

Fifteenth Kerala Legislative Assembly

Bill No. 271

**THE PREVENTION OF CRUELTY TO ANIMALS
(KERALA AMENDMENT) BILL, 2025**

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BILL

further to amend the Prevention of Cruelty to Animals Act, 1960, in its application to the State of Kerala.

Preamble.—WHEREAS, it is expedient further to amend the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) in its application to the State of Kerala for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Prevention of Cruelty to Animals (Kerala Amendment) Act, 2025.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of section 2.*—In the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) (hereinafter referred to as the principal Act) in section 2, after clause (c), the following clause shall be inserted, namely:—

"(ca) "cattle race" means an event involving bulls or male buffaloes conducted with a view to follow tradition and culture in such places, as may be notified by the State Government and includes "Kalapoottu", "Kannupoottu", "Maramadi", "Uzhavu", "Pothottam" and "such similar events"."

3. *Amendment of section 3.*—The existing provision in section 3 of the principal Act shall be numbered as sub-section (1) of that section and after sub-section (1) so numbered, the following sub-sections shall be inserted, namely:—

"(2) Notwithstanding anything contained in sub-section (1), the cattle race may be conducted with the prior permission of the District Collector, subject to the condition that no pain or suffering as envisaged by or under the Act is caused to the cattle by any persons or person in charge of the cattle used to conduct cattle race and subject to such other conditions as may be prescribed under section 38B by the State Government.

(3) If any person or persons in charge of the Cattle conduct cattle race in contravention of the conditions laid down in sub-section (2) or rules made thereunder relating to the cattle race or causes pain or sufferings to the cattle, he shall be punished with fine which may extend up to rupees twenty five thousand or imprisonment for a term which may extend up to one year or with both".

4. *Amendment of section 11.*—In section 11 of the principal Act, in sub- section (3),—

(i) in clause (e) for the words and symbol "suffering." the words and symbol " suffering; or " shall be substituted;

(ii) " after clause (e), the following clause shall be added, namely:—

"(f) the conduct of cattle race with a view to follow and promote agricultural tradition and culture and to ensure conservation of native breeds of bulls or male buffaloes and also their safety, security, well being and for protection of livelihood of the cattle keepers."

5. *Amendment of section 22.*—In section 22 of the principal Act, after existing provision the following proviso shall be added, namely:—

"Provided that nothing contained in this section shall apply to the conduct of cattle race in accordance with the provisions of sub-section (2) of section 3."

6. *Amendment of section 27.*— In section 27 of the principal Act,—

(i) in clause (b) for the word and symbol "purposes." the words and symbol "purposes; or" shall be substituted;

(ii) after clause (b), the following clause shall be added, namely:—

"(c) the conduct of cattle race with a view to follow and promote agricultural tradition and culture and ensure conservation of native breeds of bulls or male buffaloes and for protection of livelihood of the cattle keepers."

7. *Insertion of new section 28 A.*—After section 28 of the principal Act, the following section shall be inserted, namely:—

"28A. *Saving in respect of cattle race.*—Nothing contained in this Act, shall apply to cattle race conducted in accordance with the provision of sub-section (2) of section 3, to follow and promote agricultural tradition and culture and such conduct of cattle race shall not be an offence under this Act."

8. *Insertion of new section 38 B.*—After section 38A of the principal Act the following section shall be inserted, namely:—

"38B. *Power of State Government to make rules.*—(1) The State Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules, not inconsistent with the rules made by the Central Government, if any, for carrying into effect the provisions of sub-section (2) of section 3 of the Act.

(2) Every rule made under this section shall be laid, as soon as may be, after it is made, before the Legislative Assembly, while it is in session for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that, any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to amend certain provisions and to add some additional provisions in the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) and for conducting cattle race involving bulls or male buffaloes which

includes Kalapoottu, Kannupoottu, Maramadi, Uzhavu, Pothottam and such similar events in the State of Kerala.

By amending section 2 of the Central Act, Kalapoottu, Kannupoottu, Maramadi, Uzhavu, Pothottam and similar events are included in the definition of cattle race. Further amendments to the section, provides that cattle race competitions can be held with the prior permission of the District Collector, subject to certain conditions. The Bill also provides for penal action against those who violate the provisions of this Act. By amending the Central Act, it is possible to conduct cattle race competitions, thereby promoting the traditional agricultural customs and culture of the State, protecting the unique breed of bulls of the State and thereby improving the standard of living of bull-keepers.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

section 38B proposed to be inserted in the principal Act by clause 8 of the Bill seeks to empower the State Government to make rules not inconsistent with Central Rules.

The matter in respect for which Rules may be made, or notifications or orders may be issued, are matters of procedure and are of routine or administrative in nature. Further, the rules so made are subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is, therefore of a normal character.

J. CHINCHURANI.

EXTRACTS FROM THE RELEVANT PORTION OF
THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960
(ACT 59 OF 1960)

2. Definitions.— **

(c) “captive animal” means any animal (not being a domestic animal) which is in captivity or confinement, whether permanent or temporary, or which is subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement or which is pinioned or which is or appears to be maimed;

3. *Duties of persons having charge of animals.*—It shall be the duty of every person having the care or charge of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering.

11. *Treating animals cruelly.*—(1) If any person

(3) Nothing in this section shall apply to—

(e) the commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering.

22. *Restriction on exhibition and training of performing animals.*—No person shall exhibit or train—

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(ii) as a performing animal, any animal which the Central Government may, by notification in the Official Gazette, specify as an animal which shall not be exhibited or trained as a performing animal.

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27. *Exemptions.*—Nothing contained in this Chapter shall apply to—

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(b) any animals kept in any zoological garden or by any society or association which has for its principal object the exhibition of animals for educational or scientific purposes.

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28. *Saving as respects manner of killing prescribed by religion.*—Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community.

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38. *Power to make rules.*— **

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38A. *Rules and regulations to be laid before Parliament.*—Every rule made by the Central Government or by the Committee constituted under section 15 and every regulation made by the Board shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment, shall be without prejudice to the validity of anything previously done under that rule or regulation.