granted, the officers shall be authorized to stop a particular race, or the entire event. The officers shall submit a report regarding the race event to the Collector within 72 hours of the completion of event.

5. Application to participate in a race.

(1)Any cart man or participant who intends to race a bull or participate as a Cart Man at the race event shall make an application in Schedule C to the organizer at least 48 hours prior to the race event along with identity proof and a photograph of the bulls and bullocks.(2)All participants who have submitted applications as above shall get the bull/bullock examined and certified as fit by a registered veterinary practitioner. All participants shall submit the certificate from a Registered Veterinary Practitioner in the format specified in Schedule 'B', to the organizers before the race event. The validity of the fitness certificate shall be forty-eight hours including the day of race.If the Registered Veterinary Practitioner issues the certificate without examining the Bull/Bullock or issues a certificate which is either incorrect or false, action shall be taken against such Veterinary Practitioner under the Veterinary Council of India (Standard of Professional Conduct, Etiquette and Code of Ethics for Veterinary Practitioners) Regulations, 1992.(3)The application forms and the certificates of fitness from the Registered Veterinary Practitioner shall be submitted by the organizers to the two Officers attending the event, before the commencement of the race event. The

application forms and veterinary certificates shall form part of the Report to be submitted by the said Officers to the Collector.(4)Only the cart man and the bullock for which application forms and veterinary fitness certificates have been received by the organizers and submitted by them to the Officers shall be entitled to participate in the event and any race.(5)Participation of any bull or cart man whose form has not been submitted or who has not submitted a fitness certificate to the Officers by the organizers, will constitute a breach of the permission and these Rules.

6. Conditions for grant of bullock cart race.

(1)The organizer shall conduct bullock cart race only at the venue, date and time specified in the application and the permission and subject to the following conditions, namely :-(a)the bullock cart race shall be organized on a proper track the total running distance of which shall not exceed 1000 meters in length. The race track should not have steep slope, stones or rocks, mud, marshy, water logged or slushy place. The bullock cart race shall not be permitted on streets or highways ;(b)the bulls or bullocks shall be provided rest for minimum of thirty minutes before they are brought on track for a particular race and any bull or bullock shall not be used for more than three races in a day ;(c)only one cart-man shall be allowed to drive the cart and no vehicle shall be allowed to run around the bullock cart on the track or outside the track ;(d)no cart man or any person proposing to race a bullock shall have in his possession or on the cart any stick , whip , pinjari , or any device or instrument capable of causing any pain to a bullock or giving an electrical shock to the bullock;(e)Tying of the legs of a bullock, or beating with stick or whip, or kicking, or use of any device like 'Pinjari' or device capable of causing any pain to or giving electric shock to a bullock, or any means or squeezing of genitals, or kicking on genitals, or injuring the genitals with spiked bits, or twisting of tail, or biting of tail by the cart-man or the person racing a bullock shall be strictly prohibited ;(f)the combination of pairs of bulls or bullocks for the race shall suitably match with each other ;(g)bulls or bullocks shall not be combined with any other type of animals for bullock cart race;(h)The bulls or bullock rest area shall be provided with adequate shade/shelter, adequate feed, fodder and drinking water. The resting area shall be maintained neat, clean and hygienic;(i)The organizer shall ensure the availability of services of Registered Veterinary Practitioner or the facility of Animal Ambulance during the event ;(j)The organizer shall ensure that no pain or suffering is caused to the animal before and during bullock cart race by any person or person in charge of the animal used to conduct bullock cart race by any means ;(k)The organizer shall ensure that, no performance enhancement drugs, alcohol, irritants, etc. are administered to the bulls or bullocks in any form before or during the event;(l)consumption or possession of alcohol or any other form of intoxicant by any cart-man present at the race venue is prohibited ;

7.

If at any time during the event the said officers suo motu, or on the basis of information received observe that a Bull or bullock is showing symptoms of fatigue, dehydration, restlessness, epistaxis, injuries, etc. such bulls or bullocks shall not be permitted to participate further in the bullock cart race.

8.

The District Society for Prevention of Cruelty to Animals may also monitor the conduct of bullock cart race and ensure that the bullock cart race is conducted as per the conditions of these rules.

9. Arrangements for safety of spectators.

(1)The organizer shall ensure that the facility of the Medical Services or Ambulance is available during the bullock cart race event.(2)The organizer shall ensure that all precautionary measures for the safety of spectators during the event shall be taken. The organizer shall erect barricades or other safety measures on both sides of the track.(3)The cart-man shall not be allowed to wear loose type of outfits or any such clothes which may get stuck into the wheels or anywhere during the bullock cart race causing accident.

10. Submission of report and video recording, etc. by organizer.

(1)The organizer shall submit to the Collector, the details about the participants, compliance report of the bullock cart race and the video recording of the entire event in digital form, within fifteen days after the bullock cart race event.(2)If the Collector is satisfied from the Report of the Officers and the Report submitted by the organizers, that the organizer has conducted the bullock cart race as per the conditions of the Act the rules, and the permission he shall return the security deposit to the organizer within thirty days from the date of receipt of report.(3)The Collector shall forfeit the security deposit and prohibit the organizer from organizing and seeking permission to organize such racing events in future,-(i)if from the Report of the said Officers the Collector is satisfied that the organizer has breached any of the conditions of the provisions of the Act, Rules or the permission ;(ii)if the organizer fails to submit the details about the participants, compliance report of the bullock cart race and the video recording of the entire event in digital form;(iii)if any complaint is received from any person , or the District Society for Prevention of Cruelty to Animals within 7 days of the event to the Collector about the breach of any condition, and if the Collector is satisfied that the organizer has breached the conditions ;(4)If any complaint is received under clause (iii) of sub-rule (3), the Collector shall take the decision accordingly, within thirty days from the receipt of such complaint.

11. Consequences of violation of Act, Rule and Permission.

- If any cart-man is found to have violated any of the provisions of the Act, these Rules and the permission, he shall in addition to any other penalty that may be imposed under the Act and the Rules, shall also be prohibited from participating in any bullock cart race event in future.

12. Maintenance of record by Collector office.

- Records of the race event including the application of the race organizer, the permission granted, the application forms and veterinary certificates for all participants, the Report of the Officers and

the Report of the Organizers, shall be maintained in the office of the Collector, will be maintained by the Collector and shall form a public record and inspection and copies of the same will be available under Right to Information Act, 2005.

"A"

[See rule- 3(1)]Form for Application for Bullock Cart Race Event

To,Collector, District Photograph of Applicant

1. Name of Applicant :

2. Address and Telephone Number :

3. I/We, the undersigned would like to conduct the bullock cart race event on occasion of..... (Specify traditional occasion/event).

4. Date/s of event :

5. Venue :

6. Time when the event is Scheduled to be held :

7. Number of bulls/bullocks likely to take part in the event :

8. Number of bull/bullock carts likely to take part in the event :

I/We hereby declare that the provisions of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), in its application to the State of Maharashtra, and the Maharashtra Prevention of Cruelty to Animals (conduct of bullock cart race) Rules, 2017 will be followed. I/We may be punished by law in contravention of the provisions of this Act and the rules made thereunder.I/We hereby submit the security deposit in the form of Bank Guarantee/Term Deposit Receipt No., Bank Name of Rupees Fifty Thousand.Signature/s.
.....Date :

"B"

[See rule- 5(2)]Animal Fitness-Cum-Health Certificate(To be obtained from Registered Veterinary Practitioner)

1. Name and Address of Animal Owner :

2. Animal Details :

(a)Breed/Type of Animal :(b)Age :(c)Weight :(d)Height :(e)Colour:(f)Identification marks if any :

3. Date of Examination :

Time of Examination :I hereby certify that I have examined the above animal and certify that, the animal is fit for the bullock cart race.This Certificate is valid for forty-eight hours.Signed :Name and Address :Registration Number :Seal :Enclosure : Photographs of participating Bulls or Bullocks.

"C"

[See rule- 5(1)]Form for Application for Participating in Bullock Cart Race

EventTo,Organizer,..... Yatra/Jatra CommitteeDistrict

1. Name of Applicant :

2. Address and Contact Number :

3. I/We, the undersigned would like to participate in the bullock cart race event organized by you. I hereby declare that I am aware of the provisions of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), in its application to the State of Maharashtra, and the Maharashtra Prevention of Cruelty to Animals (conduct of bullock cart race) Rules, 2017. I undertake to fully comply with and abide by the same. I may be punished by law in contravention of the provisions of this Act and the rules made thereunder.

Signature:Date :Enclosure :

1. Identity Proof of participant

2. Photographs of participating Bulls or Bullocks.