ANIMAL WELFARE BOARD OF INDIA
Ministry of Fisheries, Animal Husbandry and Dairying, Govt. of India
(Department of Animal Husbandry and Dairying)
NIAW Campus, 42 Mile Stone, Delhi-Agra Highway
NH-2, Ballabghar, Haryana-121004
Email: animalwelfareboard@gmail.com : Website: www.awbi.in

No.9-22/2021-2022/PCA Date: 09.08.2021

To
The Principal Chief Conservor of Forests
Department of Forest & Wildlife
Second Floor, Paryavaran Bhawan,
Sector 19-B, Madhya Marg, near Le Corbusier Centre,
Chandigarh, 160019
Email: forestchandigarh@gmail.com

Subject: - Caging of birds at first Walk through Aviary of Birds at Chandigarh- regarding.

Reference: Email dated 09.08.2021 received from President, Second Innings Association

Sir,

With reference to the aforesaid subject, it is stated that the Board is in receipt of an email from President, Second Innings Association stating that Department of Forest & Wildlife, Chandigarh is making a walk through aviary of Birds in Chandigarh with over 1500 Birds of over 40 rare species. It has also been informed that these birds will be kept in enclosures in layer form made of net which will be covering the trees so that Birds may not be able to fly away. Further, it has also been informed that the Birds are being purchased from open market.

2. In this regard, it is stated that the as per AWBI’s Advisory No.3-6/2021-22/PCA dated 22.07.2021, the AWBI has requested to properly implement the directions of Hon’ble High Court of Gujarat as well as Hon’ble High Court of Delhi in reference to the provisions of the Prevention of Cruelty to Animals Act 1960 and rules made there under. The direction in the advisory No.3-6/2021-22/PCA dated 22.07.2021 is in regard to the existing letters dated 28.10.2011 and 06.05.2013 in which the copy of the direction of Hon’ble High Court of Gujarat dated 12.05.2011 was circulated to all the police station, senior forest official and Chief Wildlife Warden to wrap up all the illegal bird market that are taking place in every city.

3. The birds may be kept in pet shops registered under Pet Shop Rules, 2018, veterinary hospitals, veterinary Clinic, animal owner(s) registered under Performing Animals (Registration) Rules, 2001 or for which necessary permission has been obtained from concern authorities or permitted under any other law for the time being in force. All the procurement of Birds should be made from authorized seller registered under Pet Shop Rules, 2018 only.

4. Also, the exhibition of the animals in zoological garden for education or scientific purpose is exempted under Section 27(b) of the Prevention of Cruelty to Animals Act, 1960 “any animals kept in any zoological garden or by any society or association which has for its principal object the exhibition of animals for educational or scientific purposes”.


5. Further, it is stated that many aerial birds in India are covered under various schedules of the Wildlife Protection Act, 1972 and necessary permission need to be obtained from the Wildlife Department only.

6. Therefore, it is requested to follow all statutory permission under the Act and Rules as mentioned above and to follow the guidelines of Animal Welfare Board of India in letter and spirit. Copies of three numbers of letters dated 28.10.2011, 06.05.2013 and 22.07.2021 are attached for ready reference.

Yours sincerely,

(Dr. S. K. Dutta)
Secretary

Copy to: for information and further appropriate action.

1. Chairman, AWBI
2. Chief Wildlife Warden, Chandigarh.
3. Sh. R. K. Garg, President, Second Innings Association, Email: secondinningsassociation@gmail.com