No.9-3/2021-22/PCA  Date: 16.06.2021

To
1. The District Collector,
   Collectorate office, Raj Nagar,
   Ghaziabad-201001, Email: dmgaha@nic.in
2. The Superintendent of Police,
   Chotti Bzaria, Madhupur,
   Ghaziabad-201009, Email: sspgzb-up@nic.in

Subject: Alleged complaint regarding illegal confiscation of pet dog –
Regarding.

Ref: Email dated 31.05.2021 received from Shri Tushar Gupta.

Sirs,

With reference to the above cited subject, it is brought to the notice of the
Board through an email by Shri Tushar Gupta stating that an illegal and
unauthorized act of trespassing, theft and confiscation of my pet dog by private
individual Ms. Achla Malik came to my house in my absence without warrant or
letter from any court or magistrate and confiscated my pets after intimidating and
threatening my help. It has been two weeks and I have no knowledge of where they
are and if they are even alive. A copy of the email is attached which is self-
explanatory.

2. The Cruelty to animals is an offense under Section 3, Section 11(1) of the

3. 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.

4. The Board vides its letter dated 13.03.2020(copy enclosed) to the District
   Collector, Municipal Corporation and Superintendent of Police of all the States/UTs
   that the Board is authorizing the officials of the concerned state Animal welfare
   Board/Forest Department/District Administration/Police Department/Animal
   Husbandry Department/Animal/Honorary Animal Welfare Officer(State/legal/District) to carry out such inspection related to the complaints
   on animal cruelty. The Board does not authorize any other organizations/persons.
   The copies of the same is attached for your information.

5. Recently, the Board vides its letter dated 15.06.2021(copy enclosed) has
   requested to the Chief Secretary and Director General of Police of all States/UTs to
   kindly issue necessary direction to the erring officials to properly implement the
   provision of Prevention of Cruelty to Animals (Care and Maintenance of case
   property Animals) Rules, 2017. Also, no unnecessary seizure on frivolous complaint
may be made from the houses/residences of the citizens unless concerned police officials thinks that an offence under PCA, Act, 1960.

6. It is therefore requested to direct the concerned authorities to proper investigate the matter and take appropriate action as per the law. It is gross violation of the Animal Welfare Board Norms and Law of the land which provide the procedure. A copy of the action taken report be forwarded to the Board within fifteen days from the receipt of this letter.

Kindly treat this as most urgent.

Yours sincerely,

(Dr. S.K. Dutta)
Secretary

Copy to:
1. Director, Directorate of Animal Husbandry, Badshahbagh, H/22, Gokaran Nath Rd, Babuganj, Hasanganj, Lucknow, Uttar Pradesh-226007. E-mail: dir-ah.up@nic.in directorahd@yahoo.com
2. Shri Tushar Gupta, Email: tushargupta.7778@gmail.com