



## **ANIMAL WELFARE BOARD OF INDIA**

Ministry of Fisheries, Animal Husbandry and Dairying, Govt. of India  
(Department of Animal Husbandry and Dairying)  
NIAW Campus, 42 KM Mile Stone, Delhi-Agra Highway  
NH-2, Ballabhgarh, Haryana-121004  
Email: [animalwelfareboard@gmail.com](mailto:animalwelfareboard@gmail.com) : Website: [www.awbi.in](http://www.awbi.in)

No.17-1/2021-22/Legal

Date: 28.04.2021

To,

Society for Prevention of Cruelty to Animals, New Delhi  
Opp. Tis Hazari Court Gate No. 1,  
Tis Hazari, Delhi-110054

**Sub: Request to take cognizance of the cases wherein the abuse of legal provisions in the grab of animal's protection law are being done and to supervise the overall function of animal shelter- Reg.**

**Ref: The Metropolitan Magistrate, Tiz Hazari Court, Delhi order dated 13.04.2021 in FIR no. 126/2021 U/s 11 of PCA Act, 1960.**

Sir,

With reference to the above cited subject, it is brought to the notice of the Board from an email dated 26.04.2021 received from SHO Moti Nagar, New Delhi sharing a copy of Metropolitan Magistrate Court order dated 13.04.2021(copy enclosed) in FIR no. 126/2021 U/s 11 of PCA Act, 1960.

2. In this regard, it is stated that the Metropolitan Magistrate Court, Tiz hazari order 01.04.2021 directed to release the animals which were seized from the applicant by the police and handed over to the Sanjay Gandhi Animal Care Center(SGACC), Raja Garden upon certificate of a certified veterinary doctor, to the effect that these animals are fit for transportation on 05.04.2021. The applicant as per the order dated 01.04.2021 went with the IO to the SGACC on 03.04.2021 the officials of the SGACC asked him to come to the next day due the shortage of staff. The applicant again went to SGACC with the IO on 04.04.2021 wherein they outrightly refused to release the case property to the applicant stating that they did not have the complete case property.

3. Thereafter, the applicant filed a contempt of court application upon which the court issue notice to the In-charge of SGACC, Dr. Ambika Shukla, and on 08.04.2021, due to absence of any plausible reason for her absence, billable warrants are the sum of Rs. 5,000/- were issued by this court against her, the Court also directed her to produce a copy of the entire record pertaining to the admissions and upkeep of animals.


4. Further, the Court vide its order dated 13.04.2021 directed that the remaining animals which are still in possession of SGACC shall be released by them immediately, and the Government veterinary in-charge of the area is directed to depute a responsible veterinary doctor to visits SGACC along with the IO to certify about the medical condition of the animals before their release in compliance of the order this court dated 1.04.2021. The applicants shall be justified in law to institute appropriate a proceeding for compensation against all the erring

officials. The Court also noted that, the very law designed to protect the animals has been misused by a few in the present case, to cause their disappearance and death, it is expected of the Animal Welfare Board and the Ministry of Environment, Forest & Wildlife that they shall view it seriously, so that such blatant disregard of the life of innocent animals, and the abuse of legal provisions in the grab of animal's protection can be nipped in the bud. It is further expected that the necessary instructions by the Animal Welfare Board shall also be given to the SPCA concerned as per rules 5(3) of the Prevention of Cruelty to Animals (Establishment & regulation of Societies of Prevention of Cruelty to Animals) Rules, 2001 as it is the duty of SPCA concerned to supervise the overall function of animals shelter under its jurisdiction pertain their health upkeep daily record etc.

5. Therefore, in view of the above, it is requested to immediately take the cognizance of the above matter and other such similar matters. Further, you are directed to take appropriate action against offenders as per the provisions of the law and to fulfilling your statutory duties in letter and spirit. Also, a copy of the action taken report be forwarded to the Board within fifteen days from the receipt of this letter.

**Kindly treat this as most urgent.**

Yours sincerely,

  
(Dr. S.K. Dutta)  
Secretary

Copy to:

- 1) Chairman, AWBI,
- 2)SHO, Moti Nagar.
- 3) Registrar Tiz Hazari Court