



ANIMAL WELFARE BOARD OF INDIA

Ministry of Fisheries, Animal Husbandry and Dairying, Govt. of India
NIAW Campus, 42 Mile Stone, Delhi-Agra Highway
NH-2, Ballabhgarh, Haryana-121004
Email: animalwelfareboard@gmail.com : Website: www.awbi.in

No. 6-2/2020-21/PCA

Date: 03.03.2021

To

1. The Chief Secretary, Delhi.
2. The Commissioner of Police, Delhi.

Subject: Advisory to identify sufficient number of feeding spots for stray dogs in every district and to properly implement the AWBI Revised Guidelines on Pet dogs and street dogs dated 26.02.2015 – regarding.

Sir/Madam,

The Animal Welfare Board of India is a statutory body established under Section 4 of the PCA Act 1960. The function of the Board includes the promotion of animal welfare generally for the purpose of prevention of cruelty and to advise Government Or local bodies on any matter connected with animal welfare or the prevention of unnecessary pain or suffering.

2. The Board has been issuing various guidelines in respect to **pet & street dogs and their care givers and for Residents Welfare Associations and Apartment Owners Associations**. However, the Board continues to receive several complaints where the compassionate citizens/ animal welfare activists who are showing compassion towards stray dogs/ pet dogs, are being harassed by their neighbours/ RWAs and others. Also they are being restrained by these people or authorities to carry out the fundamental duties under Article 51 A(g) of the Constitution of India. In this regard, it has been noticed by the Board that complaints about animal cruelty and harassment of individuals showing compassion to these animals are not being pursued seriously and appropriate action are not being initiated by the law enforcement authorities.

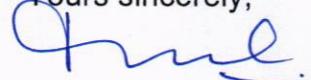
3. In this regard, it is brought to your notice that it is a fundamental duties under the Article 51 A(g) of the Constitution of India to protect and improve the natural environment including forests, lakes rivers, and wild life, and to have compassion for living creatures. Even though, the Board has issued advisories on 26.02.2015 and other advisories during COVID period regarding feeding of homeless animals by the residents of India, it has brought to the notice of the Board that complaints about animal cruelty and harassment of individuals and ill treatment of animals are receiving regularly. The local police is not taking cognizance of such events.

4. The Hon'ble Supreme court of India has also given direction dated 07.05.2014 in the matter of AWBI vs. A. Nagaraja&Ors to all the State Governments/UTs for implementation of the provisions of the PCA, Act,1960 and rules made there under effectively so as to prevent unnecessary pain or suffering of animals and also to take appropriate action against the offenders inflicting cruelty to animals. The Supreme Court of India also noted that the Section 3 and Section 11 of the PCA, Act have to be read along with Article 51A(g)(h) of the constitution which is the *magna carta* of animal rights.

5. Further, according to the most recent Judgment passed by the Hon'ble High Court of Delhi in W.P.(C) 2556/2021 & CM APPL.7535/2021 dated 24.02.2021 in the Matter of Urvashi Vashist & Ors Vs. RWA & Ors, it was directed that the RWA and the feeders with the help of AWBI representatives will identify the spot for feeding of the street dogs in the colony; no hindrance, whatsoever, shall be caused to the persons in carrying out any activities in respect of the street dogs at the said spot. Also it shall be the duty of the SHO concerned to ensure that peace and harmony is maintained amongst the residents of the area so that no harassment is caused to the petitioners by RWA and vice versa. I would also brought to the notice of recent incident of harassment of couple happened in Sector 83 of Gurugram.

6. In view of the above, you are requested to kindly issue necessary directions to all the local authorities to take appropriate steps to identify sufficient number of feeding spots for stray dogs in every town, villages, RWA and other institute etc. in each and every District. Also, law enforcement authority shall ensure that no harassment or hindrance is caused to the person feeding street dog at the designated feeding spot and to properly implement the AWBI Revised Guidelines on Pet dogs and street dogs dated 26.02.2015(copy enclosed).

Yours sincerely,



(Dr. O.P. Chaudhary), 4.3
Chairman

Copy to: for necessary action

1. All Chief Secretaries of State / UTs.
2. All Director General of Police of States/UTs
3. All Executive officer of Municipal Corporation of State / UTs.