

MOOT COURT PROBLEM

1. **BINDIYA**, officially the Republic of Bindiya, is a country in South Massia. It is the seventh largest country by area, the second largest populous country with 1.2 billion people and the most successful democratic set up known to the world. Bindiya is a Federation with a parliamentary system government under the constitution of Bindiya, which serves as the country's supreme legal document by which all other organs derive their powers. The Constitution included the Fundamental Rights and Directive Principles of State Policy chapters on much similar line with the constitution of India, a neighboring state. The religious and cultural freedom is guaranteed to all its citizens under article 25 of the Bindiyan Constitution. Bindiya is composed of 29 states and 7 union territories. In 1956, the states were re-organized on the basis of linguistic grounds under the Re-structuring of States Act 1956.
2. **YEVADU** is one of the largest states in Bindiya known for its unique culture and religious practices. The state is composed largely of Yevadu speaking population and known for its grand religious & cultural festival called '**YEVADU-DANGAL**' which is celebrated on the in the month of March every year. '**DANGAL-KATTU**' is a religious and cultural traditional event hugging or embracing the bull held in the state of Yevadu as a part of Yevadu Dangal Festival. Bulls are bred specifically by the people of the village for the event and attended mainly by many villages' temple bulls. A Temple bull is like the head of all cattle in a village and special rituals and worships are performed for the bull on important days. During Dangal Kattu, prizes are announced to encourage the youth to participate. After the event, tamed weak bulls are used for domestic activities and agriculture while untamable strong bulls are used for breeding the cows. Thus, wild generation of bulls are inherited to its next generation, even though these country bulls are domesticated a very long time ago.

3. **DANGAL-KATTU** has been known to be religiously practiced during Yevadu classical period since last 2000 years. Later, it became a platform for display of bravery and prize money was introduced for participation encouragement. A Seal from Bindiya Valley Civilization depicting the practice is preserved in the National Museum of New Timbay, capital of Bindiya. Similarly in Rajanta and Kellora Caves, several cave paintings can also be found which depicts a lone man trying to control a bull and which is estimated to be about 3,500 years old. DANGAL-KATTU is the pride of Yevadu religious culture and thus, the people take every care to ensure the fair conduction of the competition. The calves that are reared to become bulls are fed a nutritious diet so that they develop into strong and sturdy animals. In general, bulls are trained to not allow strangers to come near them. Before bulls are released in gate, they are subjected to medical tests under the government vets including alcohol and substance that will aggravate the bulls. The human participants in the event are also said to undergo medical tests as well as are tested for alcohol.

4. Since 2004, Federation of Bindiya Animal Protection Agencies (FBAPA) and PETA Bindiya have started protesting against the practice of Dangal-Kattu. The Animal Board of Bindiya (ABB) filed a case in the Supreme Court of Bindiya for an outright ban on Dangal-kattu because of the cruelty to animals and threat to public safety involved. It was claimed by the protestors that Dangal-kattu is promoted to bull taming its exploits the bull's natural nervousness as prey animals by deliberately placing them in a terrifying situation in which they are forced to run away from those they perceive as predators and the practice effectively involves catching a terrified animal. The ABB also contended that since the practice has resulted in vital injuries and in some cases even death, the participation of youth in the festival is largely suicidal and grossly denies right to life enshrined under Article 21 of the Constitution.

5. In 2010, the Supreme Court permitted the Yevadu government to allow Dangal-Kattu and directed the District Collectors to make sure that animals that participate in Dangal-Kattu are registered to the Animal Welfare Board and in return the Board would send its representatives to monitor over the event.
6. The Ministry of Environment and Forests issued a notification in 2011 that banned the use of bulls as performing animals, thereby banning the event. But the practice of Dangal-Kattu continued to be held under the Yevadu Regulation of Dangal-Kattu Act No 27 of 2009. In 2014, the Supreme Court struck down the State law passed by Yevadu government and banned Dangal-kattu altogether further stating that any violations would bring heavy penalties. The Court also asked the Centre to amend its law on cruelty to animals to bring bulls within its ambit.
7. This witnessed wide-spread protests by youths and youngsters across the state of Yevadu. Nearly 28,000 youths protested in front of the State legislature building in New Timbay following the ban. In the meanwhile, the Famous Yevadu Film super star, Mr. Jamal Hasan gave an interview to a leading national magazine in which he said:

“Dangal-Kattu is a cultural symbol of our state and it is our pride too. We have been practicing this art of valour for years and it is utterly disgraceful when some groups and individuals are terming this art as cruelty. If this cultural practice is cruelty then there should be an outright ban on eating all non-vegetarian food across the country. Also we should ban all animal slaughter-houses across the country and major sports like horse racing, Buffalo-racing, bullock-cart racing as the gravity of cruelty is obviously more in those sports”

These excerpts from the Jamal Hasan’s interview literally set the state of Yevadu on fire which resulted in mass protests across the state and in some places even resulting some minor casualties and human injuries.

8. In spite of the Supreme Court's order, a number of political parties and prominent leaders attended the Festival held in 2015 and some leaders even promised that soon they will undo whatever has been done by the apex court thereby defying the apex court's authority and reach in the matter.
9. On 8th January 2016, the Ministry of Environment and Forests through its official notification permitted the continuation of the tradition under certain conditions, effectively ending the ban. In addition to this, the President of Bindiya also promulgated a special ordinance which allowed the practice of Dangal Kattu to be continued with some conditions.
10. Suspecting the arbitrary and sudden nature of the notification of Ministry of Environment and Forests, the Animal Welfare Board of Bindiya filed a petition in the Supreme Court of Bindiya challenging the constitutional validity of the notification and also challenging the validity of ordinance promulgated by the President.
11. On 14th January, 2016, the Supreme Court of Bindiya issued a stay order and also issued notices to Central Government and Government of Yevadu to seek complete ban on Dangal-Kattu until final disposal of the present case. On 16th January 2016, three major religious and cultural organizations of Yevadu, i.e. Yevadu Grand Temple Trust (YGTT), Yevadu Religious Foundation (YRF) and the Yevadu Bull Worshipers (YBW) filed separate petitions in the Supreme Court requesting the court to lift the ban immediately as it prevents them to perform their religious practices and rituals which is guaranteed to them under the Constitution.
12. The Supreme Court agreed to hear the contentions raised & clubbed all petitions together for final oral hearings and arguments. The matter is listed for final adjudication on (25 /02 /2017).

* The issues covered are not exhaustive. The participants are free to bring more legal issues which remain relevant to the present case.