

No. 19689/E2/2007/F& WLD

Forest & Wildlife (F) Department
Thiruvananthapuram, Dated 01.03.2008**CIRCULAR**

Sub: Forest & Wild Life Department – Prevention of cruelty to elephants in captivity - instructions issued

Ref: Circular No. 27401/G2/07/RD dated 06.06.2007 of Revenue (G) Dept.

Government had issued several instructions for the strict enforcement of Captive Elephants (Management and Maintenance) Rules, 2003 and other orders safeguarding the welfare of elephants including the reference cited. In spite of instructions, it has been brought to the notice of Government that elephants in captivity are being extensively ill-treated and tortured resulting in their running amok in public place causing loss to life and property. Thus a meeting with the concerned officials of Forest, police and Revenue Department was held on 28.02.2008 and the meeting decided to issue instructions to all concerned to enforce the rules in force. Rule 5 (5) of Kerala Captive Elephants (Management & Maintenance) Rules, 2003 requires the concerned Station House officer, and the Range officer to receive the details relating to the use of elephants from the organizers of various festivals, in advance and who in turn have to ensure the implementation of directions

As such the following instructions are issued to be followed strictly while taking elephants to festivals or as part of any celebrations or any public or private function

1. An elephant in musth shall not be used for festivals or function
 - 1.1 An elephant found sick, injured, unduly stressed or pregnant shall not be used for such occasions
 - 1.2 The owner of the elephant shall ensure that in case of musth, arrangements may be made to secure the elephant so that the animal does not become a nuisance to the public.
 - 1.3 Using heavy chains and hobbles with spikes or sharp edges or barbed wires for tying elephants should be avoided
 - 1.4 Marching an elephant over tarred roads or otherwise, during hottest period of the day and for a long duration at a stretch without rest for religious or any other purpose should be avoided.
 - 1.5 Making an elephant to stand in scorching sun for long duration or to put the ceremonial gear or decorations for unreasonably long duration or to burst crackers close to the elephant, for ceremonial purpose is not permitted

- 1.6. Sedative, if necessary shall be used to control nervous or temperamental ones only as prescribed by a veterinary doctor
- 1.7. If an elephant is affected by an epidemic disease, the same should be informed to Chief Wildlife Warden
- 1.8. Keeping an elephant chained or tethered for an unreasonably long time on an unreasonably heavy chain or cord shall not be permitted
- 1.9. Abandoning an elephant in circumstances which will render it to suffer for reason of starvation or thirst, shall not be permitted
- 1.10 A chain hung around the neck or the elephant shall display a board mentioning the name of the elephant and the owner
- 1.11. Movement register, disease and vaccine register food register and work register must be kept by mahouts and carried along with the elephants wherever they go.
2. The festival committee or person(s) organizing such a function shall obtain a certificate from a Veterinary Doctor to the effect that the elephant is fit to bring in a festival. The certificate should be produced before any responsible officer on demand
 - 2.1 The committee or person (s) in charge shall give the details of the elephants taken out for solemn procession at least 72 hours in advance to the Officers of Forest & Revenue Departments having local jurisdiction
 - 2.2 The committee shall ensure that there is sufficient food and water given to elephants which are to participate in festivals/function
 - 2.3 During the time of procession, the elephant shall have chains (idachangala and malachangala) tied to the leg
 - 2.4 During the time of celebration, the first mahout should be in front of the elephants
3. The mahouts should not be intoxicated at the time of work. Action should taken against mahouts who drink while at work.
 - 3.1 At the time of the solemn procession, the elephant (s) should not be whipped to raise its head for a majestic look.
 - 3.2 The committee should not serve alcohol to the mahouts
 - 3.3 A mahout who gets drunk often should not be engaged for managing elephants
 - 3.4 The mahouts should not use iron clipped cane
 - 3.5 The mahouts should be free of any contagious disease
4. The elephant should be carried in lorries when the distance of transport is more than 50kms. The certificate of Chief Wildlife Warden should be obtained for transporting elephant on lorries.
 - 4.1 While transporting elephants care shall be taken to maintain moderate speed avoiding jerks and reducing effects of shocks and jolts to the minimum

- 4.2 The vehicle carrying elephant should have at least 2 attendant mahouts
- 4.3 Transporting elephants in trucks for over 12 hours at a stretch must not be allowed
- 4.4 A valid health certificate from a Veterinary Doctor to the effect that the elephant is fit to travel by road or rail as the case may be and is not showing any sign of infectious or contagious disease shall be obtained.
- 4.5 The elephant shall be properly fed and given water before loading
- 4.6 During night when an elephant is moved, the reflectors should be attached to its tail and forehead. The mahouts should also wear reflector jacket.
5. Cases will be booked against person (s) or committees who/that shows, cruelty to elephants
6. The organizers of festival/temple authorities (wherein elephants are used) shall submitting in writing the programme with details to the station house officer and the Range Officer having jurisdiction over the area who in turn shall ensure that the implementation of the provisions in these rules.
7. The acts mentioned in para 12 of the Kerala Captive Elephants (Management and Maintenance) Rules 2003, shall strictly be considered as acts of cruelty towards an elephant and such activities, are hereby prohibited
8. Number of elephants in each festival may be limited depending upon the space available for keeping the elephants safety.
9. District Collectors will form a district level committee consisting of the members
 - a. District Collector, Chairman
 - b. Superintendent of Police/Commissioner of Police
 - c. Member of the Society for Prevention of cruelty to elephants
 - d. Representative of temple/office bearers
 - e. District Veterinary Officer
 - f. The representative of Fire force
 - g. The Divisional Forest Officer- Convenor

The committee will call a meeting of a concerned parties at district level and have a discussion on the implementation of the act and ensure the safety of elephants and public and take all effective measures for enforcement

This circular is issued with the concurrence of Revenue & Home departments

P.K. Mohanty
Principal Secretary (Forest & Wild Life)