



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.9-7/2021-2022/PCA

Dt. 16.04.2021

To

1. The Deputy Commissioner,
Office of the Deputy Commissioner,
First Floor, Mini Secretariat, Gurugram-122001,
Haryana, Email: dcgrg@nic.in
2. Municipal Commissioner,
Municipal Corporation of Gurugram,
Plot No. C-1, Info. City, Sector-34, Gurugram-122001,
Haryana, Email: cmc@mcg.gov.in

Subject : Complaint regarding relocation and cruelty inflicted to stray dogs restriction and repeatedly harassment of compassionate citizens – Reg

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/Madam,

With reference to the above cited subject, it is brought to the notice of the Board by Ms. Harsha Mishra stated that I used to live in M1, DLF Express Greens, sec-1, IMT-Manesar, Gurugram-122051 and used to feed pack of 15-17 dogs over there. On 8.12.20 the Maintenance Officer Mr. Pawan Kumar isolating the dogs in the under construction building in order to restrict the entry of the dogs in the premises as people have an objection of dogs roaming in the society. Now, I have shifted from Manesar but Mr. Pawan Kumar and RWA Members is not allowing him to feed the dogs and restricting him to enter the premises as we do not live there any more. On 9.04.21 when I visited the society with Mr. Ajay Pal(IO) to see the dogs and to keep the water bowls. But, he refused and flipped, did not allow me and my husband to enter the premises. Cruelty inflicted to the stray dogs and harassed the compassionate citizens by threatening and abusing them. In this regard, it is stated that it is fundamental duty given under Article 51 A(g) of the Constitution of India and it states that "It shall be duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures." The removal of dogs from its natural habitat or from the owner is a punishable offense under Section 3, Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 and violation of the directions of the Hon'ble Supreme Court of India. A copy of the complaint letter is attached herewith for your ready reference.

2. 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.

3. The Hon'ble Supreme court of India has also issued direction dated 07.05.2014 in matter of AWBI vs. A. Nagaraja & Ors to all the State Governments/UTs for implementation of the provisions of the PCA, Act, 1960 and its rules effectively so as to prevent unnecessary pain or suffering to animals and also to take appropriate action against the offenders inflicting cruelty to animals. (copy enclosed)

4. 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. (copy enclosed)

5. The Board has also issued advisory to the States/UTs regarding welfare of animals and the copy of the same is attached for your information.

In view of the above it is requested to conduct an enquiry into the matter and take appropriate action as per law and to allocate multiple feeding area for the street dogs and forward a copy of the action taken report to the Board at the earliest.

“Please treat this as most urgent”.

Yours sincerely,



(Dr. S.K. Dutta)
Secretary

Encl.: as above.

Copy to: The Complainant for information and further necessary action.

1. The Director General, Animal Husbandry and Dairying Dept, Pashudhan Bhawan, Bays No. 9-12 Sector-2, Panchkula-134109 Haryana. Email: dg.ahd@hry.nic.in
2. Ms.Harsha Mishra, Email: harshamshr@gmail.com
3. Mr. Pawan Kumar, Email: expressgreensm1@gmail.com