



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

No.9-13/2021-2022/PCA

Dt.01.07.2021

To
The District Magistrate,
Office of the District Magistrate,
New Administrative Building,
Dist-Murshidabada-742101, West Bengal
Email: dm-mur-wb@nic.in

Subject: Alleged complaint regarding cruelty inflicted to animals 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 Tapas Mitra from 69/10 Pilkhana Road, Sachi Mansion, Flat No. C3, Berhampore, West Bengal-742101 stating that the majority of flat owners try to dislocate the dogs and protest against the feeding of dogs inside the common path(sideway) by conducting a general meeting of both apartment flat owners. A copy of the complaint is attached, which is self-explanatory.

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

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 had directed to take action against the erring officials as per the Para 77 of the S.L.P.No.(C) 11686 of 2007, Animal Welfare Board of India Vs A.Nagaraja & Others and the department of Personnel and Training, Ministry of Personnel, Public Grievances and Pension had issued guidelines vide F.No.30/9/2006-Welfare dated 26.5.2006 to take action against such personnel violating the laws. The copies of the same is attached herewith for your information.

5. The Board vides its letter dated 14.08.2020(copy enclosed) has requested the Chief Secretary and Director General of Police of all States/UTs to issue necessary direction to all the police stations and officials to enforce the provisions of the Prevention of Cruelty to Animals Acts, 1960 and its Rules effectively and also register the FIRs


wherever necessary on priority basis so that such enforcement become a deterrent to the infliction of cruelty on the helpless animals. The copies of the same is attached for your information

6. 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 companion animal.

7. In view of the above, it is requested to conduct an enquiry in the matter and take appropriate action as per the provisions of the 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 Director, Director of Animal Husbandry & Veterinary Services, LB2, Sector III, Salt Lake City, Kolkata- 700106, Email : dahvs.ard-wb@nic.in

2. The Director General of Police, Office of the Director General of Police, Police Headquarters, Nabanna, 325 Sarat Chatterjee Road, Kolkata-711102 Email:- dgpwestbengal@gmail.com

3. Shri Tapas Mitra, Email: tmitra171@gmail.com