

**MINUTES OF THE 46th ANNUAL GENERAL MEETING OF ANIMAL WELFARE
BOARD OF INDIA HELD ON 19TH & 20TH DECEMBER, 2014 AT CHENNAI**

PRESENT

1. Maj. Gen. Dr. R.M. Kharb, AVSM (Retd.)	-	Chairman
2. Dr. S. Chinny Krishna	-	Vice Chairman
3. Shri Jai Raj, IFS	}	
Addl. PCCF, Uttarakhand	}	
4. Brig. S.S. Chohan, VSM (Retd.)	}	
Representative of Gurgaon Municipal Corporation	}	
5. Shri A.J. Anandan, IPS (Retd)	}	
6. Shri Doulat Jain	}	Members
7. Dr. Sandeep K. Jain	}	
8. Shri N.G. Jayasimha	}	
9. Shri Anil Sancheti	}	
10. Shri Vinod Bam	}	
11. Shri Shivayya Swamy Kamthana	}	
12. Ms. Norma Alvares	}	
13. Ms. Sowmya Reddy	}	
14. Dr. (Mrs.) Vasanthamma	}	
15. Shri K.S. Reddy	}	
Additional PCCF	}	
Representing DGF, MoEF&CC	}	Representative of
16. Shri S.R.V. Murthy	}	Member
Deputy Director, Regional WCCB	}	
Representing Dr.S.K. Khanduri, IFS	}	
IGF (Wildlife), MoEF & CC	}	
17. Shri C. Kalyanasundaram	}	Secretary
18. Shri S. Vinod Kumar	}	Assistant Secretary

Prof. Suresh S. Honnappagol, Animal Husbandry Commissioner, Shri V.Vumlunmang, IAS, Joint Secretary (Foreigners), Representative of Ministry of Home Affairs, Shri S.Shankar, Deputy Secretary (HE), representative of Ministry of Human Resources Development, Dr. Arun Sirkeck, Representative of Municipal Corporation of Shimla and Mrs. Anjali Sharma requested for leave of absence and the same was granted.

The Annual General Meeting observed one minute silence and paid homage to Late Justice V.R. Krishna Iyer, Former Judge Supreme Court and Former Vice-Chairman of the Board.

Hon'ble Chairman extended a warm and hearty welcome to all the Members of the Board to its 46th Annual General Meeting. He requested the Board Members to introduce themselves and the Members gave self introduction with details of their association in animal welfare activities. Chairman welcomed and introduced Shri C. Kalyanasundaram, the newly appointed Secretary, AWBI to the Members.

Hon'ble Chairman addressed the Members and informed them that the Board is working with several challenges and there is a serious issue of under staffing of the Board which requires to be addressed. The SIU report which has recommended increase in AWBI staff yet been implemented. The Prevention of Cruelty Act has lot of powers but the AWBI is not empowered by the Government to implement the Act. The Board needs positive help and support not only from the staff members of AWBI but also from the Members of the Board and the Ministry to address the challenges. Hon'ble Chairman expressed his gratefulness to all the Board Members especially to Dr.Chinny Krishna, Smt. Norma Alvares, Smt. Anjali Sharma, Shri N.G. Jayasimha for their active participation in the day to day issues of the Board.

Hon'ble Chairman briefed about the problem of shortage in budget allocation to the AWBI as the Ministry is likely to impose a cut of 35% in the budget for this financial year. As you are aware 90% of the AWBI budget goes to the Gaushalas under Regular Grant Scheme (AWBI Plan) which benefits maximum number of animals sheltered by Gaushalas.

Hon'ble Chairman appreciated the tremendous amount of office work done by Shri Vinod Kumaar in the Board by taking the complete responsibility of Chennai office on his shoulders. Hon'ble Chairman expressed his happiness on joining of Shri C. Kalyanasundaram a well experienced Officer from the Lok Sabha Secretariat as Secretary, AWBI. He wished him all success during his stint as Secretary, AWBI.

Thereafter video message of Shri Prakash Javedekar, Hon'ble Minister for Environment, Forests & Climate Change to the Annual General Meeting of AWBI was played. Hon'ble Minister informed the Members that due to Parliamentary preoccupations he could not visit Chennai and attend the AGM as requested by the Chairman, AWBI. Hon'ble Minister briefed about achievements in biodiversity which is an integral aspect in our life and animal welfare. Quoting the words of Pandit Deendayal Upadhyaya the Hon'ble Minister said that "Parameshti" the whole world including animals, birds, human beings are all one. All kinds of living creatures are part of our universe and this is part of the life cycle. He said that we must ensure that biodiversity conditions flourish and they give us new lease of life. Hon'ble Minister opined that all the Board Members should be proud of their mission. This is a long term mission and if you work in vision, then whole universe can benefit. The Hon'ble Minister wished the Members good deliberations in the AGM and fruitful decisions and informed that he would wait for the decisions and conclusions of the AGM.

Item No.1: Approval of Annual Report and adoption of Audit Report and Annual Accounts of the Animal Welfare Board of India for the year 2013-14.

The Assistant Secretary, AWBI briefed the Members about the Audit Report of the Comptroller & Auditor General of India on the Accounts of AWBI for the year 2013-14. The Board adopted the separate Audit Report of C&AG of India on the accounts of the Board for the year 2013-14 and also approved the Annual Report for the year 2013-14 in principle with the following remarks:

Hon'ble Chairman emphasized the need to incorporate more information about the achievements and activities of AWBI in Annual Report as it is our report card and projects the image of AWBI. The summary and conclusions are to be further expanded with highlighted issues. Hon'ble Chairman requested the Members of the Board to provide more inputs for making a good Annual Report for the year 2013-14.

Hon'ble Chairman informed the Members about the incompetency of the Editor of Publications who has prepared the Annual Report. Shri N.G. Jayasimha, Member introduced Ms. Kavya a Post Graduate in Journalism & Mass Communication from Bangalore who can handle the Editorial work and publication of monthly Newsletter, Animal Citizen and Jeev Sarathi on a consolidated payment. The Board has decided to engage her for the above work on a suitable remuneration shared by the Board and HSI and also to get her help in bringing out the Annual Report in a good shape.

Item No.2: Confirmation of the Minutes of the 45th Annual General Meeting held on 15.11.2013.

The Minutes of the 45th Annual General Meeting held on 15.11.2013 were confirmed.

Hon'ble Chairman briefed about the draft SOP on ABC Laparoscopy and SOP on Gaushala and informed that they have been sent to the Ministry for necessary approval and issue. Chairman also informed that the CNVR (same day release) in ABC programme has not been approved by the Board.

Hon'ble Chairman also briefed about the AWBI Rashtriya Gokul Mission to make the indigenous cows breeds more productive in Gaushalas and that it was decided by the Department of Animal Husbandry, Ministry of Agriculture, Government of India that the Animal Husbandry Department will implement the programme.

Item No.3: Report on action taken on the minutes of the 45th Annual General Meeting held on 15.11.2013.

The decisions and actions taken in the 45th Annual General Meeting held on 15.11.2013 were reviewed and noted with the following directions/suggestions:

The Board discussed about the non-representation of Members from some of the States and decided that where States are not represented by Members, respective State Governments can be requested to send a suitable representative of the State to participate in the Board Meetings.

The Members suggested that the North-Eastern States need to be sensitized about animal welfare programmes. The Board decided to request Dr. Jitendra Singh, Hon'ble Minister, Ministry of Development of North Eastern Region to depute a suitable person for animal welfare activities in North Eastern States.

Hon'ble Chairman informed that he has discussed with the Additional Secretary, MoEF&CC about the proposal to hold Golden Jubilee National Seminar in Paryavaran Bhawan at Delhi in March / April, 2015. The Golden Jubilee Souvenir be prepared and sent to the Ministry needs to be revised by including some of the latest events.

Item No.4: Confirmation of the Minutes of the 41st General Meeting held on 9.8.2014.

The Minutes of the 41st General Meeting held on 9.8.2014 were confirmed.

Item No.5: Report on action taken on the minutes of the 41st General Meeting held on 9.8.2014.

The decision and action taken of the 41st General Meeting of the Board held on 9.8.2014 were reviewed and noted with the following directions/suggestions:

Hon'ble Chairman briefed about the working of State Animal Welfare Board (SAWB) and SPCAs and informed that the most of them are not working satisfactorily. The Board decided that a model constitution of SAWB and SPCA is to be circulated to all the States for effective functioning of SAWB and SPCAs. The Board has decided that wherever SAWB is functioning, authentication, verification and inspection of AWOs/SPCAS should be done through the SAWBs. It was also decided that all grants-in-aid and inspections should be routed through the SAWB from the next financial year 2015-16.

The Board discussed to formulate a mechanism to ensure effective implementation of Rule 96 on Transportation of Animals Rules. The Board decided to write to the Chief Secretaries and Secretaries of Animal Husbandry Department of all the States to get the suggestions from the State Government to streamline the issue of certificates under Rule 96. The State Governments shall be requested to identify suitable Officers to issue the certificates under Rule 96.

The Supreme Court Judgement dated 7.5.2014 in the matter of AWBI Vs. A. Nagaraja & Ors and its importance for Animal Welfare

Hon'ble Chairman briefed about the Supreme Court Judgement dated 7.5.2014 in the matter of AWBI Vs. A. Nagaraja & Ors. The board discussed the importance of this judgement and the additional responsibilities given to the board by the Hon'ble Supreme Court to ensure that animals are treated with respect, given

adequate care and not subjected to cruelty in the guise of traditional practices or entertainment. During the extensive discussions that took place on the importance of the judgement and its impact on animal welfare issues, the members unanimously expressed that it is necessary that the chairman continues to issue advisories and guidelines whenever cruel practices are brought to the notice of the board so that cruelty to animals is abated at the earliest. These advisories should be placed before the board at the forthcoming meetings so that members are duly apprised of the same and the circumstances in which they have been issued by the Hon'ble Chairman on behalf of the board. The Board therefore resolved as follows:

Resolution 1

Considering that the AWBI has been set up for the promotion of animal welfare generally and to protect animals from unnecessary pain and suffering;

Considering that the Supreme Court in its judgement dated 7th May, 2014 in the matter of AWBI Vs A. Nagaraja & Ors. has declared that the internationally recognized, Five Freedoms for animals (namely Freedom from hunger, thirst and malnutrition, freedom from fear and distress; freedom from pain, injury and disease; freedom from physical and thermal discomfort and the freedom to express normal patterns of behaviour) be read into Section 3 and 11 of the Prevention of Cruelty to Animal Act, 1960 and the Hon'ble Apex Court has also directed the AWBI to take appropriate steps to safeguard these freedoms and steps to ensure the well-being of animals; and,

Considering that in order to implement these aforesaid directives of the Apex Court and effectively perform the role for which the AWBI has been created, it is necessary for the AWBI to issue timely advisories/ guidelines to various authorities / institutions, depending upon the exigencies of the situation;

Therefore, the AWBI resolves that the Chairman may continue to issue advisories /guidelines to safeguard the well-being of animals and ensure their humane treatment to authorities / institutions as may be required from time to time and that such advisories shall be placed before the Board at the subsequent Board meetings.

Resolution 2

Having taken note that bullock cart / buffalo / cattle (Bovine) races have recently resumed in some States of India, despite the Supreme Court having clarified in its Judgement dated 7th May, 2014 in the matter titled AWBI v/s A.Nagaraja and Ors. that such races / practices / traditions / are illegal and are a cruelty to animals and that such events *per se* violate the PCA Act,

Therefore, the AWBI has resolved to immediately bring to the attention of the Chief Secretary of these States, that such races / events which have already taken place in the State are illegal and further, that such violations of the PCA Act and of the Supreme Court judgement are likely to continue to occur in these States.

The AWBI further resolved to advise the Chief Secretary of the States to set up adequate enforcement agencies to prevent such events / races from taking place and also to initiate penal action against those who have violated the law, so that this will deter others from holding such races / events which have explicitly been held to be illegal by the Hon'ble Supreme Court of India.

The AWBI also notes with concern that races of elephants, camels and other such animals are also being held in some States, which violate the PCA Act and would also be in violation of the Hon'ble Supreme Court's judgement dated 7th May, 2014.

It is hereby resolved to send this resolution along with relevant extracts of the Supreme Court of India's Judgement, to the Chief Secretary of the States of Kerala, Karnataka, Tamil Nadu, Andhra Pradesh, Telangana, Madhya Pradesh, West Bengal, Punjab, Maharashtra, Assam, Haryana, Rajasthan and Gujarat.

Item No.6: Ratification of Minutes of the Grants Sub-Committee Meeting of the Board held on 8.8.2014.

The Minutes of the Grants Sub-Committee Meeting of the Board held on 8.8.2014 were approved and ratified.

Item No.7: Ratification of Revised Estimates for 2014-15 and Budget Estimates for 2015-16 submitted to the Ministry.

The Annual General Meeting considered the Revised Estimates 2014-15 and Budget Estimates 2015-16 submitted to the Ministry and ratified the same.

Hon'ble Chairman briefed about difficulties in disbursement of salary to the Staff in time due to lack of funds. The Board decided that the Ministry shall be requested to give approval for utilizing RRAEC Funds for disbursement of salary to the Staff as permitted by the Ministry in the previous year.

Item No.8: Consideration of matter regarding regularization of services and pay of the Staff and retirement benefits to the retired/resigned/deceased employees of AWBI by adopting ACP/MACP method as directed by the Ministry.

The AGM discussed the matter and resolved that the revised pay scales of all the employees of the Board has to be fixed in a time bound manner by adopting ACP/MACP method as directed by the Ministry of Environment & Forests. The Board also resolved that the Ministry shall be requested to sympathetically

reconsider the matter to waive recoveries, if any, from the staff members taking into account the good services rendering by them and also in the light of SIU report.

Item No.9: Implementation of report submitted to MOEF by Staff Inspection Unit (SIU), Department of Expenditure, Ministry of Finance, GOI in March 2011 in respect of enhancement of staff strength of AWBI.

The AGM discussed the matter and noted the serious issue of acute shortage of staff in the Board and resolved to request the Ministry to implement the report submitted by the Staff Inspection Unit (SIU), Department of Expenditure, Ministry of Finance, Govt. of India in March 2011 at the earliest since adequate manpower is a must to ensure that Board carries out all the functions and responsibilities mandated to it effectively.

Item No.10: Consideration of matter relating to latest status report of Utilization Certificate under Regular Grant and CSS Grant (Shelter, Ambulance, ABC & Natural Calamity).

The AGM discussed the matter and decided to circulate the list of Utilization Certificates pending from AWOs under all the schemes to the Members of the respective States for their information and follow up in the matter. The Board decided to request the Ministry to write off the UC pendency till 2004-2005 as more than 10 years have passed and the NGOs from whom UC's are pending are not existing on the ground.

The Board also discussed and decided that UCs be asked from the AWOs till five 5 years of pendency (UCs of the grants given by Board to them). If the AWOs do not submit the UCs then letters to Depts. of Animal Husbandry of the respective State be addressed seeking status of existence of the AWOs in question. On receipt of the response / status report / recommendations from Dept. of Animal Husbandry, the AWOs be black listed / de-recognized and no further grants be released to them and the same be updated on the website of the Board and the UCs pendency be treated as nil and the ministry intimated in this regard accordingly.

Item No.11: Consideration of matter regarding exemption of Recognition Fees of Rs.1,100/- for the newly recognised SPCAs formed by the State Governments and formation of terms for grant-in-aid.

The AGM considered the matter and resolved to waive the fees of Rs.1,100/- to the SPCAs established by the State Governments as per 2001 Rules. The Board discussed about the funding pattern to SPCAs and decided that under AWBI Plan scheme, the Board can give grants to SPCAs as per criteria and the funding can be done on participatory basis to SPCAs. The Board also noted that all District SPCAs can apply for funding under the schemes of Shelter House, ABC, Ambulance and Natural Calamity being implemented by the Board and if the SPCAs are eligible, the grants can be given to them. Board also noted that there is no provision in the schemes to give grant for meeting their society's day to day expenses. It was also noted that fines realized under PCA Act as and when received by the Board are given back to the SPCAs and are not retained by the Board.

Item No.12: Brief on matter relating to important pending court cases by Assistant Secretary.

The Assistant Secretary, AWBI briefed about the important pending court cases. The AGM recommended that the Board should appoint a legally qualified officer for case matters in the Board considering the increase in the number of court cases being addressed by the Board. The AGM decided to appeal in the Kambala Case in the High Court of Karnataka at Bengaluru.

The Board also took note that there are several cases in various Courts pertaining to problems that society has concerning dogs. The Board discussed that many of these issues stem from excessive dog population, inadequate implementation of ABC Rules, over breeding by unlicensed dog breeders, inadequate knowledge by owners of the care required for pedigree pets, abandonment of pets, aggressiveness of certain breeds etc. The Board therefore passed the following resolution:

Resolution:

The AWBI has prepared draft Pet Shop Rules and Dog Breeding Rules in the year 2010, to be issued by the Ministry of Environment, Forests and Climate Change under the powers provided by section 38(2)(I). However, these draft Rules need to be re-visited in the light of Hon'ble Supreme Court Judgement on Jallikattu in the matter of AWBI Vs. A. Nagaraja & Others. Ms. Anjali Sharma has agreed to update the draft rules for further action by the Board.

The Dog Breeding Rules are aimed at regulating the production of various pedigree breeds of dogs, some of which have aggressive nature and also for ensuring that female dogs are not obliged to breed incessantly for enriching their owners and at cost of the animals' health.

The Pet Shop rules seek to regulate the manner in which animals meant for sale are procured and maintained prior to sale. These rules are still under consideration of the Ministry for approval.

It is hereby resolved to urge the Ministry of Environment, Forests and Climate Change to consider for approval the draft Dog Breeding Rules and the draft Pet Shop Rules submitted by the Board at the earliest.

Item No.13: Discussion on Amendment to Rule 12 of ABC Dogs Rules 2001.

The AGM discussed the matter and considered the suggestions given by Ms. Anjali Sharma through e-mail dt.19.12.14. The Board resolved that the Ministry is to be requested to remove the word "pound" or "pounds" from Rules 6(1)(a), 7(6), 7(7) and 10(2), where they presently occur.

Item No.14: Discussion on nomination of Co-opted Members duly recommended by the Members of the Board.

Hon'ble Chairman informed the Board that it is noticed that some of the Co-opted Members misused the Identity Cards issued by the Board. Hon'ble Chairman requested the Members to be careful while recommending the name of the Co-opted Members and that Members shall be personally responsible for the conduct of the Co-opted Members recommended by them. The AGM recommended to encourage people who are working for the animals in distress by the way of nominating them as Co-opted Members. The Board can conduct training programme for HAWOs and Co-opted Members.

Item No.15: Consideration of issue of revival of Golden Jubilee Souvenir and National Seminar on Animal Welfare at Paryavaran Bhawan, New Delhi.

The AGM discussed the matter and decided to request the Ministry for suitable dates and permission to use Paryavaran Bhawan Seminar Hall at Delhi to conduct the National Seminar on Animal Welfare. Hon'ble Chairman requested Ms. Norma Alvares, Member to coordinate with Ms. Jasjit Purewal, Ex-Member, AWBI to revise the Golden Jubilee Souvenir draft of which was prepared earlier.

Item No.16: Consideration of the issue related to illegal transportation of Animals.

The AGM considered the matter and requested Shri N.G. Jayasimha, Member to draft a letter to be sent to the State Governments with reference to the Resolution passed by the Board in this regard.

Item No.17: Discuss issues related to advisory issued by AWBI w.r.t. to Pets in Residential Colonies.

The AGM approved the Guidelines prepared and circulated by Hon'ble Vice-Chairman regarding keeping Pet Dogs, Feeding Stray dogs and Resident Welfare Associations which will supercede the circular dated 20.2.2014. The Board directed to publish the same in AWBI website.

Item No.18: Discuss progress on implementation of National Rabies Control Programme in Haryana State.

Hon'ble Chairman appraised the Board about the progress of implementation of the National Rabies Control Programme in Haryana. The e-mail sent by Hon'ble Chairman to the Government of Haryana was also shared to the Board Members. Hon'ble Chairman informed that the Health Ministry has requested the Board to submit the utilization certificate for Rs.70.00 lakhs released to the Board for this programme. The AGM noted the matter.

Additional Item No.1: Discussion on proposed Animal Welfare Act to replace the PCA Act.

The AGM discussed that the revised draft of the Animal Welfare Bill has been under the consideration of the ministry for some time and that it is necessary that this bill be made into law at the earliest as it would bring animal welfare regulations in keeping with the present day realities and also give teeth to law enforcing agencies regarding cruelties perpetrated on animals. The Board therefore passed the following resolution:

Resolution

It is hereby resolved that the AWBI once again urges the Central Government to speedily take up for consideration and enactment as law, the Animal Welfare Bill, 2014 which has been submitted by the AWBI after revising it to bring it in consonance with the views expressed, declarations made and directions issued by the Hon'ble Supreme Court in its Judgement dated 7th May 2014, in the matter of AWBI Vs A. Nagaraja and Ors.

Additional Item No.2: Discussion on raising funds from Corporate Sector under Corporate Social Responsibility (CSR) for Animal Welfare activities.

The AGM discussed that it is necessary for AWBI to raise funds in order to meet the needs of animal welfare and that the corporate sector and banks, among others, could be approached for funds. The Board requested the Hon'ble Vice Chairman and Shri N.G. Jayasimha, Member to draft letters to make appeal to the donors for fund raising. The Board decided to prepare Brochures highlighting the activities of the Board and also issue advertisement about the requirement for funds for various projects which can be funded / sponsored by the donors from Corporate Sector. The expenses for this can be met from the donation account. The Board directed the AWBI office to check up whether Bank Account can be opened with Indian Bank/Indian Overseas Bank which have headquarters in Chennai so that the Board can appeal for sponsorship or donations with the help of Shri Doulat Jain, Convenor, Fund Raising Sub-Committee of AWBI.

The Board requested Shri Doulat Jain, Member to prepare a proposal for fund raising for the year 2015 to start with so that all the members are aware of the events planned and can contribute in their own ways to the success of these events. Shri Doulat proposed that the first fund raising event could take place in March 2015 and this was accepted by all. Shri Doulat will provide details of the same to the Board at the earliest.

Additional Item No.3: Establishment of District SPCAs in Kerala.

The AGM considered the matter and resolved/decided to send a letter to the Chief Secretary, Government of Kerala regarding the need to have the concerned District Collector, Superintendent of Police in the Managing Committee with a reference to the Ministry's communication in respect of formation of SPCAs.

Additional Item No.4: Ratification of the Board for issue of suspension of Performing Animals Registration Certificate to six Circuses and revocation of Registration Certificate to one Circus.

Hon'ble Vice-Chairman briefed about the matter. He informed the Board that after issuing the notices personal hearing were fixed on 16.12.2014 and again fresh date is fixed on 16.1.2015.

The AGM ratified the decision to issue the suspension notice to six circuses viz. Gemini, Jamuna, Great Bombay, Rajkamal, Great Prabhat and SAM and revocation notice sent to Moonlight Circus. The Board decided to send notice to other circuses which have not provided their camp address, monthly report which is mandatory.

Additional Item No.5: Proposal of Ministry of Urban Development, Government of India on stray animal management.

Hon'ble Chairman briefed the Board about the proposal. The Board decided to submit its views to the Ministry after taking into consideration the study done by Shri Rishi Dev who has published a book on the subject.

Additional Item No.6: Ratification of grant-in-aid to Help In Suffering, Jaipur, Rajasthan for the Animal Birth Control Programme.

The AGM considered the matter and ratified the decision to increase the target of ABCs from 1500 to 2500 for the year 2014-15 to Help In Suffering, Jaipur.

Additional Item No.7: Consideration of the matter regarding carryover permission for utilizing the Regular Grant in the year 2014-15 given to an AWO in H.P. on approval of Hon'ble Chairman for ratification of the Board.

The AGM considered the matter and ratified the same.

Additional Item No.8: Consideration of matter relating to Regular Grant of AWOs which have been increased/decreased on approval of Hon'ble Chairman for ratification of the Board.

The AGM considered the matter and ratified the same.

Additional Item No.9: Consideration of matter regarding the legal notice issued to Hon'ble Minister of State, MoEF&CC by Smt. Gargi Gogoi, Mumbai regarding permission to conduct bullock cart races in the country.

The AGM has taken note of the matter.

The meeting ended with a vote of thanks to the Chair.

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