

KARNATAKA ACT NO. 02 OF 2018
THE PREVENTION OF CRUELTY TO ANIMALS
(KARNATAKA SECOND AMENDMENT) ACT, 2017

Arrangement of Sections

Sections:

1. Short title and commencement
2. Amendment of section 2
3. Amendment of section 3
4. Amendment of section 11
5. Amendment of section 22
6. Amendment of section 27
7. Insertion of new section 28A
8. Repeal and savings

STATEMENT OF OBJECTS AND REASONS

Act 02 of 2018. - The Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) was enacted to prevent the infliction of unnecessary cruelty and suffering on animals. The Act also recognizes the need to exempt the application of its provisions in certain circumstances.

Considering the significant role played by the traditional sports event of “Kambala” or “Bulls race” or "Bullock cart race" in preserving and promoting tradition and culture among the people in the State of Karnataka and also considering the vital role of “Kambala” or “Bulls race or "Bullock cart race" in ensuring survival and continuance of native breeds of cattle, the Government of Karnataka have decided to exempt the conduct of “Kambala” or “Bulls race” or "Bullock cart race” in the state.

Government of India suggested certain modifications in the Karnataka Prevention of Cruelty to Animals (Karnataka Amendment) Bill, 2017 (LA Bill No. 02 of 2017) Government of Karnataka has considered those changes. Accordingly by adopting the changes proposed by Government of India and as the Karnataka State Legislative Assembly was not in session and was not likely to meet in the near future, the Hon’ble Governor was pleased to promulgate the Karnataka Prevention of Cruelty to Animals (Karnataka Amendment) Ordinance, 2017 on 20th July, 2017 with previous instructions

of the President as required under the proviso to Article 213 of the Constitution.

This Bill seeks to replace the said ordinance.

Hence, the Bill.

[L.A. Bill No.42 of 2017, File No. Samvyashae 42 Shasana 2017]

[entry 15 of list-II and entry 17 of list III of the seventh schedule to the Constitution of India.]

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**THE PREVENTION OF CRUELTY TO ANIMALS
(KARNATAKA SECOND AMENDMENT) ACT, 2017**

(Received the assent of the Governor on the 10th day of February 2018)

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

Whereas, it is expedient further to amend the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960), in its application to State of Karnataka, for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty-eighth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Prevention of Cruelty to Animals (Karnataka Second Amendment) Act, 2017.

(2) It shall be deemed to have come into force with effect from the 20th day of July, 2017.

2. Amendment of section 2.- In section 2 of the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 of 1960) (hereinafter referred to as the Principal Act),-

(i) after clause (a), the following shall be inserted, namely:-

“(aa) “**Bulls race or Bullock cart race**” means any form of bulls race including race of Bullock cart as a traditional sports involving Bulls whether tied to cart with the help of wooden yoke or not (in whatever name called) normally held as a part of tradition and culture in the state on such days and places, as may be notified by the State Government.”; and

(ii) after clause (d), the following shall be inserted, namely:-

“(dd) “**Kambala**” means the traditional sports event involving Buffalo’s (male) race normally held as a part of tradition and culture in the state on such days and places, as may be notified by the State Government.”

3. Amendment of section 3.- Section 3 of the principal Act, shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:-

“(2) Notwithstanding anything contained in sub-section (1) conduct of “Kambala” or “Bulls race or Bullock cart race” shall be permitted, subject to condition that no unnecessary pain or suffering is caused to the animals, by the person incharge of that animal used to conduct “Kambala” or “Bulls race or Bullock cart race” as the case may be and subject to such other conditions as may be specified, by the State Government, by notification.”

4. Amendment of section 11.- In section 11 of the principal Act, in sub-section (3), after clause (e), the following shall be inserted, namely:-

“(f) the conduct of “Kambala” with a view to follow and promote tradition and culture and ensure preservation of native breed of buffalos as also their safety, security and wellbeing.

(g) the conduct of “Bulls race or Bullock cart race” with a view to follow and promote tradition and culture and ensure preservation of native breed of cattle as also their safety, security and wellbeing.”

5. Amendment of section 22.- In section 22 of the principal Act, at the end, the following proviso shall be inserted, namely:-

“Provided that nothing contained in this section shall apply to conduct of “Kambala” or “Bulls race or Bullock cart race” as the case may be.”

6. Amendment of section 27.- In section 27 of the principal Act, after clause (b), the following shall be inserted, namely:-

“(c) the conduct of “Kambala” with a view to follow and promote tradition and culture and ensure survival and continuance of native breeds of buffaloes.

(d) the conduct of “Bulls race or Bullock cart race” with a view to follow and promote tradition and culture and ensure survival and continuance of native breeds of cattle.”

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

“28A. Savings in respect of "Kambala" or “Bulls race or Bullock cart race”.- Nothing contained in this Act, shall apply to “Kambala” or “Bulls race or Bullock cart race” conducted to follow and promote tradition and culture and such conduct of “Kambala” or “Bulls race or Bullock cart race” shall not be an offence under this Act.”

8. Repeal and savings.- (1) The Prevention of Cruelty to Animals (Karnataka Amendment) Ordinance, 2017 (Karnataka Ordinance No.1 of 2017) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

By Order and in the name of the Governor of Karnataka,

K. DWARAKANATH BABU

Secretary to Government

Department of Parliamentary Affairs