

THE ANIMAL BIRTH CONTROL (DOGS) RULES, 2001¹

In exercise of the powers conferred by the sub-sections (1) and (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Animal Birth Control (Dogs) Rules, 2001.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless the context otherwise requires,—

- (a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- (b) "Animal Welfare Organisation" means and includes the Society for Prevention of Cruelty to Animals and any other welfare organisation for animals which is registered under the Societies Registration Act of 1860 (21 of 1860) or any other corresponding law for the time being in force and which is recognised by the Animal Welfare Board of India;
- (c) "Board" means the Animal Welfare Board of India, established under section 4 and as reconstituted under section 5A of the Act;
- (d) "Committee" means a committee appointed under these rules;
- (e) "Local Authority" means a municipal committee, district board or other authority for the time being invested by law with the control and administration of any matters within a specified local area;
- (f) "owner" means the owner of an animal and includes any other person in possession or custody of such animal whether with or without the consent of the owner;
- (g) "Veterinary doctor" means a person who holds a degree of a recognised veterinary college and is registered with the Indian Veterinary Council.

3. Classification of dogs and their sterilisation.—(1) All dogs shall be classified in one of the following two categories (i) pet dogs, (ii) street dogs.

(2) The owner of pet dogs shall be responsible for the controlled breeding, immunisation, sterilisation and licensing in accordance with these rules and the law for the time being in force within a specified local area.

(3) The street dogs shall be sterilised and immunised by participation of Animal Welfare Organisations, private individuals and the local authority.

1. *Vide* S.O. 1256(E), dated 24th December, 2001, published in the Gazette of India, Extra., Pt. II, Sec. 3(ii), dated 24th December, 2001.

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4. Formation of Committee.—A monitoring committee consisting of the following persons shall be constituted by the local authority, namely—

- (a) Commissioner/Chief of the local authority, who shall be the *ex-officio* Chairman of the Committee;
- (b) a representative of the Public Health Department of the local authority;
- (c) a representative of the Animal Welfare Department if any of the local authority;
- (d) a veterinary doctor;
- (e) a representative of the district Society for Prevention of Cruelty to Animals (SPCA);
- (f) at least two representatives from the Animal Welfare Organisations operating within the said local authority.

5. Functions of the Committee.—The Committee constituted under rule 4 shall be responsible for planning and management of dog control programme in accordance with these rules. The Committee may,—

- (a) issue instructions for catching, transportation, sheltering, sterilisation, vaccination, treatment and release of sterilised vaccinated or treated dogs;
- (b) authorise veterinary doctor to decide on case to case basis the need to put to sleep critically ill or fatally injured or rabid dogs in a painless method by using sodium pentathol. Any other method is strictly prohibited;
- (c) create public awareness, solicit co-operation and funding;
- (d) provide guidelines to pet dog owners and commercial breeders from time to time;
- (e) get a survey done of the number of street dogs by an independent agency;
- (f) take such steps for monitoring the dog bite cases to ascertain the reasons of dog bite, the area where it took place and whether it was from a stray or a pet dog;
- (g) keep a watch on the national and international developments in the field of research pertaining to street dogs' control and management, development of vaccines and cost effective methods of sterilisation, vaccination, etc.

6. Obligations of the local authority.—(1) The local authority shall provide for—

- (a) establishment of a sufficient number of dog pounds including animal kennels/shelters which may be managed by animal welfare organisations;
- (b) requisite number of dog vans with ramps for the capture and transportation of street dogs;

- (c) one driver a van;
- (d) an ambulance for sterilisation;
- (e) incinerators;
- (f) periodic reports.

(2) If the Municipality control street dog population, immunise street dogs and private individuals on a basis based on the number of dogs.

(3) The animal welfare sterilisation/immunisation basis based on the number of dogs.

7. Capturing/sterilisation be based on:—

- (a) Specific control of the Monitoring (i) complaints (dogs); and
- (b) General:—
 - (i) On receipt of same from the date of recording
 - (ii) Capturing to be spayed

(2) The dog capture

- (i) The driver
- (ii) Two or more in capturing
- (iii) One representative

Each member of local authority. The representative of an Animal Welfare Organisation

(3) On receipt of the dog squad will be the complainant in case of general capturing, and to ensure that

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- (c) one driver and two trained dog catchers to be provided for each dog van;
- (d) an ambulance-cum-clinical van to be provided as mobile center for sterilisation and immunisation;
- (e) incinerators to be installed by the local authority for disposal of carcasses.
- (f) periodic repair of shelter or pound.

(2) If the Municipal Corporation or the local authority thinks it expedient to control street dog population, it shall be incumbent upon them to sterilise and immunise street dogs with the participation of animal welfare organisations, private individuals and the local authority.

(3) The animal welfare organisations shall be reimbursed the expenses of sterilisation/immunisation at a rate to be fixed by the Committee on fortnightly basis based on the number of sterilisation/immunisation done.

7. Capturing/sterilisation/immunisation/release.—(1) Capturing of dogs shall be based on:—

(a) Specific complaints (for which the local authority in consultation with the Monitoring Committee shall set up a dog control cell to receive complaints about dog nuisance, dog bites and information about rabid dogs); and

(b) General:—

(i) On receipt of specific complaint about nuisance or dog bite the same shall be attended on priority basis, irrespective of the area from which the complaint comes. On receipt of such complaint the details such as name of the complainant, his complete address, date and time of complaint, nature of complaint etc. shall be recorded in a register to be maintained for permanent record;

(ii) Capturing for general purpose will be on such dates and time to be specified by the Committee.

(2) The dog capturing squad shall consist of—

(i) The driver of the dog van;

(ii) Two or more trained employees of the local authority who are trained in capturing of dogs;

(iii) One representative of any of the animal welfare organisation.

Each member of the dog squad shall carry, a valid identity card issued by the local authority. The dog capturing squad will be accompanied by a representative of an Animal Welfare Organisation nominated for the purpose.

(3) On receipt of specific complaint or for capturing dogs in normal course the dog squad will visit the concerned area, capture the dogs identified by the complainant in case of complaint-oriented capturing and other dogs in case of general capturing. All the dogs caught will be tagged for identification purposes and to ensure that the dogs are released in the same area after sterilisation and

vaccination. Only stipulated number of dogs, according to the Animal Birth Control Program target, shall be caught by the van. A record of dogs captured shall be maintained in a register, mentioning therein the name of the area/locality, date and time of capture, names of persons in the dogs squad on that particular day and details about dogs captured such as number of male dogs, number of female dogs, number of puppies etc.

(4) The dogs shall be captured by using humane methods such as lassoing or soft-loop animal catchers such as those prescribed under the provisions of Prevention of Cruelty (Capture of Animals) Rules, 1979.

(5) While the dogs are being captured in any locality the representative of the local authority or of the Animal Welfare Organisation accompanying the dog squad will make announcements on a public address system that dogs are being captured from the area for the purpose of sterilisation and immunisation and will be released in the same area after sterilisation and immunisation. The announcement may also briefly educate the residents of the area about the dog control programme and solicit the support of all the residents reassuring them that the local authority is taking adequate steps for their safety.

(6) The captured dogs shall be brought to the dog kennels/dog pounds managed by the Animal Welfare Organisations (AWOs). On reaching the dog pounds all the dogs shall be examined by the veterinarians and healthy and sick dogs should be segregated. Sick dogs should be given proper treatment in the hospitals run by Society for Prevention of Cruelty to Animals (SPCA)/other institutions and only after they are treated they should be sterilised and vaccinated. The dogs will be sterilised/vaccinated under the supervision of the veterinarians of the hospital run by the Society for Prevention of Cruelty to Animals (SPCA). Animal Welfare Organisation or other dog shelters. After necessary period of follow up, the dogs shall be released at the same place or locality from where they were captured and the date, time and place of their release shall be recorded. The representative of Animal Welfare Organisations (AWOs) shall accompany the dog squad at the time of release also.

(7) At a time only one lot of dogs shall be brought for sterilisation, immunisation at one dog kennel or dog pound and these dogs shall be from one locality. Two lots from different areas or localities shall not be mixed at the same dog pound or dog kennel.

(8) The dog kennel must have sufficient space for proper housing and free movement of dogs. The place should have proper ventilation and natural lighting and must be kept clean. Adults and puppies must be housed separately and amongst the adults the males and females also should be housed separately. Adequate arrangement for drinking water and food shall be made for dogs while in captivity.

(9) Female dogs found to be pregnant shall not undergo abortion (irrespective of stage of pregnancy) and sterilisation and should be released till they have the litter.

8. Identification
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9. Euthanasia of
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(4) If the dog is f be isolated till it dies contracting rabies. Pre the true incidence of taken.

(5) If the dog is fc handed over to the rehabilitate the dog.

11. Disposal of c
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12. Guidelines fo
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(ii) Breeder must n individual bitches.

(iii) Breeder must ensure that the buyer

13. Application of
in any area to which

8. Identification and Recording.—Sterilised dogs shall be vaccinated before release and the ears of these dogs should either be clipped and/or tattooed for being identified as sterilised or immunised dogs. In addition, the dogs may be given token or nylon collars for identification and detailed records of such dogs shall be maintained. Branding of dogs would not be permitted.

9. Euthanasia of Street Dogs.—Incurably ill and mortally wounded dogs as diagnosed by a qualified veterinarian appointed by the committee shall be euthanised during specified hours in a humane manner by administering sodium pentathol for adult dogs and Thiopental Intraperitoneal for puppies by a qualified veterinarian or euthanised in any other humane manner approved by Animal Welfare Board of India. No dog shall be euthanised in the presence of another dog. The person responsible for euthanising shall make sure that the animal is dead, before disposal.

10. Furious or dumb rabid dogs.—(1) On the receipt of complaints from the public to the Dog Control Cell of the Local Authority or on its own, the dog squad of the Local Authority would catch such dogs, suspected to be rabid.

(2) The caught dog would then be taken to the pound where it would be isolated in an isolation ward.

(3) The suspected rabid dog would then be subjected to inspection by a panel of two persons *i.e.*—

(i) a veterinarian surgeon appointed by the Local Authority; and

(ii) a representative from an Animal Welfare Organisation.

(4) If the dog is found to have a high probability of having rabies it would be isolated till it dies a natural death. Death normally occurs within 10 days of contracting rabies. Premature killings of suspected rabid dogs therefore prevents the true incidence of rabies from being known and appropriate action being taken.

(5) If the dog is found not to have rabies but some other disease it would be handed over to the AWOs who will take the necessary action to cure and rehabilitate the dog.

11. Disposal of carcasses.—The carcasses of such euthanised dogs shall be disposed of in an incinerator to be provided by the local authority.

12. Guidelines for breeders.—(i) A breeder must be registered with Animal Welfare Board of India.

(ii) Breeder must maintain full record of the number of pups born/died from individual bitches.

(iii) Breeder must maintain record of the person buying the pups. He should ensure that the buyer has the required knowledge for the upkeep of the pups.

13. Application of rules where local bye-laws etc., exist.—If there is in force in any area to which these rules extend, any Act, rule, regulation or bye-law

made under any law for the time being in force by the State or the Local Authority in respect of any of the matters for which provision is made in these rules, such rule, regulation or bye-law shall to the extent to which—

- (a) it contains provisions less irksome to the animal than those contained in these rules shall prevail;
- (b) it contains provisions more irksome to the animal than those contained in these rules, be of no effect.

THE WILDLIFE

The rapid decline is a grave concern. Some of the country and other teeming with wild life. In National Parks the poaching of Wild Birds and Animals is completely outmoded. Government provided punishment for poachers. The financial benefit is not produced. An urgent Government would provide protection. But the Government regard as the subject of the Schedule. Different resolutions are adequate to deal with Andhra Pradesh, Madhya Pradesh, Manipur, etc. resolutions empower the Government on the subject. According to the Parliament.

STATEMENT OF

The rapid decline in the most varied in the animals and birds in the danger of becoming become devoid of protection afforded to wild animals. The Protection Act, 1972 existing State laws are not commensurate with the protection from poaching and control of hunting. The prime reasons for the decline in wild life and poaching are:

2. Having considered the Government's action is satisfactory. The Government have taken comprehensive legislation for the protection of animals and birds and the incidental thereto.