

DISCLOSURE OF ANIMALS IN CIRCUSES THAT HAVE SHUT

Delhi High Court recently has directed the directed the Animal Welfare Board of India (AWBI) to ensure physical survey of all circuses in the country, either by itself or through State Animal Husbandry Departments, to find out in what condition animals are being kept there and are they being fed and do they suffer from any health problems. and further to disclose the status of animals circuses that have closed down. The bench of Justice Vipin Sanghi & Justice Jasmeet Singh in an order passed on Aug 10, directed the counsel appearing for Animal Welfare Board should ensure that a further affidavit is filed, disclosing the status of the said animals within the next 3 weeks.

The Bench, which listed the matter for further hearing on September 27, passed the direction after the AWBI filed an affidavit, through central government standing counsel Rajesh Gogna, stating that in compliance of the court's July 21 order it had issued letters to all the circuses stranded and unable to perform due to covid-19 outbreak, to give details of all the animals kept by them along with the information whether they would be able to maintain them. The plea has also claimed that on account of the corona pandemic, there have been numerous reports of animals being stranded as part of these circuses all over the country and being abandoned by their owners.

The direction of the Delhi HC came after the petition was filed by People for the Ethical Treatment of Animals (PETA) India, directing the Animal Welfare Board of India (AWBI) to disclose the status of animals in all 19 circuses under its review, some of which have been closed down & others of which have had their registration certificate cancelled by the AWBI. The Court has also asked the AWBI to file a response to an application filed by PETA India with a request for the court's direction to take legal action against the remaining 6 functional circuses in the country, for alleged numerous apparent violations of laws.

The AWBI had earlier reported that among these 19 circuses, it had cancelled the performing animal registration certificates of five, directed the relevant State Govts to submit documents related to eight which had closed down, & issued show-cause notices to two. PETA India, through its application, requested action against the remaining circuses on this list The AWBI had earlier advised the Central Govt to pass legislation banning animals in circuses. The recommendation came on the heels of inspections conducted by the board, following the orders of the Delhi HC.

An advisory to the Central Govt, the AWBI recommended the implementation of strong legislation to end the use of animals in circuses for various reasons, including the cruelty inherent in the industry, rampant legal violations, & the unworkable nature of the existing regulatory framework. The Central Zoo Authority also cancelled the recognition of the Great Golden Circus, the last Indian circus using elephants for performances.

In 2018, the Central Govt notified the draft Performing Animals (Registration) (Amendment) Rules, 2018, proposing to prohibit performance & exhibition of all animals in circuses, but it has yet to be finalised.