No.9-22/2021-2022/PCA

To
1. The Deputy Commissioner,
   Estate Office Building, Sector-17,
   Chandigarh-160017
   Email: dc-chd@nic.in

Subject: Alleged complaints regarding the Banning of pet in ATS Lifestyle Golf Meadows, Derabassi, Chandigarh—Regarding.

Ref: Refer to our letter even number dated 25.08.2015, 28.10.2015 and on the above subject. (Copy enclosed)

Sir/Madam,

With reference to the above cited subject, it is stated that the Board has received an email by Shri Aman Man Singh Gill from ATS Lifestyle Golf Meadows, Derabassi stating that the society members have made a nuisance by imposing ban on walking dogs in the society. A complaint by A copy of the complaint is attached, which is self-explanatory.

2. Dogs and pets required exercise and it has illegal to deny them the exercise they require. Apartment association and Authorities can not pass any law against the pets for using Gardens, Parks, and other Public Spaces, the oppressive circulars and notices that they are issuing, are illegal, and often tantamount to criminal intimidation.

3. Cruelty to animals is an offense under Section 3 and Section 11(1) of the Prevention of Cruelty to Animals Act, 1960.

4. The Supreme Court has in the case of AWBI Vs. Nagaraja & Ors inter alia held that “We declare that the five freedoms [viz. i) freedom from hunger, thirst, and malnutrition; ii) freedom from fear and distress iii) freedom from physical and thermal discomfort iv) freedom from pain, injury and disease; and v) freedom to express normal patterns of behavior], referred to earlier be read into section 3 and 11 of Prevention of Cruelty to Animals Act, 1960, be protected and safeguarded by the State and Central Government, Union Territories (in short “Governments”), MoEF and AWBI.” The copies of the same are attached herewith for your information.

5. In furtherance of the spirit of co-existence and compassion for all living creatures endorsed by the constitution of India, and particularly by Article 51A(g) and 51A(h) thereof, Article 21 of the Constitution of India gives every citizen the right to decide how they choose to live, which includes the choice to live with a companion animal.

6. The board has issued an advisory dated 25.08.2015, 28.10.2015 and 14.08.2020 requesting all the Chief Secretaries and Director general of police of all States/UT’s to issue directing all their police station and officials to enforce the
provisions of the prevention of Cruelty to Animals Act, 1960 and its Rules effectively and also register the FIRs wherever necessary on priority basis so that such enforcement becomes a deterrent to the infliction of cruelty on the helpless animals.

7. Therefore in view of the above it is requested to you to kindly constitute an Animal Welfare Committee of comprising of residents, dog feeders, representative of Animal husbandry department or representative of Municipal Corporation, local SPCA and SHO of Jurisdiction Police Station to administer and manage the situation at local level. The team shall monitor and resolve all the issues to ensure that there is no harassment is cause to the animal owners and no unnecessary trouble is caused to the residents. Also, all the concern parties are to ensure that the strict implementation of the AWBI circular dated 26.02.2015.

9. In addition to the above, it is requested to issue necessary directions to the local officials to ensure that no harassment is caused to the dog owners or feeders and to take appropriate action as per law and Forward action taken report to the Board immediately to take further necessary action.

“Please treat this as most urgent”.

Yours sincerely,

(Dr. S.K. Dutta)
Secretary

Copy to: for information and further appropriate action.
1. The Member Secretary, Animal Husbandry Dept and Mmember Secretary, Punjab State Animal Welfare Board, Govt. of Punjab, Chandigarh -160017, Email: dahpunjab@gmail.com