



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.9-10/2021-2022/PCA

Dt.20.07.2021

To

1. The Commissioner of Police,
Near Kalawa Bridge, Thane,
Maharashtra 400601, Email: cp.thane@mahapolice.gov.in
2. The Additional Commissioner,
Commissionerate of Animal Husbandry,
Maharashtra, Oppsite Spicer College Rd, Aundh Pune-411067
Email: cah.addcomm@gmail.com

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

Ref: Refer to our letter even number dated 25.08.2015, 28.10.2015 and 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 Ms. Sejal Sawant from Vedant Complex, Vartak Nagar, Thane-West stating that she hand her family take care and feed the starys since the past 4-5 years. Her society has been creating issues regarding the same since the past 2 years. They've been imposing a fine on her for feeding, shaming her and troubling a lot regarding the same. They have also been troubling the animals, beating them with sticks and always shoing them away. Recently, the society committee hired a security agency especially to get the dogs out of the socity, they constantly try to relocate the dogs and also put a steel chain around a dog's neck. 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. The Supreme Court has in the cast of AWBI v/s Nagaraja & Ors interalia held the following: We declare that the five freedoms [viz. i) freedom from hunger, thirst and mainutrition; 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 safe guarded by the State and Central Government, Union Territories (in short "Governments"), MoEF and AWBI. The copies of the same is attached herewith for your information.

4. 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.

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 companion animal.

6. Therefore in view of the above it is requested to you to kindly constitute a team of comprising of residents, dog feeders, representative of Animal husbandry department or representative of Municipal Corporation, local SPCA and SHO of Jurisdiction Police Station 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 feeder 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.

7. 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 lovers or feeders and to take appropriate action against the offenders 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. Ms. Shejal Sawant, Email: sejalsawant1998@gmail.com