

ITEM NO.301

COURT NO.1

SECTION XII

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

IA No.15/2008 in Petition(s) for Special Leave to Appeal (Civil) No(s).11686/2007

ANIMAL WELFARE BOARD OF INDIA

Petitioner(s)

VERSUS

A. NAGARAJA &amp; ORS.

Respondent(s)

(With appln(s) for modification of Court's order dt. 11.12.2008)

Date: 15/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE J.M. PANCHALFor Petitioner(s) Mr. K.K. Venugopal, Sr. Adv.  
Mr. Sunil Kumar Jain, Adv.  
Mr. S.R. Sundaram, Adv.  
Mr. S. Borathakur, Adv.  
Mr. Liz Mathew, Adv.For Applicant(s)/ Mr. Gopal Subramaniam, ASG  
Respondent(s) Mr. M. Raveendran, Sr. Adv.  
Mr. V.G. Pragasam, Adv.  
Mr. S. Joseph Aristotle, Adv.  
Mr. S. Prabu Ramasubramanian, Adv.IA 12-14 Mr. C. Paramasivam, Adv.  
Mr. P Ramesh, Adv.  
Mr. Railesh K. Sharma, Adv.IA 1,3 &5 Mr. M.N. Rao, Sr. Adv.  
Mr. C. Paramasivam, Adv.

2

Mr. P. Ramesh, Adv.  
Mr. K. Shivraj Choudhuri, Adv.Mr. P.R. Govilan, Adv.  
Mr. Naresh Kumar, Adv.Mr. V. Kanagaraj, Sr. Adv.  
Mr. B. Balaji, Adv.  
Mr. Muthu Ganesa Pandian, Adv.  
Mr. Satya Mitra, Adv.UPON hearing counsel the Court made the following  
ORDER

Heard both sides.

On 27.7.2007, we issued stay of the operation of the impugned order dated 9.3.2007 of the Madras High Court which permitted 'Jallikattu' subject to certain conditions. This Court passed an order on 11.1.2008 declining to vacate the stay which was granted earlier. We had permitted only Rekla Race (Bullock Cart Race) and that too without any physical confrontation between bullocks and human beings.

Jallikattu is claimed to be a cultural event which is conducted in some Districts in the State of Tamil Nadu as part of the Pongal Festival.

Now the State of Tamil Nadu had come with applications for modifications of the order passed by this Court on 11.1.2008. We do not approve of all the reasons given by the State of Tamil Nadu for modifying the order. However, it is pointed out by the learned Additional Solicitor General appearing for the State of Tamil Nadu that this is a part of the religious festival of Pongal and villages have

3

been celebrating the same from time immemorial. It has been submitted that extreme care and precautions will be taken by the District Authorities and no harm or injuries will be caused to the citizens, spectators, participants or the animals.

In view of the above, we propose to modify the earlier order by permitting Jallikattu subject to certain conditions. They are:

(i) In Para 29 of the impugned judgment, the Division Bench of the High Court, has directed certain precautions to be taken. Such precautions shall be completely followed by the State Authorities.

(ii) The State has submitted the "guidelines for conduct of Jallikattu" as Annexure 3 to the present application. The State shall ensure that the said guidelines, a copy of which is annexed, are fully followed.

(iii) Any organization or group intending to conduct Jallikattu shall inform in writing the Collector of the respective district or Deputy Collector of the sub-district at least three days prior to the event and secure his permission. (iv) The district

administration shall take all precautions to ensure that the animals are not tortured or subjected to cruel treatment. They shall also take necessary steps for the safety of the spectators and participants. (v) The Collector or Deputy Collector, as the case may be, shall, on grant of permission for any Jallikattu inform the branch of the

Animal Welfare Board in the district concerned, before the event. The concerned District Collector shall also extend co-operation to the Doordarshan or Animal Welfare Board to videograph the event. Representatives of the Animal Welfare Board shall be given sufficient protection and also give a vantage position to videograph the event.

(vi) After the event is held the concerned Collector should give a Report within a period of two weeks to this Court. They shall follow the above guidelines strictly.

I.A. is disposed of accordingly.

(R.K.DHAWAN)  
COURT MASTER

(VEERA VERMA)  
COURT MASTER