



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, Ballabhgarh, Haryana-121004
Email: animalwelfareboard@gmail.com : Website: www.awbi.in

No.9-3/2021-2022/PCA

Dt.17.06.2021

To

1. District Collector,
Collectorate office, Near LG Office,
Surajpur, Gautam Baudh Nagar, UP-201306.
Email:- dmgbn@nic.in

Subject: Alleged complaint regarding cruelty inflicted to community animals, relocation and repeatedly harassment of compassionate -Regarding

Ref: Refer to our letter even number dated 25.08.2015, 28.10.2015 and 14.08.2020 on the above subject.(Copy enclosed)

Sir,

With reference to the above cited subject, it is stated that the Board has received an email by Shri Abhishek from Paramount Floraville, Sector 137, Noida stating that there are few stray dogs which are residing inside our apartment premises and people usually feed them as a compassion but one resident of our apartment came downstairs claiming his son got bitten by a sterilized and neutered dog. Now they along with other people try to relocate the stray dogs from the society premises. A copy of the complaint is attached, which is self-explanatory.

2. In this regard, it is stated that it is fundamental duty given under Article 51 A(g) of the Constitution of India and it states that *"It shall be duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures."* The removal of dogs from its natural habitat or from the owner is a punishable offense under Section 3, Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 and Section 428 & 429 of IPC and violation of the directions of the Hon'ble Supreme Court of India


3. Further, it is informed that as per Indian law, stray dogs cannot be displaced and relocated to shelters (or beaten or driven away). They can merely be sterilized in the manner envisaged in the Animal Birth Control (Dogs) Rules, 2001, vaccinated, and then returned back to their original locations - Rule 7(6). For the area-wise sterilization program that the law mandates shall be followed, dogs have to be returned back to their original habitat after sterilization and immunization. *The rationale behind the same is that dogs, being territorial in nature, tend to fight off other dogs, and keep them from entering their territories; and in this manner, the dog population in each territory / within each locale, stabilizes, and then reduces.* In any event, dogs cannot be displaced or relocated, and have to be returned back to the very localities that they are picked up from, after sterilization and immunization.

4. The Hon'ble Supreme court of India has also issued direction dated 07.05.2014 in matter of AWBI vs. A. Nagaraja & Ors to all the State Governments/UTs for implementation of the provisions of the PCA, Act, 1960 and its rules effectively so as to prevent unnecessary pain or suffering to animals and also to take appropriate action against the offenders inflicting cruelty to animals. (Copy enclosed).

5. In view of the above it is requested to conduct an enquiry into the matter and take appropriate action against the offenders as per the provision of law as and forward a copy of the action taken report to the Board at the earliest.

“Please treat this as most urgent”

Yours sincerely,



(Dr.S.K. Dutta)

Secretary

Copy to: for information and further appropriate action.

1. The Director, Animal Husbandry Department, Directorate of Animal Husbandry, Gokarnnath Rd, Badshah Bagh, Lucknow-226007, Email:- dir-ah.up@nic.in , directorahd@yahoo.com
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