



## **Animal Welfare Board of India**

**(Ministry of Environment, Forest and Climate Change, Govt. of India)**  
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No.9-1/2015-16/PCA

30.11.2015

To  
The Chief Secretary of all States/UTs.

Sir/Madam,

Subject: Compliance with the Hon'ble Supreme Court's order dated 18<sup>th</sup> November, 2015, passed with respect to stray dogs -Reg

I am directed to write to you on behalf of the Animal Welfare Board of India, and invite your urgent attention to the order dated 18<sup>th</sup> November, 2015, passed by the Supreme Court in the matter titled "Animal Welfare Board of India Vs. P.E.S.T. & Ors", being S.L.P. (Civil) No. 691 of 2009, and all connected petitions. A copy of the order is enclosed.

Some of the observations of the Hon'ble Court are as follows:

1. *"As stated earlier, we will advert to the same at a later stage, but for the present it is suffice to say that all the State municipal corporations, municipal committees, district boards and local bodies shall be guided by the Act and the Rules and it is the duty and obligation of the Animal Welfare Board of India to see that they are followed with all seriousness. It is also the duty of all municipal corporations to provide infrastructure as mandated in the statute and the rules."*
2. *"Needless to emphasize, no innovative method or subterfuge should be adopted not to carry out the responsibility under the 1960 Act or the 2001 Rules. Any kind of laxity while carrying out statutory obligations, is not countenanced by law."*
3. *"A copy of the order passed today be sent to the Chief Secretary of each of the States and the competent authority of Union Territories, so that they can follow the same in letter and spirit."*

To ensure that your State complies with the aforesaid judgement we are enclosing a copy of the Animal Birth Control (Dogs) Rules, 2001, as amended in 2010.

We also take this opportunity to highlight some of the important requirements that have to be complied with by the local authorities in the State. These are as follows:

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- (i) all local authorities (as defined in Rule 2(e)) to immediately set up the infrastructure provided for in Rule 6(1) of the Rules, if not already done;
- (ii) animal welfare organisations (defined in Rule 2(b)) are to be involved in the ABC programme (as per Rule 3) and the expenses incurred by them duly reimbursed, as provided for in Rule 6(3).
- (iii) monitoring committees are to be constituted as provided for in Rule 4 to oversee the programme and perform the functions listed out in Rule 5.
- (iv) for catching dogs for sterilization and immunization, and to ensure their return back to the location that they were picked up from, the procedure set out in Rule 7 of the Rules has strictly to be followed.
- (iv) humane euthanasia of only such dogs as are incurably ill or mortally wounded, in the manner, and after adopting the procedure specified therein, is permitted by Rule 9 of the Rules.
- (v) Dogs suspected to be rabid have to be dealt with in accordance with Rule 10, which contains the procedure to be followed.
- (vi) please ensure strict adherence to the Standard Operation Procedure (SOP) for the ABC programme published by the Board, which is available on our website, [www.awbi.org](http://www.awbi.org). The link to the same is [www.awbi.org/?q=node/175](http://www.awbi.org/?q=node/175)
- (vii) It may be prudent to conduct a census to arrive at accurate dog population figures before embarking on the programme.

If you need any assistance or guidance on any of the above issues, please do not hesitate to get in touch with us and we will be happy to oblige. It is our earnest desire to see a reduction in the man-animal conflict and also to ensure that the constitutional mandate to be kind and compassionate towards all living creatures is also fulfilled.

Please do all of the above under intimation to us, and also apprise us of all steps previously taken in this regard. If infrastructure has been established, and the ABC programme is already being implemented, please send us all necessary data. This may be treated as urgent, and you are requested to revert not later than the 15<sup>th</sup> December 2015.

Yours faithfully,  
  
(S. Vinod Kumar)  
Assistant Secretary

Encl: as above

Copy to: Chairman and Vice Chairman, AWBI