STREET DOGS

Issued in Public Interest

Stated below is information that you will find relevant.

Firstly, please remember, harming animals, or treating them with cruelty, is a punishable
offence, under the Constitution of India, the Indian Penal Code, the Prevention of Cruelty to
Animals Act and the Environment Protection Act.

DOG BITES

1. Dogs do not usually bite without provocation.
2. Dogs may bite when,
   • they perceive aggression on your part, such as a raised stick, or bending to pick a
     stone,
   • if you try to touch/catch them,
   • in a bid to protect their owner’s, or their own territory, or their food/source of
     food,
   • mothers may bite to protect their young ones.
   Do not run when you see a stray dog, or walk too fast. Do not stare at them. Just let
   them be – they’ll let you be.
3. World wide statistics reveal that pet dogs are far more prone to biting than are strays.
4. Dogs are classified as companion animals. They are usually friendly to humans, and
   are almost always more scared of you than you are of them.

“QUICK FIX SOLUTION” TO STRAY DOGS

5. There is no “Quick Fix solution” to stray dogs. If there was one, it would have
   worked hundreds of years ago, and stray dogs would have become extinct.
6. Stray dogs breed and live in and around human habitations – wherever there are
   people there are dogs.
7. Efforts to completely rid territories of strays, or ‘throwing away’ or otherwise
   harming their young, does not usually have the desired effect. This is primarily
   because vacated territories which are vacuums are always taken up by other
   dogs – there are too many of them. This cycle continues and the only way to stop
   it to “domesticate” the dogs that are already present in your area and get them
   sterilized and vaccinated. These dogs will guard your area from other dogs
   which may be rabid or unsterilised.

RATIONAL SCIENTIFIC SOLUTION

8. A rational, scientific, but slower solution to the problem of stray dogs has been
   recommended by the World Health Organization (W.H.O.), and has been
demonstrated to be the only effective solution.
9. The W.H.O. recommends systematic sterilization, vaccination and community level adoption of dogs for effectively reducing dog population and aggression in dogs, and eliminating the risk of rabies.

10. Relocating stray dogs is not recommended. Dogs are released back in the areas they were picked up from, because they guard their territories and prevent other (possibly un-sterilized, un-vaccinated) dogs from coming in. This also serves to keep the dog population in a community in check.

11. Dogs keep areas free of snakes, rodents, particularly sewer rats, that can overrun habitation with fearful diseases like plague. (Example, plague at Surat.)

THE LAW IN THIS REGARD

The ten Fundamental Duties—given in Article 51-A of the constitution—can be classified as either duties towards self, duties concerning the environment, duties towards the State and duties towards the nation. "Directive Principles of State Policy" directs that the government should keep them in mind while framing laws, even though they are non-justifiable in nature. Directive Principles are classified under the following categories: Gandhi an, social, economic, political, administrative, legal, environmental, protection of monuments, peace and security. After the Stockholm Declaration in 1972 the Indian Constitution (Forty-second Amendment) Act, 1976 inserted for the first time specific provisions to protect & improve the environment.

1. Article 51-A(g) states - "It shall be duty of every citizen of India to protect & improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures."

2. Article 48-A - "The State shall endeavor to protect & improve the environment and to safeguard the forests and wildlife of the country."

3. Article 19 deals with the fundamental rights of the citizen. So "Right to Protect the Environment" comes within Article 19.

4. Article 25, 26, 27, 28 provides religious freedom to all citizens and preserves the principle of secularism in India. According to the constitution, all religions are equal before the State. Citizens are free to preach, practice and propagate any religion of their choice in their own way. Feeding animals like dogs is a part of the same in many religion.

5. Section 11 of the Prevention of Cruelty to Animals Act makes all animal cruelty a criminal offence. Fines and imprisonment are both provided for. The Indian Penal Code has similar provisions.

6. The Animal Birth Control (Dog) Rules, 2001, enacted under the Prevention of Cruelty to Animals Act, provide for sterilization and vaccination as a means of stabilizing/reducing stray dog populations and eliminating the risk of rabies; and prohibits relocation of stray dogs, i.e. throwing, or driving them out of one area, into another. Enclosed copies of an articles referring to an order passed by the Supreme Court of India in this regard, which prohibits removal, dislocation or killing of even nuisance dogs.

7. Under Stray Dog Management Rules 2001, it's illegal for an individual, RWA or estate management to remove or relocate dogs. The dogs have to be sterilized and vaccinated and returned to the same area. Vaccinated and sterilized dogs cannot be removed by the municipality too.
8. Under Section 506 of the IPC, it's a crime to threaten, abuse or harass neighbors who feed animals.

9. I.P.C. Section 428 and 429 provides severe punishment (up to 5 years imprisonment) to people resorting to dislocation, abduction and acts of cruelty towards community animals or pets.

10. Delhi Police act 1968, sections 73 to 79, 99 gives special powers to police to take action when an animal offence has been committed.

11. Ministry of Public Grievances notification and a similar notification by Animal Welfare Board of India dated March 2008, provide immunity to animal feeders and restrict government employees or bodies such as Resident Welfare Associations from harassing people who try to feed or help animals.


13. Directive of the Central Mumbai Consumer Disputes Redress Forum, given on 22/11/10 came down strongly against the housing societies who were charging a resident for use of lift since October 2008 for pets.

14. High Court of Delhi in 2011 passed an order asking the police to provide protection to dogs and dog feeders and has made it a punishable offence in case anyone restricts, prohibits or causes inconvenience to any person feeding a street dog or resorts to removal dislocation or killing of a dog.

15. The Supreme Court of India in 2009 gave a similar stay order against removal culling or dislocation of a dog anywhere in India.

Other notifications, laws, orders pertaining to Dog feeding, Protection and removal/ killing/ dislocation are attached herewith for consideration. Please note that these are serious offenses under the law of the land and are punishable also.

**FEEDING STRAY DOGS**

1. Hungry animals are more likely to fight, and bite, and be diseased (since they forage for food in garbage). Feeding stray dogs renders them docile and friendly, and they do not roam in search of food. It becomes easier to catch them for sterilization and vaccination.

2. Stray dogs are scavengers, and can live on insects, rodents, and garbage. Countries that have tackled garbage, filth, slums, etc. and resorted to large scale sterilization and vaccination, have effectively managed stray animals.

3. If the dogs feed on Garbage then the garbage dump becomes their “primary food source” which they will try to protect from you and in turn may get hostile. But if you feed the dogs at least once days then you become the primary food source which they will protect. High Court of Delhi has hence passed an order asking the police to provide protection to dogs and dog feeders and has made it a punishable offence in case anyone restricts, prohibits or causes inconvenience to any person feeding a street dog.

Hence, “Domestication” of a few dogs, management of “Garbage Dumps”, “Feeding” of stray dogs and finally “Vaccination & Sterilisation” of the same dogs is a **FOUR STEP** solution to any problem that may arise out of street dogs.
This way the 3 Threats associated with street dogs of –

a) RABIES,
b) OVER POPULATION,
c) DOG BITES and AGGRESSION

can be easily and permanently tackled in each and every area with help from organizations working in the same regard & the Municipal Corporation of Delhi, under the Animal Birth Control program.

For and on behalf of Citizens For Animal Rights

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Enclosures: relevant documents explaining solutions, court orders and laws in the regard
ANNEXURES

Various orders mentioned in the letter above

ABC RULES

In view of the enactment of the Animal Birth Control (Dog) Rules, 2001, under Section 38 of the Prevention of Cruelty to Animals Act, 1960, which contains mandates that are at complete variance with Section 399 (1) (b) of the Delhi Municipal Corporation Act, 1957, the Municipal Corporation of Delhi cannot destroy dogs at will.


For your ready reference, The Animal Birth Control (Dog) Rules, 2001, in entirety, and the relevant sections of The Prevention of Cruelty to Animals Act, 1960, and even The Delhi Police Act, 1978, are enclosed herewith. The relevant portions, i.e. Rule 6 and Rule 7, are highlighted.

Rule 6 clearly envisages that even if the Municipal Corporation thinks it expedient to control street dog populations, IT CANNOT RESORT TO KILLING OR DISLOCATING. It can only sterilize and immunize the dogs, and then leave them at the locations that they had been picked up from.

Rule 7 deals with the procedure to be followed upon receipt of a complaint. Please also note, the M.C.D. cannot just pick up dogs, simply because some persons, don’t like their being around. Even the dogs that are complained about can only be sterilized and immunized, and then left back at the locations that they had been picked up from.
OFFICE MEMORANDUM

Subject: Prevention of cruelty to animals – Guidelines reg.

It has been brought to the notice of this Department that a number of Associations have been engaging in dealing with the problem of stray animals in their areas on their own or through security guards appointed by them. It has also been reported that apart from beating animals etc., some of the associations have also been taking recourse to intimidating residents who may be feeding/tending some of the stray animals.

2. Section 11 of Prevention of Cruelty to animals Act, 1960 as amended from time to time, provides that if any person beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animals so as to subject it to unnecessary pain or suffering, he shall be punishable with fine and/or imprisonment. In terms of the provisions of the Act, therefore, the Govt. servant who indulges in act of cruelty to animals will be making himself liable for action under Prevention of Cruelty to Animals Act. Besides, punishment under the Act, he would also make himself liable for action under CCS (Conduct) Rules for conduct unbecoming of a Govt. servant.

3. It may be noted that for dealing with the problem of stray animals, there are designated agencies in Govt/local self-government organizations etc. Such Organisations regularly undertake inoculations, sterilization of female animals etc. Recognised Associations in Govt. colonies may approach such Institutions for redressal of their grievances. Un-recognised associations may also approach such bodies with their individual/collective grievances, but they shall refrain from pretending to represent the residents in general. Where there is no recognized association, grievances, if any, of the residents may be taken up with the Institutions through the AWO/Office of the CWO. However, all the problems of stray animals have to be handled within the institutional framework available and no association, recognized or unrecognized, shall take recourse to action on their own, either themselves or through any person employed by them like security guards etc.
While residents and Associations are free to address institutional agencies for redressal of grievances in this matter, no resident/association will interfere with the freedom of other residents in tending animals etc. Intimidation, in any form, is a criminal offence. Apart from action under appropriate criminal law, such persons will render themselves liable for action under the CCS Conduct Rules.

(M. S. Nagra)
Under Secretary (Welfare)
Tel No 24641676

Copy to all Joint Secretaries (Administration) in all the Ministries/Depts. of Govt. of India. – The provisions of Prevention of Cruelty to Animals Act, 1960 and the guidelines provided in the Circular may please be brought to the notice of all employees in your Department.

Dept. of Posts
(Sri P. Gopinath, Secretary)

(Dak Bhawan, Secretariat)

New Delhi
WILDLIFE PROTECTION ACT, 1972.

UNDER SECTION 9, 39, 40 (2)

Offences
11. Hunting, keeping or breeding of any wild animals and birds.
12. Acquiring, receiving, keeping in control, custody or possession, selling wild animals like monkeys, snakes, bears etc., or any wild birds. This includes parakeets and mynahs.
13. Selling skins or meat of wild animals. This includes monitor lizard oil or oil made of any other creature. Stuffed squirrels, snake skins, peacock feathers.

Penalty
The offender shall be punishable with imprisonment for a term of not less than one year which may extend to six years and also with a fine which shall not be less than five thousand rupees.

UNDER SECTION 38 (J)

Offence
14. Teasing, injuring or causing disturbance in the zoo.

Penalty
The offender shall be punishable with imprisonment for six months or a fine which may extend to two thousand rupees or with both.

INDIAN PENAL CODE, 1860

UNDER SECTION 428, 429

Offence
15. Mischief of killing or maiming of an animal of any value above ten rupees. This includes bulls, oxen, horses, mules, camels etc.

Penalty
The offender shall be punishable with imprisonment which may extend to five years or with a fine or with both.

DELI POLICE ACT, 1968

UNDER SECTION 73 TO 79 & 99

Under this Act the police has been given special powers to take action, when an animal offence has been committed.

When a police officer has reason to believe an offence under Section 11 and 12 of the Prevention of Cruelty to Animals Act has occurred, he may seize the animal and take it to a veterinary officer. The police officer can keep the animal in a dispensary before it is produced before a magistrate, so long as the time does not exceed three days. A police officer may unsaddle or unwind an animal he suspects is unfit or too sick to carry out the work it is doing.

A police officer may arrest, without a warrant from a magistrate, any person committing in his presence any offence punishable under the Prevention of Cruelty to Animals Act.

PEOPLE FOR ANIMALS

Extracts from:
2. Wild Life Protection Act, 1972
3. Indian Penal Code, 1860
4. Delhi Police Act, 1968

WHAT EVERY POLICE OFFICER AND ANIMAL ACTIVIST SHOULD KNOW
**PUNISHABLE OFFENCES**

**PREVENTION OF CRUELTY TO ANIMALS ACT, 1960 (ACT 59 OF 1960)**

**UNDER SECTION 11**

**Offences**

1. Beating, kicking, overriding, torturing or causing any animal pain or suffering by the owner or any other person (tongawallas and cart-owners). Using any animal for work when it is wounded or unfit.

2. **Overloading:**
   - Any weight exceeding the limits given below:

<table>
<thead>
<tr>
<th>Two wheeled Vehicles</th>
<th>Kgs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Buffalo</td>
<td>500</td>
</tr>
<tr>
<td>Medium Buffalo</td>
<td>700</td>
</tr>
<tr>
<td>Large Buffalo</td>
<td>900</td>
</tr>
<tr>
<td>Horse</td>
<td>375</td>
</tr>
<tr>
<td>Camel</td>
<td>1000</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Pack Animals</th>
<th>Kgs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Buffalo</td>
<td>100</td>
</tr>
<tr>
<td>Medium Buffalo</td>
<td>150</td>
</tr>
<tr>
<td>Large Buffalo</td>
<td>175</td>
</tr>
<tr>
<td>Pony</td>
<td>35</td>
</tr>
<tr>
<td>Mule</td>
<td>75</td>
</tr>
<tr>
<td>Donkey</td>
<td>35</td>
</tr>
<tr>
<td>Camel</td>
<td>185</td>
</tr>
</tbody>
</table>

   *Permissible loading in a truck is only 4 buffaloes or 40 sheep/goats. Animals in tempo are not allowed.*

Only 4 passengers excluding the driver are allowed on a tonga or a total of 325 kgs.

3. Carrying or transporting animals in such a manner that it causes suffering. Carrying of chickens upside down or cycles, carrying of goats, pigs, cattle with their legs tied in small vehicles.

4. Caging or confining an animal in a cage which does not allow the animal sufficient space for movement. Overcrowding of animals in yards and during transportation for slaughter. This applies to the cages of circus animals & mini zoos as well.

5. Failing to provide pet animals with sufficient food, drink or shelter Abandoning an animal when old or diseased, keeping it on a short leash and insufficient exercise. Pet owners are covered under this Act.

6. Mutilating an animal: Cutting ears or tails, cutting the beaks of birds or clipping their wings & breaking legs for transportation.

7. Giving any animal an injurious drug. All dairy-owners who give oxytocin injections to their milk cattle can be raided and their dairies shut down. Also look at Section 12.

8. Organising or offering an area for animal fights or baiting of animals. (Cock or ram fighting, snake and mongoose fights.)

**Penalty**

All these Offences are punishable with a fine which may extend upto one hundred rupee or with imprisonment for a term which may extend to three months or with both.

**UNDER SECTION 12**

**Offence**

9. Any person using injections of any kind, conducting any operation called Phooka or Dood Dool to improve lactation of cows or any other milch cattle (e.g. Oxytocin injections).

**Penalty**

The offender may be punished with a fine which may extend to one thousand rupees or with imprisonment which may extend to two years or with both and the animal confiscated by the Government.

**UNDER SECTION 21 & 22**

**Offence**

10. It is an offence to exhibit and train performing animals. (All magars, snake-charmers, bear and monkey performers are covered under this Section. Animal "Joyrides" are also covered under this Act.)

   Under govt. notification GSR 619(E) dated 14-10-98. circuses may not use the following animal for training or exhibition : Bears, Monkeys, Tigers, Panthers, Lions.

   **Penalty**

   The offender may be punished with a fine of five hundred rupees or with imprisonment which may extend to three months or with both.
TO WHOMSOEVER IT MAY CONCERN

Animal Welfare Board of India, a statutory body was constituted under the Prevention of Cruelty to Animal Act, 1960, an act of Parliament in order to promote of animal welfare generally and for protecting animals from being subjected to unnecessary pain or suffering. AWBI has been implementing various animal welfare schemes and enacting and implementing various acts and rules framed under Prevention of Cruelty to Animal Act, 1960.

As you are aware that Govt. of India Notified the Animal Birth Control (Dogs) Rules, 2001, under the PCA Act, 1960 vide the Gazette of India. Extra Ordinary Part II Sec. 3 – sub. II dated 24th Dec. 2001 to implement sterilization and vaccination of stray / community dogs to control the dog population.

As per the Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions, New Delhi letter no.F.No.30/9/2006-WELFARE dated 26.5.2006, it is informed that ‘if any Govt. Servant indulges in act of cruelty to animals he will be making himself liable for action under Prevention of Cruelty to Animals Act. Besides, punishment under the Act, he would also make himself liable for action under CCS (Conduct) Rules for conduct unbecoming of a Govt. Servant.

It may be noted that for dealing with the problem of stray animals, there are designated agencies in Govt./local self-government organizations etc. Such Organisations regularly undertake inoculations, sterilization of female animals etc. Recognised Associations in Govt. colonies may approach such Institutions for redressal of their grievances.

All the problems of stray animals have to be handled within the institutional framework available and no association, recognized or unrecognized, shall take recourse to action on their own, either themselves or through any person employed by them like security guards etc.

Therefore, you are directed not to remove the community dogs from the any place as it is illegal and violation of above said rules. This amounts to cruelty to animals as per PCA Act and is a punishable offence. However, it is suggested that you may take help of recognized NGOs (List of AWO's in your state is available in the website www.awbi.org) conducting ABC Programme for taking up Sterilization and Immunization of stray dogs in the place to manage their population and to implement the provisions of Animal Birth Control (Dogs) Rules, 2001 in letter and spirit.

You are requested to issue proper instructions to the concerned authority in this regard.

Yours truly
MUNICIPAL CORPORATION OF DELHI
Department of Veterinary Services

PUBLIC NOTICE

Don't Let Stray Dogs Become a Threat
Help MCD & NGOs in Sterilization Drive

The general public is hereby informed that in order to control the population of stray dogs in the city, Municipal Corporation of Delhi is carrying out the programme of sterilization and immunization of stray dogs through the following 10 NGOs:

- Sanjay Ganchi Animal Care Centre (Rajiv Garden)
- Frendicos - Seva (Defence Colony)
- Sonali Chantable Trust (Najafgarh)
- Jeevashram Foundation (Rajinder Nagar)
- Jeevan Jyoti Animal Welfare Society (Pooth)
- Animal India Trust (Jal Vihar)
- Samrakshan Trust (Prahulpura & Ghazipur)
- Cure and Care Animal Help Foundation (Tilakpura Kotla)
- Circle of Animal Lovers (Neel Sarai & Tuglakabad)
- Pet Animal Welfare Society (Masood Pur)

As per notification No. 929 dated 24.12.2001 issued by Government of India, the dogs after sterilization and immunization are to be released in the same area/locality from where they had been picked up. Complaints are being received by the MCD to pick-up the dogs and relocate them to other localities/areas, which is not permissible under the above said notified rules.

In view of above, general public is hereby informed to cooperate with the workers of NGOs and Municipal employees while they visit the areas for picking-up the stray dogs for sterilization and immunization, which is essential to control their population in the city. It should be our endeavour to work in this direction together keeping in view the forthcoming Commonwealth Games, 2010.

It is also requested not to insist to release/relocate the dogs picked up from one area to another area. For any information in this regard, you may contact at telephone number: 23974321

R.D. No. 583/DP/2008-09

Director
(Veterinary Services)

ISSUED BY DIRECTORATE OF PRESS & INFORMATION (D.P.I.), MCD

TIMES OF INDIA, DELHI EDITION

30/03/2009
From: Commissioner
Municipal Corporation, Gurgaon

To: Presidents, RWA,
Gurgaon

No. J.C(HC)/MCG/2012/1485 Dated 2/2/12

Sub: Regarding curbing cruelty against Animals.

Some incidents of cruelty against animals by RWAs, their office bearers and residents has been reported to this office. It has also come to the notice that certain RWAs have attempted to prevent or obstruct pet ownership through stipulations in terms of their rental/ownership agreements and have even threatened pet owners with electricity/water cut offs.

All RWAs are requested to take note the following issues & to abide by the legal provision mentioned therein:

1. Kindly note that the laws on pet ownership are very clear. The Constitution of India's Directive Principles clearly state through their various sections that private groups, government bodies and any organization may not infringe upon a person's fundamental right. Under the law, pets constitute 'family' and keeping a pet is a fundamental right of every Indian national. Hence, for an association or committee to impose restrictions on this right is against the law. A mention of any such clause in any agreement by a Managing Committee of a Society is not sufficient to make it a law. It may also be noted that any law or rule formed by anybody, if conflicts with the law of the urban local body, state body or central body, is automatically superseded and rendered null and void. So any society bye-law, even if it mentions such a clause in the agreement, if found conflicting with the law of the land, holds no
legal value and is automatically invalid. Nor is it legal for any RWA to threaten the discontinuation of basic facilities. Any RWA that is found taking the law into its own hands by making such threats can lead to the dissolution of that RWA and prosecution of its office bearers.

2. Various RWAs have been attempting to remove animals in their area on their own or through security guards employed by them. Further that they have taken recourse to intimidating residents who may be feeding/tending to these animals. Kindly note the laws in this regard:

i) Under the central law as laid out in Stray Dog Management Rules 2001, it is illegal for any individual, RWA or estate management to remove or relocate dogs. Complaints, if any, may be directed to the municipality or to a local animal welfare organization. The dogs will be sterilized and vaccinated and returned to the same area. In the case of vaccinated and sterilized dogs, they cannot ever be removed by the Municipality.

ii) Several Courts have held that it is both lawful and helpful for local residents to feed colony dogs as it facilitates the municipal sterilization programme. Feeding dogs has been held to be a 'social service' and the police and RWAs have been directed to protect those engaged in this social service.

iii) It is cognizable under Sections 426/429 IPC to hit, hurt, injure or kill any animal as well as under the Prevention of Cruelty to Animals Act, 1960.

iv) Under Section 506 IPC, it is a criminal offence to threaten, abuse, harass neighbors who feed homeless animals.

v) In its letter F.No 30/9/2006, the Ministry of Personnel, Public Grievances and Pensions has warned that no association recognized or unrecognized may take action on its own or through any persons employed by it like security guards against animals in violation of
these laws:

a) Article 51 (a), Constitution of India
b) Indian Penal Code, Sections 428/429
c) Prevention of Cruelty to Animals Act 1960

3. Directives of the Animal Welfare Board of India, a statutory body under the central government.

4. Any attempt to remove dogs will be in contempt of judicial rulings in several cases, including the Hon'ble Supreme Court of India (Animal Welfare Board of India vs People for the Elimination of Stray Dogs, Record of Proceedings 265025).

Apart from being illegal, removal of colony dogs is also counterproductive. Dogs being territorial guard the area against the incursion of other dogs and animals. Should the dogs that are familiar with the area be removed, others who are new to the area will move in and the chances of accidents will increase. Sterilizing the existing population keeps the numbers in check and the area safe from intruders both human and animal alike. It is therefore in the colony's best interests to care for its existing dogs so that they may live out their natural lives, healthily and harmlessly. Any action contrary to the above is punishable under the law.

It is, therefore, requested that all RWAs may kindly ensure that the provisions of Prevention of Cruelty to Animals Act 1960 may not be violated and cooperate in vaccination and sterilization programme launched by MCG.

For Commissioner, 02/01/21
Municipal Corporation, Gurgaon
High Court approved guidelines for feeding stray dogs

The Court had passed the order on a bunch of petitions by Delhi-based animal lovers seeking protection to feed stray dogs. The petitioners had approached the Court after they were harassed and even received death threats from the owners of their colonies for going from door to door to feed stray dogs.

The common argument of the petitioners was that they were merely exercising their rights to feed stray dogs under the Central regulation and rules for taking care of animals. They had further argued that taking care of stray dogs would facilitate the welfare of animals which would help keep the locality clean and control their population. It was also their Constitutional duty to show compassion to animals, the counsel for the petitioners said.

ORDER OF THE HON'BLE HIGH COURT

Petition filed by Neelam Lala Prasad has been heard on 29.12.2020 for feeding the stray dogs. In the earlier order dated “The Animal Welfare Board of India should identify, in consultation with the Pet Care Welfare Association, Animal DSA and the Animal Welfare Organization working in that area, the respective, which, in its opinion, would be most suitable for the purpose of feeding dogs”.

Further it stated that “The Animal Welfare Board of India shall identify suitable sites in the colonies, subject matter of these petition, within four weeks from today. It would also try to cover as many more colonies as it can during this period.”

Hon'ble Court also directed that “The Delhi Police will ensure that no harm is caused to the personnel of Animal Welfare Organizations feeding dogs in these locations provided that they feed them only during hours to be prescribed by Animal Welfare Board”.

ORDER OF THE HON'BLE HIGH COURT

FREEDOM FOR ELEPHANTS IN CAPTIVITY

New Delhi: Various zoos in the country have started releasing captive elephants to forest camps in line with Government directives with seven such transfers already being carried out. Two elephants each have been transferred from Chhattisgarh's Boriha Zoo in Boriha Wildlife Sanctuary and Gwalior'svarv Vindhyashakthi Zoological Park to Tadoba Andhari National Park as per the directions of the Forest Department.

According to the government, the elephant trasfers to forests and wilderness areas have been carried out to promote the welfare of elephants. The government has also stated that the transfers are being carried out in consultation with experts in the field.

ANNOUNCEMENT

The AWBI has requested all concerned people to not feed stray dogs to Delhi-based animal lovers seeking protection to feed stray dogs. The petitions have been filed by Delhi-based animal lovers seeking protection to feed stray dogs to the Delhi High Court. The petitions have been filed against the Delhi Police for feeding stray dogs, which the petitioners argue is a violation of the Delhi Police Act.

ORDER OF THE HON'BLE HIGH COURT

The Delhi Police has been directed to ensure that no harm is caused to the personnel of Animal Welfare Organizations feeding stray dogs in their areas. The Delhi Police has also been directed to provide adequate security to the personnel of Animal Welfare Organizations feeding stray dogs.

The order also states that the Delhi Police will ensure that no harm is caused to the personnel of Animal Welfare Organizations feeding stray dogs in their areas.

ANNUAL REPORT

The AWBI has released an annual report for the year 2020, highlighting the organization's activities and achievements. The report covers various aspects such as animal welfare, wildlife conservation, and environmental issues. The report also includes a section on the organization's financial statements.
Subject: The order passed by Hon'ble Justice V.K. Jain on 18.12.2009, in the stray dog feeding matters

The Board has deliberated upon the order passed by the Hon'ble Court. Known facets of dog behavior and the views of experts have been taken into account before arriving at certain guidelines (enclosed) that we want to issue to persons who feed stray dogs, and to Animal Welfare Organizations. A copy of this letter is therefore being marked to the lawyer representing the petitioners. Kindly also share these guidelines with the lawyers representing other parties, such as the Delhi police, M.C.D., etc. We shall be circulating these among the Animal Welfare Organizations registered with us. They shall also be shared with the Residents' Welfare Associations and similar bodies.

We trust that eventually, the objective that we are seeking to achieve, of reducing stray dog population, and controlling the spread of rabies, shall be achieved with minimum inconvenience to residents.

Yours Sincerely

(Dr. R.M. Kharb)
Maj. Gen. (Retd.), AVSM
Chairman, AWBI

Mrs. Anjali Sharma, Advocate
Chamber No 334
Delhi High Court
New Delhi-110003

Copy to:
Mr. Kanchan Singh,
Advocate for petitioners
And
Advocates representing the other parties in these matters.
GUIDELINES FOR FEEDING STRAY DOGS IN RESIDENTIAL AND OTHER LOCALITIES

Feeding of stray dogs may lead to some inconvenience for residents, especially those residents who do not like dogs. However, the purpose sought to be achieved through feeding of stray dogs to the localities they inhabit to make sterilization and yearly vaccination possible, and thereby bring down stray dog population and control rabies, is far more important, and for the larger public good.

The Animal Welfare Board of India is of the view that when earmarking spots/sites for the feeding of stray dogs, the following considerations must be kept in mind:

(i) Community dogs must be fed and tended to at places which are not frequented or less frequented, and sparingly used by the general public and residents. This will minimize inconvenience to both humans and the dogs themselves. Since it has been noticed that these dogs, especially when possessed of food, tend to avoid crowded places and places where noise levels are high. By their intrinsic nature they tend to retreat with entumicyes to secluded spots away from such places. Avoid areas therefore, that are immediately adjacent to spots in which the public and residents congregate in large numbers.

(ii) Dogs are territorial by nature and cannot all be herded into one spot for the purpose of feeding them. They must not therefore be sought to be so herded. (Needless to state, seeking to do so will lead to dog fights, probably dog bites, and hence tremendous inconvenience for residents.)

(iii) Public causeways, public streets, pedestrian paths, and foot paths which are regularly used by public and residents for commuting are to be avoided while feeding community dogs. However, if public land is available adjacent to the above, the feeding should be done on the same.

(iv) The common/public area immediately abutting the entrance to flats/houses must be avoided for feeding dogs, except where the residents have no objection to the same. Any person having compassion for the stray dogs may permit them to be fed or feed them at his/her private entrance/porch/driveway of his/her house or any other place not shared with other residents.

(v) Effort should be made, where service lanes are existent, to feed the dogs on these, as service lanes are not frequently used for ingress and egress. Areas adjacent to the boundary walls of the houses which are not used for passage or do not have any
exit/entry points should also be used for feeding. Likewise, vacant lands may be used for this purpose.

(vi) Feeding ought, as far as possible, be undertaken at a time when the density of human population tends to be minimal. Such time may vary in every locality, and the local volunteers, in consultation with the notified A.W.O., working in that area may set such timings and inform the Board of the same. (It is clarified that the above timing is restricted, and applies only to feeding. It does not, and should not extend to the wider task of tending to community dogs, which includes vaccinations, inoculations, sterilizations, treatment of ill and ailing dogs.)

(vii) Feeding should not be undertaken more than twice daily (except for dogs who are sick and ailing and need special attention or under the advice of the veterinary doctor). Dogs which, for unavoidable reasons, have not been fed at the time earmarked for the same, must be fed if spotted, with minimum inconvenience to the general public, since hungry dogs tend to venture close to houses/cateries in search of food, which people may not like.

(viii) Feeding must, without exception, be undertaken in the most hygienic manner. Clean bowls for both food and water must be used. It must be ensured that no bowls, entables and packets are left behind after feeding is over. No littering must be caused. Water bowls are placed for regular and recurring thirst of the dogs must be cleaned and replaced with fresh and clean water at regular intervals.

The Board is of the view that careful adherence to these guidelines will help in achieving the objective stated above, while causing minimum inconvenience to the general public.

Dog lovers fear man-bite, move High Court for protection

A group of dog lovers in the Capital have moved court with a strong plea — with a reference to a recent dog bite — which has spread panic in the society. The Delhi High Court has been petitioned in the matter by the group who have been receiving requests from their constituents to know what steps are being taken to ensure safety of their lives.

The group, of which Sunny Kaul, a lawyer, is the convenor, has been working for the welfare of dogs and is known for taking up cases related to animal rights. They have approached the court to ensure that the authorities are taking necessary steps to ensure the safety of the public.

The court has directed the authorities to file a response and submit a report within 30 days, setting out the steps taken to address the issue.

The case is likely to be heard soon, and the court is expected to provide guidelines to ensure the safety of the public and the animals.
You can pet a stray dog and feed it too

REPORTED FROM

Court orders creation of designated areas in all colonies for feeding and tending to stray dogs

Hindustan Times - Dated: 19/12/29

( Delhi/Mumbai/Kolkata/Patna/Lucknow and all India editions)

New Delhi: The great want not only for the vegetarians' capsicum but also for those who care for them. Till now, dog lovers were threatened and even beaten up by beasts when they attempted to feed and tend the strays.

The Delhi High Court on Friday ordered creation of designated places in all colonies of the capital for feeding and tending to dogs. Those interested to provide protection to dogs would require to approach the AATB and obtain permission and permission would be provided for a period of 3 months.

The court also instructed the authorities to provide footpaths exclusively for dogs and give them priority over other traffic. The court also directed the authorities to make arrangements for the collection of dog waste and to ensure that it is disposed of in an environmentally friendly manner.

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Ensure safety of stray canines, dog lovers: HC to govt, police

UPTAKSHANAND
NEW DELHI, DECEMBER 18

UPHOLDING the right of dog lovers and animal rights activists to get protection from intimidating neighbours, the Delhi High Court on Monday asked the Union government and police to locate sites in 11 police station areas where stray dogs could be fed without any hassle.

Justice V K Jain said feeding dogs is both lawful and helpful and asked the municipal and animal birth control programme in which dogs are sterilised and vaccinated area-wise.

"Feeding dogs makes them friendly and easier to handle," the court said.

"Citizens are free to feed dogs in areas to be mutually decided by the Animal Welfare Board of India and the feeders.

As per the court's directive, station house officers of 11 police stations - including Defence Colony, Vasant Kunj, Saket, Mehrauli, Goeta Colony, Kalkaji and Kamla Nagar - are required within two weeks to zero in on some sites in their localities where animal lovers could feed the strays without hindrance from abusive neighbours.

Delhi government's counsel Meena Bhatia told the court that the department would do the needful in coordination with the Animal Welfare Board at the earliest and let the court know about the developments in the next report.

In August, the court had received seven petitions, including the main petition filed by the NGO Citizens for the Welfare and Protection of Animals, that complained of "repeated and continuous intimidation, abuse and threats, physical assault by residents of locality with an intention to protect their "life and limb," the petitioners had also accused the police of "apathy" in acting on their complaints of harassment.

While the police had earlier claimed that they could do little, as it was essentially the civic body's (MCD) job, the petitioners had cited the Stray Animal Control Rules (Dogs), 2010, meant to protect street dogs from cruelty.

There are around 5 lakh stray dogs in Delhi, and MCD, in coordination with various NGOs, sterilises those stray canines.

Jasmin Dwivedi, an advocate and a petitioner in the case, welcomed the verdict. Dwivedi said the order meant notification for these..."
Earmark area for feeding strays: HC

The Times of India – dated: 19/12/09

(Delhi/Mumbai/ Kolkata and all India editions)

New Delhi: Adopting an innovative approach to the proliferation of stray dogs and threat of rabies, the Delhi High Court on Friday came up with the idea of earmarking an area in each locality where people could feed those animals so that would in turn make it easier for authorities to monitor their sterilization and vaccination.

On petitions filed by stray dog feeders from 10 localities, Justice V K Jain directed the Animal Welfare Board to identify such areas in those localities with MCD's within four weeks and report the same to the court in a week thereafter.

Since the provocation for the petitions was the harassment of stray dog feeders by other residents, Justice Jain made it clear that the feeding of those animals was both lawful and helpful.

This is because the Animal Welfare Board had agreed before the court that earmarking of areas for feeding stray dogs would not only avoid inconvenience to residents but also help implement the Municipal Animal Birth Control Programme which required all dogs to be sterilized and vaccinated locality-wise.

The counsel for Animal Welfare Board, Anjali Sharma, had commended stray dog feeders as their compassionate activity was a big help to authorities in combating rabies. The message that came out from the case was that the threat of rabies would aggravate if the stray dogs were not befriend and partially domesticated.

The rationale behind the high court order is that if stray dogs in each locality get accustomed to gathering at one spot for food, it would help the authorities check their proliferation and the spread of rabies.

Justice Jain reiterated his earlier direction that none of the stray dog feeders who had moved the court, including a teacher, lawyer and doctor, should be subjected to any kind of harassment by other residents and the respective resident welfare associations.

In one particularly shocking incident, which took place ironically on October 2, advocate Jasmine Damkewala was assaulted and her car smashed by residents for feeding stray dogs in her neighbourhood.

bto reporters@timesgroup.com
अब आवारा कुत्तों को भी सरकार देगी आसरा
कुत्तों के लिए सेफ जोन की तलाश शुरू

कार्यक्षेत्र संयंत्र का नई दिशानी

दिल्ली में आरा आरोपी के लिए दूर
पर गुरुवार को जुड़ा कर गान भतो
है। रुहिका शैल गोस्वामी लेखकी
राजनीति के आवारा कुत्तों के अब
संदर्भ बढ़ते हैं। सरकार के
किसी लोग को आवारा कुत्तों के लिए
राजस्थानी एस.ए.ए के साथ
सेफ़ जोन के लिए बालपिंड़ों का
काम करने को कहता।

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CRUEL DELHI
Attacked for caring, stray dog lovers move court

Harini V Nair

NEW DELHI: It's not just stray dogs that bring out the mean
traits in people. Dog lovers and animal rights activists
are finding out that caring for strays in this city gets
them the same treatment — they are shooed away, threat-
ened and even beaten up.

On Wednesday, a bunch of female volunteers with non-
governmental organizations (NGO) trooped into the Delhi
High Court to complain that they were being "harassed"
and "physically assaulted" by locals while moving around
in residential areas searching for and eliminating
certain stray dogs.

They asked the court to issue a notice to Delhi Police
officers of the areas concerned and ensure no harm is
done to the activists.

The NGOs' joint petition said Meera Bharti, counsel for
the Delhi Police, was asked to contact the station house
officers of the areas concerned and ensure no harm
is done to the activists.

Bharti had earlier argued that the police could do
no harm if it was essential. The NGO's move was to
complain of the MCD's failure to sterilize stray canines.

The NGOs had asked the court to issue a notice to
the police officers of the areas concerned and ensure
no harm is done to the activists.

The court had already taken the matter into consideration.

Scooter and Protection of Animals.

On their complaint, the court issued notices to the
Delhi Police and the director (veterinary), Municipal
Corporation of Delhi (MCD).

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Corporation of Delhi (MCD).
You can pet a stray dog and feed it too

DOGGED PURSUIT Court orders creation of designated areas in all colonies for feeding and tending to stray dogs

Harish V Nar
harish@hindustantimes.com

NEW DELHI: It's great news not only for the capital's stray canines but also for those who care for them. Till now, dog lovers were threatened and even beaten up by locals when they moved around feeding and sterilizing the strays.

The Delhi High Court on Friday ordered creation of designated areas in all colonies of the capital for feeding and tending to stray dogs. These, the court was told, will be provided security, if they require it.

Justice V.K. Jain was hearing petitions seeking protection of animal welfare NGOs and dog lovers from Yousuf Khan, Defence Colony, Kalkaji, Narela, Janakpuri, Sector 21, Gurgaon and Nangloi.

These activists work with the MCD to sterilize stray canines, to control their population. As per the latest MCD survey, there are some 3.5 lakh stray canines in Delhi. Their density is nearly five per km and the sex ratio is 1961 (1,29,000 male to 1,29,000 female dogs). However, only about half of them have been sterilized.

The activists contended before the court that feeding of dogs is a necessity in various colonies. The area was set up as a nuisance and attacked them. Complaints in the police in the past often fell on deaf ears.

The court said, initially the areas would be marked in the petitioners' colonies, and later replicated in other colonies. Delhi Police counsel Meesha Bhatia told the court, "We will ensure that there is no law and order problem in a particular area during the dog feeding."

Top lawyers turn out in SC for Mumbai stray dogs

Sri Satya Prakash
New Delhi, January 31

IT WAS one of those rare cases in the Supreme Court. Congress's legal luminaries on Friday teared up to defend the rights of life of Mumbai's stray dogs during the hearing of a special appeal in the matter of the numbers of stray dogs in Mumbai. The hearing was held in the chambers of Justice B.S. Parthan of the Bombay High Court.

The main issue before the court was the number of stray dogs in Mumbai and the authorities' intentions to sterilize them. The petitioners argued that the number of stray dogs was increasing and the authorities were not taking any steps to control it. The court directed the MCGM to take appropriate steps to control the situation.

"A dog cannot be exterminated because it backs. It is insatiable to kill stray dogs. They are the right to life... and there are other animal rights also," said Justice Parthan in his judgment.

The court ordered the MCGM to take steps to control the number of stray dogs in Mumbai, and to ensure that proper measures are taken to control the situation. The MCGM was asked to submit a report on the steps taken to control the situation within two weeks.

A dog cannot be exterminated because it backs. It is insatiable to kill stray dogs. They are the right to life... and there are other animal rights also.

Justice Parthan said that the MCGM was wrong in allowing the killing of dogs as it is a violation of the law. The court directed the MCGM to take steps to control the situation and to ensure that the rights of life of the stray dogs are protected.

After the hearing, the petitioners thanked the court for its decision and said that they would continue to fight for the rights of the stray dogs in Mumbai.
Dog lovers hail apex court order

ON Thursday morning, Mumbai sent its pet owners to the streets to save the stray dogs. According to the BMC’s estimate, there are 2,50,000 stray dogs in the city, and the number is increasing. The BMC has been trying to control the stray dog population by capturing and sterilizing them, but the number of stray dogs continues to grow.

The pet owners, led by the Mumbai Pet Owners Association (MPOA), gathered outside the BMC office to protest against the BMC’s policies. They carried placards and shouted slogans to express their concern about the increase in the stray dog population.

The BMC has been criticized for its policies towards stray dogs, and the pet owners demand better facilities for their pets. They also demand the BMC to provide proper shelter and food for the stray dogs.

The MPOA has been working towards the betterment of the pets and their owners. They have been holding protests and meetings with the BMC officials to discuss the issues related to stray dogs.

The Mumbai Pet Owners Association has been working closely with the government to ensure the rights of pet owners and their pets. They have been raising awareness about the importance of responsible pet ownership.

The MPOA has also been working towards the implementation of the Animal Protection Act, which was passed by the Maharashtra government in 2013.

BMC chief writes back to Pam

A WEEK after Hollywood actress Pascale Anderson wrote to Mumbai Municipal Corporation chief and BMC commissioner Dev Pratap Singh, asking him not to kill stray dogs, and instead encourage their care, the council agreed.

The BMC has been trying to control the stray dog population by capturing and sterilizing them, but the number of stray dogs continues to grow. The pet owners demand better facilities for their pets and the implementation of the Animal Protection Act.

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SUPREME COURT STAY ORDER AGAINST CULLING OF ANY STREET DOG, INCLUDING NUISANCE DOGS.

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).691/2009
(From the judgement and order dated 19/12/2008 in ASWP No. 6257/2006
of The HIGH COURT OF JUDICATURE AT BOMBAY)

ANIMAL WELFARE BOARD OF INDIA

VERSUS

PEOPLE FOR ELIMINATION OF STRAY TROUBLING OR
(with appln(s) for exemption from filing c/c of the impugned Judgment
and prayer for interim relief and office report )

WITH SLP(C)No.1627/2009

WITH SLP(C)No.1740/2009
(with appln(s) for exemption from filing c/c of the impugned judgment
and with prayer for interim relief and office report)

Date: 23/01/2009 These Petitions were called on for hearing today.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s)  Mr.F.S.Nariman, Sr. Adv.
Mrs.Anjali Sharma, Adv.
Mr.Rohan Thawani, Av.
Ms.Vandana Sahgal, Adv.
Norma Alvarez, Adv.
Mr.Hardeep Singh Anand, Adv.
Mr.B.S.Bantha, Adv.
Mr.Vikrant Singh Bais, Adv.
Mr.Raj Panjwani, Adv.

For Respondent(s)  Mr.G.E.Vahanvati, Sol.Genl.of India
Mr.Devdatt Kamat, Adv.
Mr.S.N.Jerdal, Adv.

UPON hearing counsel the Court made the following ORDER

Issue notice.

There shall be interim stay of the impugned order until further orders.

(G.V.Ramana)  (Veera Verma)
Court Master  Court Master
URGENT FILE Rs. 5/–

SUPREME COURT OF INDIA

Matter No. 691

People for Elimination of Char

Defendant

Certified copy issued

Notice:

Date of application for copy
Date of service on opponent
Date of service on registered partner
Date of service on copy

Serial No. 82

Date: 27/11/69

Solicitor

27/11/69
IN THE COURT OF DR. KAMINI LAU: ACMM:
NEW DELHI

Mita Das Gupta Vs. Malini Sehgal Etc.
CC No. 47/1/2007

ORDER:

The present complaint has been filed by one Mita Das Gupta a single lady residing at East of Kailash since 1991 and has been taking care of stray dogs in her residential neighbourhood out of her own personal means to support the ABC program of the Municipal Corporation of Delhi. As per allegations she has been subjected to threats, abuses, mental cruelty on account of the acts of the accused no.1 who is reported to be having a history of inflicting extreme cruelty to stray dogs and animals in the vicinity.

According to the complainant the accused no. 1 has been even in the past indulging in numerous occasion in perpetrating acts of physical cruelty by beating up the stray dogs in the neighbourhood with sticks and by throwing stones at the stray dogs. She was even called upon to stop her acts of cruelty and the complaints had been made to the local authorities and police despite which she is continuing with her acts. It has also been alleged that the accused no. 1 has on several occasions even tried to stage-manage acts to justify her behaviour.

I have gone through the pre summoning evidence wherein the complainant has examined herself has her own witnesses which statement has been duly corroborated by the testimony of Ms. Mau Sood who is the sister of the complainant. Both the complainant CW1 and the CW2 in order to substantiate their allegations, have placed on record the numerous communication which they have been making to the local police and authorities with regard to the acts of extreme cruelty with the animals specifically the stray dogs of accused no.1. They have placed on record the letter dated 15.9.2002 showing that the issue had also been taken at the level of an NGO who had requested the accused no.1 to stop her acts of cruelty towards dogs wherein she was also informed that such acts of cruelty are punishable under the law. The said letter is Ex.CW1/A.

Again on 13.9.2006 the CW2 had informed the local police regarding the acts of cruelty of the accused specifically on the adopted dogs of neighbourhood who had been duly vaccinated. In the said information it was specifically mentioned that the accused no. 1 had inflicted on two dogs namely Badam and Daisy resulting into the limping pain on Daisy and tender back injury to Badam who had been hit by a stick on his back. Again in the evening she hit another adopted neighbourhood dog namely Kaju with stone.
Despite the said information no action was taken against the accused. Now again the last incident placed before this court is of 30.3.2007 when CW1 and CW2 were both had left the house for a morning walk, on seeing both the them the accused no.1 started to scream and claimed that some stray dogs had torn her Kurti. On being asked as to whether there was any bite marks she denied the same started abusing the complainant. It has been alleged that the whole show has been stage-managed by the accused no. 1 who even refused to get herself medically examined since her allegations were apparently false.

She is alleged to have thereafter given a false information to the police only with the aim of causing harm to the complainant. Again on 31.3.2007 while the complaint was feeding the dog Daisy the accused no.1, walked out of the lift and flung the stick hitting daisy and allegedly kicked the complainant on the thigh and thereafter kicked the feeding bowl. She threatened to get the complainant euthanized instead of street dogs and of getting the complainant arrested in a criminal case. Being scared with the threat the complainant reached her house on the 5th floor and before she could enter suddenly from the 7th floor accused no. 2 started abusing her as under:

"...bloody bitch, I will have you put behind the bars, bitch, I will have you and all your bitches removed from this area. I will hang you myself.."

Being threatened and petrified, the complainant even called the PCR and made a complaint after which the police official from Amar Colony Police Post reached and took her statement but no action has been taken. According to the complainant she was in pain and infirmity for almost two days and in view of the repeated threats of both the accused of killing the dogs and further on account of the repeated threats to the complaint by both the accused no.1 and 2 of being inflicting with the physical harm and injuries, she has been compelled to put her three dogs in the boarding for which she is paying Rs.150/- per day for each dog. According to her she had taken this step only to save herself from threats and for further criminal threats of the accused. Even on 16.4.2007 i.e. in the day when the complainant came to the court to deposite when she was feeding the local dogs she had been threatened by the accused no. 1 as under:

"......can't you stop feeding the dogs. You bitch, I need to get your legs broken so you can't step out of your..."
According to the complainant she is living in a constant fear from the accused persons due to which reason she has approached this court. Ld. Counsel for the complainant has placed his reliance on the authority in the case of Angne and Anr. Vs. Emperor reported in AIR (35) 1948 Oudh 113 in support of his averments for summoning the accused under Section 428 of the IPC.

I have gone through the provisions of Delhi Municipal Corporation Act and the rules framed therein. Further I have also gone through the Indian Penal Code and the provisions of Prevention of Cruelty to Animals Act and the rules and guidelines framed by the Animal Welfare Board of India a statutory body constituted under the Prevention of Cruelty to Animals Act, Chapter II.

The psychological interdependence of man on four legged animals particularly the dogs has been specifically recognized in Sstras. Animals like human being are also sensitive and need lovable affections. Messing with nature only results into destruction. In so far as dogs are concerned it is one animal closest to mankind. It is a matter of knowledge that in diminishing canine population only results into an increased rodent population which is harmful to both agriculture and mankind. Article 51A of the Constitution of India which embodies and recognizes the principles of interdependence of animals and men on each other emphasis the need for compassion towards them by providing that the 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.

Four categories of dogs based upon the degrees of interdependence which have been recognized under the Animal Birth Control Rules for Dots whose details are 1) Restricted or supervised dogs generally known as Pet Dogs which are dependent totally on owners and their movements are restricted; 2) Family dogs who are fully dependent on their owners but their movements are partially restricted; 3) Neighbourhood or community dogs which are partially dependent on humans and are unrestricted in their movement. These category of dogs are accepted by the residents of a community and obtain food and shelter for part of the year from a few households and 4) Stray dogs who are independent and are shy of human contact. These category of dogs may be feral, lost,
abandoned or even free roaming community animals. The said rules also provide that it is the 4th category of dogs which should require special attention and focus of the municipal authorities since it has been admitted that the first three categories are easily undergo birth control procedure and can be vaccinated.

In the present case the dogs of being cared of by the complainant fall either into the 2nd or the 3rd category. They can be easily called family dogs or the neighbours or community dogs. It is ironical that isolated incidents of attacks by dogs falling in the 4th category i.e. stray dogs in certain Southern states have resulted into a hype due to which it is the 3rd category of the friendly adopted neighbourhood dogs or community dogs who are facing brunt of human thoughtlessness and insanity.

The Animal Welfare Board of India and the municipal authorities have in the guidelines issued by them specified the problem often faced by the individuals and families who adopts stray animals and feed them and come to the assistance of such persons. It is necessary to bring on record that these individuals and families who adopt stray animals are doing a great service to the humanity as they are acting in the aid and assistance of municipal authorities by providing these animals with food and shelter and also by getting them vaccinated and sterilized. Without assistance of such persons no local municipal authority can successfully carry out its ABC programs. The local police and the municipal authorities are under an obligation not only to encourage such adoption but also to ensure that such persons who come forward to take care of these animals specifically the community or neighbourhood dogs so that they are not subjected to any kind of cruelty. Life is precious whether of man or animal and as per the provisions of the IPC and of the Prevention of Cruelty to Animals Act, this court is under a legal obligation to ensure that any attempt to inflict injury and cruelty to animals by maiming or killing or teasing do not go unpunished. Every individual has a right to live his life in the manner he wants and it is necessary that the society and community recognizes that right.

The complainant before this court is a single lady who has adopted certain dogs in the neighbourhood. She has not only given them names but also got them vaccinated and sterilized and the said dogs have been given tokens in accordance with the municipal rules. The repeated behaviour and conduct of cruelty of the accused since the year 2002 towards the animals particularly the neighbourhood and community dogs who are dependent upon the complainant is reflected from statement of CW1 and CW2 and also from the documents placed on record. The threats issued to the complainant are eminent
in view of the injuries caused to the animals on many occasions and also to the complainant on 31.03.2007; a result of which the complainant was in pain and incapacitated for almost 2 days. Also as a result of the threats issued by the accused the complainant being petrified and was compelled to put the dogs adopted by her in the boarding to save them from cruelty for which she is paying Rs.150/- per day. Further the manner in which the accused has addressed the complainant by equating her to a bitch is an insult to the modesty of the women.

It is unfortunate that the present complainant whose grievances could have been addressed by the Residents Welfare Associations with the assistance of local police and municipal authorities, has been compelled to approach already overburdened court. In view of the aforesaid I hereby summoned the accused no. 1 and 2 for the offence u/s. 323/428/504/506/509 IPC and section 11 of the Prevention of Cruelty to Animals Act.

The complainant has requested that an early date may be given in view of the fact that she has also put her dogs in a boarding which is costing her Rs.150/- per day per dog and she has already been deprived of their company causing her extreme mental trauma and stress. I have considered the submissions made before me. The SHO concerned shall take steps to ensure that the dogs of the complainant are adequately protected for which it would be desirable for the SHO to seek all necessary assistance of the Resident Welfare Associations of the area to prevent any future incident in future any complaint with regard to the cruelty to the dogs be appropriately attended to. Issue summons to both the accused for 1.6.2007 through the SHO concerned.

ACMM: 2.5.2007
IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (Crl. No. 1101 OF 2009)

IN THE MATTER OF:

Ms Simmy Malhotra ..... Petitioner

Versus

State (Govt. of NCT of Delhi) & Ors ..... Respondents

AMENDED MEMO OF PARTIES

IN THE MATTER OF:

Ms Simmy Malhotra
D/o. Late Mr.R. S. Malhotra
R/o, G-3, Main Road, Rani Garden
Geeta Colony,
New Delhi-110031. ..... Petitioner

Versus

1. STATE (Govt. of NCT of Delhi)

2. Commissioner of Police
   Delhi Police
   Police Head Quarters
   I.P. Estate, New Delhi

3. The Station House Officer,
   Police Station, Geeta Colony,
   New Delhi

4. The Animal Welfare Board of India
   3767 Sector – 23,
   Gurgaon - 122017 9 Haryana

5. The Municipal Corporation of Delhi
   Through Department of veterinary services
   Town Hall, Chandni Chowk
   New Delhi ..... Respondents

KANCHAN SINGH
ADVOCATE FOR THE PETITIONERS
D-34, LOWER GROUND FLOOR
JANPURA EXTENSION
NEW DELHI 110 014

NEW DELHI
DATED: 18/08/2009
All the learned counsel appearing before me agree that in each colony of Delhi, Animal Welfare Board of India should identify, in consultation with Residents Welfare Association, Area SHO and the Animal Welfare Organization working in that area, the spots/sites which in its opinion, would be most suitable for the purpose of feeding dogs. The purpose of feeding dogs is to keep them confined to a particular place, so as to subject them to sterilization/vaccination/re-vaccination, as the vaccination does not last more than one year. To begin with, the Animal Welfare Board shall identify suitable sites in the colonies, subject matter of these petitions, within four weeks from today. It shall also try to cover as many more colonies as it can during that period. Gradually, such sites will be identified in other colonies/localities of the city. Status report after identifying the suitable sites in those four colonies and such other colonies as may be feasible, shall be filed in this Court within five weeks from today.

List these matters for further hearing on 4th February, 2010.

In the meantime, the Delhi Police will ensure that no harm is caused to the volunteers of Animal Welfare Organizations feeding dogs in these localities provided that they feed them only during hours to be specified by Animal Welfare Board and provided further that as soon as suitable sites for feeding the dogs are identified, these organizations will feed dogs only on those identified sites and at hours specified by Animal Welfare Board.

Dasti.
People who care for street dogs will soon be getting government-issued identity cards. The new ID cards are expected to do away with harassment faced by many such persons from the general public, when they try to feed canines on the road. In a move that animal activists termed “unprecedented,” the Animal Welfare Board of India (AWBI) has decided last week that anyone who voluntarily cares for strays — dog feeders and colony caretakers who tend to animals in their locality. It Board has put up a one-page registration form (can be downloaded free of cost) on its website awbi.org, for those who want to get these ID cards. The applicant needs to fill in personal information such as name, address and experience, if any, of working with the Animal Welfare Board. Once the application is submitted, the ID card would be processed and mailed to the applicant within two weeks, board member and legal advisor Anjali Sharma said. “The card would have the person’s name and an attestation that he/she is doing a right and lawful deed and the Animal Welfare Board supports it. This lends credibility to the person,” Sharma said. The AWBI is a legal advisory body that was formed under the Animal Prevention Act of 1960 to protect the animals. Sharma explained that the goal of the card, which does not provide any exclusive rights, was solely the welfare of animals and caretakers. “Most people don’t realise that sterilisation and vaccination of stray dogs would be possible only through feeding and befriending dogs,” Sharma said. In December 2011, the Delhi High Court had passed an order voicing its approval for designated "dog feeding spots" for stray canines in the city. It passed the order on a petition which sought to protect dogs from "intimidating" residents, so they could be fed without any hassle. The court also ruled that police should assist dog feeders if they faced any "harassment" from residents and also ordered the AWBI to designate specific feeding areas.

Rishi Dev, founder of Citizens for Animal Rights who has written a book on "Urban disputes over animals", said this was the first time that the government was supporting such an initiative. Sharma hoped that many would come forward to apply for the cards. "They are performing a duty," she said. "And it's a legitimate exercise."

**CANINE LOVE**

The forms for the ID card can be downloaded from the Animal Welfare Board of India website, awbi.org. The applicant needs to provide details such as name, address and previous experience, if any, of working with AWBI. The card will be mailed to the applicant within two weeks. In December 2011,
the Delhi High Court had passed an order voicing its approval for designated "dog feeding spots" for stray canines in the city.

Times of India, Delhi edition – 29-01-2013

Now, ID cards to be issued for people who feed stray animals

Mumbai: There is finally some relief from local harassment for animal lovers who feed stray dogs and cats. The Animal Welfare Board of India (AWBI) has decided to issue valid ID cards for animal feeders.

The vice chairman of AWBI, Dr. Chinmay Krishna, explained: “This card is meant to protect genuine animal lovers who go out of their way to feed animals. Very often, stray animal feeders are attacked, taken to police stations, threatened and harassed. Feeding stray animals is not illegal in fact a Constitutional duty.” He added that citizens full right to feed animals even without acquiring this license card.

Sr citizen attacked for feeding strays

Mumbai: An 84-year-old man fractured his left arm after he was beaten up for feeding stray dogs and cats in Colaba on Sunday evening.

B V Narayan has been feeding stray animals near Electric House for years. He lives alone but loves animals. So it is heartening to know that a youth hit him with a bamboo stick.

Hindustan, Allahabad edition – 4-12-2012 – Judge order on section 429

विधायक विजय बिश्व नामक संविधान 16 पर आरोप तय

विधायक पर कुन्ती को भी गार दालों को अश्लील

पुरा भारत के गुरु गुरु गुरु ‘जी’ के पर हुए नामदेव हरण के साथ में कोई ने समा के बिकार विजयक विश्व नामक 16 आरोपियों के विकार निर्देशक, हरण की सशक्ति या एकता की मशीनों के अवलोकन में आपका हिस्सा नहीं है।

जादुई नामक शरण आरोपियों ने आरोपियों की धारा 302 व 34 के तहत विधायक विश्व नामक 16 लोगों पर आरोप का निर्देशक नहीं है कि उन्हें समर्पित आपस में भी प्रकाश निर्देश किया गया। धारा 120(3) व 302 के तहत आरोपियों ने कहा कि उनके हिस्से के बिना हमारे दांड़े में जवाबदेह होते हैं।

केंद्र ने आरोपियों की भुगतान 429 के तहत आपका हिस्सा नहीं है कि उनकी प्रेरणा के आरोपियों की भुगतान 429 के तहत आपका हिस्सा नहीं है।