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- (e) Animals (which are banned under Section 22 of the PCA Act, 1960, for training and/or exhibition) rescued from various sources such as circuses, Baazigars, Madaris, etc.
  - (f) Any other unforeseen circumstances which cause cruelty to animals in large numbers in any part of the country.

### Justification

A large number of representations/appeals have been received during the last one year to operate such a scheme at the central level so as to provide relief to animals in emergency situations as described above. The need has been felt to put such a scheme into operation without any loss of time due to recent supercyclone witnessed in the state of Orissa where around five to six lacs animals have been annihilated and rendered shelterless or diseased without any relief which has not only left animals in distress and pain but also affected the livelihood and economy of large number of marginal farmers and landless labourers in the affected areas.

### Definition of 'Natural Calamity or Unforeseen Circumstances'

- (i) A decision as to what constitutes a natural calamity will be taken on the basis of notification/certificate to be issued by the State Government/UTs or any other statutory authority under the relevant rules/regulations.
- (ii) A decision as to whether the claim for relief is justified, shall be taken by a committee consisting of the following officials:

JS(AW) – Chairman  
Dir/DS(AW)- Member  
Dir/DS(Finance)- Member  
US/SO(AW)- Member

- (iii) The Minister-in-Charge will have the power to provide relief under the scheme in such emergency situations, which in his/her opinion will meet the ends of justice to provide relief to animals notwithstanding the fact that the concerned authorities have not notified the situation as 'natural calamity' under the relevant rules and regulations or the committee as mentioned above has not found a case fit to be covered under the category 'unforeseen circumstances'

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Items for which assistance will be given:

Under the scheme, financial assistance will be given to the State Governments/UTs/Local Bodies and Animal Welfare Organisations (AWOs)/Societies for Prevention of Cruelty to Animals (SPCAs) working in the affected areas for the items given in the annexure of the scheme.

Eligibility for assistance:

Under the scheme, the funds will be provided by the Ministry of Social Justice & Empowerment to the State Governments/UTs/Local Bodies and Animal Welfare Organisations (AWOs) registered under the Indian Societies' Registration Act, 1860(XXI of 1860)/Societies for Prevention of Cruelty to Animals (SPCAs) or any other agencies as approved by Secretary(SJ&E), working in the affected areas on receipt of the application in the prescribed proforma and subject to the terms and conditions laid down for the purpose.

2. The Organisation seeking assistance under the scheme should meet the following requirements:
  - (a) The organisation should have experience of working towards the cause of animal welfare or should show evidence of competence to take up the proposed scheme,
  - (b) It should have an appropriate administrative structure and a duly constituted managing/executive committee.
  - (c) The organisation shall not run for profit to any individual or a body of individuals and shall take an undertaking to submit reports and returns periodically and punctually as prescribed by the Government of India (Ministry of Social Justice & Empowerment) from time to time.
  - (d) The organisation should have sufficient space/capabilities to carry out the relief operations during the situations as described above in para 2 of the scheme.

Funding Pattern :

- (i) There shall be a Corpus Fund initially for an amount of Rs.2.62 crores which shall be augmented from time to time keeping in view the availability of funds, the claims filed under the scheme and the need for expansion of the scheme to cover large number of situations and provide relief to animals as extensively as possible.

(ii) The relief shall be provided only out of interest generated by the Corpus Fund and the Corpus Fund shall be deposited only in banks/financial institutions as authorised by the Ministry of Finance (Department of Expenditure) under instructions issued from time to time.

(iii) This will be a hundred per cent Central Sector Scheme and the funds will be met out of the allocation to be made to the Animal Welfare Division during the remaining period of the 9<sup>th</sup> Five Year Plan. Any addition to the corpus fund would be made with the approval of the Planning Commission and Ministry of Finance during the 9<sup>th</sup> Five Year Plan and subsequent Plans.

(iv) The Corpus Fund can be enlarged by contributions, donations, subscriptions, bequests, gifts and the like made to it by any person, institution, body etc.

#### Extent of support to the project:

At the time of submission of its claim for relief under the scheme, the claimant would submit itemwise requirement as indicated in the Annexure to the scheme. This scheme is not intended to compensate the claimant organisation for its losses or damages but only to grant funds to provide for emergent relief to the animals. The extent of support would be decided by the Committee as provided in the scheme depending on the circumstances in each case such as the nature and size of the natural calamity, risk or danger to the animal life, capacity/capability of the claimant to cater to the emergency needs of the animals, size of the funds available under the scheme or any other relevant factor.

#### Application and sanction:

The eligible organisation claiming relief under the scheme will send in their application in the prescribed performa to the Ministry of Social Justice & Empowerment. on receipt of a complete proposal with all the requisite documents for claim, an inspection team will be constituted by the Government to verify the facts contained in the proposal and the report of the team would be placed before the committee to decide about the extent of relief to be sanctioned by the competent authority.

#### Competent Authority to decide the claim for relief.

The competent authority to decide the claim for relief on the basis of the recommendations of the Committee shall be prescribed with the approval of Minister in Charge of the Department of Animal Welfare from time to ...

Release of funds

The organization claiming relief under the scheme shall, before it receives assistance from the Government of India, execute a continuity bond valid for five years in the prescribed Performa to the effect that in the event of its failure to comply by any or all the conditions of the grants-in-aid shall be liable to refund the whole or such part of the funds as the Government may decide with interest thereon.

Should the actual expenditure on the items for which the assistance was sanctioned fall below the level at which the funds were sanctioned, the organization shall be liable to refund unutilized portion of the funds to the Ministry. The organization must exercise reasonable economy of expenditure on approved items and shall maintain separate accounts of the funds received under this scheme. They shall always be open to check by an officer deputed by the Government of India and they shall also be open to test check by the Comptroller and Auditor General of India at his discretion.

Termination of the funds released for relief

If the Ministry is not satisfied with the progress of the expenditure or it finds that the relief is not being provided as per the objectives for which the funds have been released, it reserves the right to terminate the sanction of funds released under the scheme.