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## UNIT 15 DRAUGHT AND PACK ANIMAL RULES

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### 15.1 LEARNING OUTCOMES

- a) **Knowledge and Understanding:** After studying this Unit, you will be able to:
- Identify the terminologies and animal welfare safeguards associated with the PCA Draught and Pack Animals Rules.
  - Explain the general conditions for use of draught and pack animals.
  - Clarify the powers of police officers and other authorized persons under the draught and pack animals rules.
- b) **Practical and Professional Skills:** After studying this Unit, you will be able to:
- Describe the provisions made in the rules related to maximum load permissible for the draught and pack animals.

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### 15.2 INTRODUCTION

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Dear Learner,

In MAW-002 (Units 13 and 14), you were introduced to the concept of working animals, different working animals in India, husbandry systems (breeding, feeding, shelter/ housing and health), physical, mental and naturalness aspects of welfare and welfare issues in working animals with specific emphasis on bullocks, horses, donkeys, camels and elephants. In MAW-004 (Unit 10), we discussed the minimum standards of care for working animals.

A pack animal is a working animal used by humans as means of transporting materials on the animal's back (e.g. donkeys). Whereas draught animals are used to pull loads but do not carry them (e.g. bullocks, camels, horses). This Unit will help you to understand the PCA rules related to the draught and pack animals (1965) as amended up to 1968.

## 15.3 THE PREVENTION OF CRUELTY TO DRAUGHT AND PACK ANIMALS RULES, 1965

In exercise of the powers conferred by the PCA Act, 1960, the Central Government notified 'The Prevention of Cruelty to Draught and Pack Animals Rules, 1965'. They were amended in 1968.

### 1) Definitions

- *Large Bullock or Large Buffalo:* A bullock or buffalo, the weight of which exceeds 350 kilograms.
- *Medium Bullock or Medium Buffalo:* A bullock or buffalo, the weight of which is between 250 –350 kilograms.
- *Small Bullock or Small Buffalo:* A bullock or buffalo, the weight of which does not exceed 250 kilograms.
- *Street:* It includes any way, road, lane, square, ally or passage, whether a thoroughfare or not over which the public have a right of way.
- *Vehicle:* A wheeled conveyance of any description, which is capable of being used as such on any street.

### 2) Determination of Weight

The weight of an animal shall be determined by applying any of the following formulae, namely:-

$$\frac{\text{Length} \times \text{Girth}^2 \text{ in cm}}{10838} = \text{Weight of animal in kg (Or)}$$

$$\frac{9 (\text{Length in cm} \times \text{Girth}^2 \text{ in cm})}{1,00,000}$$

### 3) Maximum Loads for Draught Animals

- 1) The draught animal type, kind of vehicle and maximum permissible load are summarised in Box 15.1.

<b>Box 15.1: Animal Type, Kind of Vehicle and Maximum Permitted Load</b>		
<b>Draught Animal (1)</b>	<b>Kind of Vehicle (2)</b>	<b>Maximum Permissible Load (3)</b>
1) Small bullock or small buffalo	Two-wheeled vehicle- a) if fitted with ball bearings b) if fitted with pneumatic tyres c) if not fitted with pneumatic tyres	1000 kg 750 kg 500 kg

2) Medium bullock or medium buffalo	Two-wheeled vehicle- a) If fitted with ball bearings b) If fitted with pneumatic tyres c) If not fitted with pneumatic tyres	1400 kg 1050 kg 700 kg
3) Large bullock or large buffalo	Two-wheeled vehicle- a) If fitted with ball bearings b) If fitted with pneumatic tyres c) If not fitted with pneumatic tyres	1800 kg 1350 kg 900 kg
4) Horse or mule	Two-wheeled vehicle- a) If fitted with pneumatic tyres b) If not fitted with pneumatic tyres	750 kg 500 kg
5) Pony	Two-wheeled vehicle- a) If fitted with pneumatic tyres b) If not fitted with pneumatic tyres	600 kg 400 kg
6) Camel	Two-wheeled vehicle	1000 kg

- 2) For a four-wheeled vehicle, weight specified in column 3 (Box 15.1) shall be 1.25 times in each case. For the four-wheeled vehicle fitted with pneumatic tyres, weight shall be 1.5 times.
- 3) Two-wheeled or four-wheeled to be drawn by two animals of either species, the weight specified shall be 2 times, and if the vehicle is one fitted with pneumatic tyres, weight shall be 2.5 times as much as the weight so specified.
- 4) If the route involves an ascent for not less than one kilometer and the gradient is more than three meters in a distance of thirty meters, the weight specified in column 3 (Box 15.1) shall, in each case, be one-half of what is so specified.

*Explanation 1:* The weights specified in this rule shall be inclusive of the weight of the vehicle.

*Explanation 2:* In calculating any weight for the purpose of this rule, fractions shall be disregarded.

#### 4) Maximum Load for Certain Pack Animals

The type of pack animal and maximum permissible load are summarised in Box 15.2.

<b>Box 15.2: Pack Animal Type and Maximum Permitted Load</b>	
<i>Pack Animal (1)</i>	<i>Maximum Permissible Load (2)</i>
Small bullock or buffalo	100 kg
Medium bullock or buffalo	150 kg
Large bullock or buffalo	175 kg

Pony	70 kg
Mule	200 kg
Donkey	50 kg
Camel	250 kg

**5) General Conditions for Use of Draught and Pack Animals**

- a) No person shall use or cause to be used any animal for drawing any vehicle or carrying any load—
  - For more than nine hours in a day in the aggregate.
  - For more than five hours continuously without rest for the animal.
  - In any area where the temperature exceeds 37°C (99°F) during the period between 12 noon and 3 p.m.
- b) Animals to be disengaged after work and removed from harness.
- c) Use of spiked bits is prohibited for the purpose of driving or riding an animal or causing it to draw any vehicle.
- d) No person shall cause a horse to be saddled in such a way that the harness rests directly on the animal's withers without there being sufficient clearance between the arch of the saddle and the withers.
- e) Not more than four persons, excluding the driver and children below 6 years of age are only allowed to ride on the vehicle drawn by any animal referred above.

**6) Certificates Regarding Unladen Weight of Vehicles**

- i) For the purpose of these rules, the AWBI may authorize any organization established for the purpose of preventing cruelty to animals or for promoting their welfare to issue to the owner of any vehicle which may be brought before it for examination, a certificate as to its unladen weight, and any certificate so issued may be accepted as evidence of the weight of such vehicle.
- ii) Nothing contained in this rule shall be construed as being in derogation of any right conferred by any law for the time being in force authorizing any local authority to determine the unladen weight of any vehicle and to grant the necessary certificate or stamp the vehicle in this behalf.

**7) Powers of Police Officers and Other Authorized Persons**

- i) If any police officer above the rank of a constable or any authorized person has reason to believe that maximum load permitted is violated in respect of any animal referred above, (s)he may, determine the weight by taking the vehicle to a nearby weighbridge.
- ii) If the owner or other person in charge of the aforesaid animal refuses to comply with the demand of the police officer or other person as so authorized, it shall be lawful for such police officer or other person to take the animal or the vehicle or both to the weighbridge for the purpose aforesaid.

- iii) As soon as weight is determined under this rule, the owner or other person in charge of the said animal shall be given a statement in writing signed by the police officer or the person authorized as aforesaid, as the case may be, as to the weight so determined and any other information relevant for the purpose.

**8) Application of Rules where Local Bye-Laws Exist**

If there is in force in any area to which these rules extend, any rule, regulations or bye-law made under any law for the time being in force by any local authority in respect of any of the matters for which provision is made in these rules, such rule, regulation or bye-law shall, to the extent to which-

- i) It contains provision less irksome to the animal than those contained in these rules, prevail,
- ii) It contains provisions more irksome to the animal than those contained in these rules, be of no effect.

**Check Your Progress 1**

Note: a) Use the spaces given below for your answers.

b) Check your answer with those given at the end of the unit.

- 1) Write the basic difference between a pack and draught animal.

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- 2) Write the meaning of the following animals as per Draught and Pack Animals Rules.

a) *Large Bullock or Large Buffalo:*

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b) *Medium Bullock or Medium Buffalo:*

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c) *Small Bullock or Small Buffalo:*

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3) How to determine the weight of the animals as per Draught and Pack Animals Rules?

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4) How many passengers are allowed for animal drawn vehicles as per Draught and Pack Animals Rules?

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### **15.4 LET US SUM UP**

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- In this Unit, you were introduced to ‘The Prevention of Cruelty to Draught and Pack Animals Rules, 1965’ (amended up to 1968).
- A pack animal is a working animal used by humans as means of transporting materials on the animal’s back, whereas draught animals are used to pull loads but do not carry them.
- We discussed how to calculate the maximum load allowed for the prevention and protection of animal from cruelty, unnecessary pain, overwork, torture when used to draw carriages and loaded with packs or passengers as it happens for bullocks, buffaloes, ponies, mules, donkeys, horses and camels.
- We also discussed the general conditions for use of draught and pack animals, and powers of police officers and other authorized persons under the draught and pack animals rules.

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### **15.5 KEYWORDS**

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**Draught Animal:** It is a working animal used to pull loads.

**Large Bullock or Large Buffalo:** It means a bullock or buffalo, the weight of which exceeds 350 kilograms.

**Medium Bullock or Medium Buffalo:** It means a bullock or buffalo, the weight of which is between 250 –350 kilograms.

**Pack Animal:** It is a working animal used by humans as means of transporting materials on the animal’s back

**Small Bullock or Small Buffalo:** It means a bullock or buffalo, the weight of which does not exceed 250 kilograms.

## 15.6 BIBLIOGRAPHY AND FURTHER READING

Mitra, P.P. (2019). An Introduction to Animal Laws in India, Thomson Reuters, Gurgaon.

PCA Draught and Pack Animals Rules (1965). *Ministry of Food and Agriculture, Community Development & Co-operation (Department of Agriculture)* (Notification dated 23<sup>rd</sup> March, 1965).

*(Acknowledgment: The contents of this unit are based on 'Draught and Pack Animals Rules (1965) framed and notified under PCA Act 1960, which are available in public domain [http://www.awbi.in/policy\\_acts\\_rules.html](http://www.awbi.in/policy_acts_rules.html) (Accessed on 28th January 2021). The work of the Ministry of Food and Agriculture, Community Development & Co-operation (Department of Agriculture) is gratefully acknowledged).*

## 15.7 SELF ASSESSMENT EXERCISES

- 1) Discuss the general conditions for use of draught and pack animals.
- 2) What are the powers of police officers and other authorized persons under the draught and pack animals rules?
- 3) Explain the provisions made in the rules related to maximum load permissible for the draught and pack animals.

## 15.8 ANSWERS / HINTS TO CHECK YOUR PROGRESS

### Check Your Progress 1

- 1) A pack animal is a working animal used by humans as means of transporting materials on the animal's back (e.g. donkeys). Whereas draught animals are used to pull loads but do not carry them (e.g. bullocks, camels, horses).
- 2) (a) *Large Bullock or Large Buffalo*: It means a bullock or buffalo, the weight of which exceeds 350 kilograms (b) *Medium Bullock or Medium Buffalo*: It means a bullock or buffalo, the weight of which is between 250–350 kilograms (c) *Small Bullock or Small Buffalo*: It means a bullock or buffalo, the weight of which does not exceed 250 kilograms.
- 3) The weight of an animal shall be determined by applying any of the following formulae, namely:-

$$\frac{\text{Length} \times \text{Girth}^2 \text{ in cm}}{10838} = \text{Weight of animal in kg (Or)}$$

$$\frac{9 (\text{Length in cm} \times \text{Girth}^2 \text{ in cm})}{1,00,000}$$

- 4) Not more than four persons, excluding the driver and children below 6 years of age are allowed to ride on the vehicle drawn by common draught / pack animals.