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**PARLIAMENT OF INDIA
RAJYA SABHA**

COMMITTEE ON SUBORDINATE LEGISLATION

ONE HUNDRED AND SEVENTY-NINTH REPORT

(Presented on 20th February, 2009)

**RAJYA SABHA SECRETARIAT
NEW DELHI**
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RAJYA SABHA
LIST OF MEMBERS OF THE
COMMITTEE ON SUBORDINATE LEGISLATION
(CONSTITUTED ON THE 28TH MAY, 2008)

1. Dr. (Shrimati) Najma A. Heptulla ----- *Chairperson*
2. Prof. P. J. Kurien
3. Dr. Radhakant Nayak
4. Shri Praveen Rashtrapal
5. Ms. Mabel Rebello
6. Shri Vikram Verma
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14. Shri Birendra Prasad Baishya
15. Shri Bharatkumar Raut

SECRETARIAT

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2. Shri Mahesh Tiwari, *Joint Director*
3. Smt. Shubhashree Panigrahi, *Deputy Director*
4. Shri R.P. Shukla, *Assistant Director*
5. Shri Ranjan Chaturvedi, *Research Officer*

INTRODUCTION

1. I, the Chairman of the Committee on Subordinate Legislation, having been authorized by the Committee to present the Report on its behalf, do hereby present this One Hundred and Seventy-Ninth Report of the Committee.

1.2 The Committee considered and adopted the Report in its meeting held on the 18th February, 2009.

1.3 The matters examined by the Committee arise out of the scrutiny of various Rules/Regulations and issues, relating to them along with the comments received from the Government. The observations and recommendations of the Committee are contained in the succeeding paragraphs of the Report.

DR. (SHRIMATI) NAJMA A. HEPTULLA
Chairperson,
Committee on Subordinate Legislation,
Rajya Sabha.

NEW DELHI ;
18th February, 2009

REPORT

I

THE SENIOR CITIZENS SAVINGS SCHEME, 2004

The Senior Citizens Savings Scheme, 2004 framed under the Government Savings Banks Act, 1873 was introduced by the Government of India with effect from 2nd August, 2004. Citizens of 60 years of age and above as well as citizens who have retired on superannuation or otherwise have attained the age of 55 years (but less than 60 years) are also eligible to invest their retirement benefits, subject to the maximum deposit ceiling provided that the account is opened within one month of the retirement.

2. The Scheme is operated through a large network of designated post offices and branches of public/private sector banks throughout the country. The deposit carries interest at the rate of the 9% per annum and interest earned under the Scheme is taxable in the hands of the depositor. However, deductions under Section 80C of the Income-Tax Act, 1961, is available on deposits up to Rs. 1 lakh made under the Scheme with effect from 1st April, 2007.

3. Due to the importance of the Scheme for the senior citizens, the scheme was examined by the Committee on Subordinate Legislation, Rajya Sabha and a questionnaire on the subject was forwarded to the Ministry of Finance (Department of Economic Affairs) on the 23rd July, 2008. The Ministry furnished their replies on the 29th July, 2008. The points raised by the Committee and the comments/clarifications furnished by the Ministry are enumerated in following paragraphs.

4. The Committee enquired from the Ministry whether any income-tax rebate/exemption was admissible under this Scheme. The Ministry replied that interest payments under the Scheme had not been exempted from the income tax. With effect from the 1st April, 2007, the deposits up to Rs.1 lakh under the

Scheme are deductible under section 80 C of the Income-Tax Act, 1961. It was also informed that transactions under all small savings schemes were booked under various heads of account in National Small Savings Fund (NSSF). Therefore the heads of accounts had not been specified in the SCSS Rules.

5. The Committee pointed out that as per the Senior Citizens Savings Scheme Rules, 2004(SCSS), no tax will be required to be deducted at source under section 194 A of the Income-tax Act on interest credited or paid or likely to be credited or paid on any deposit, where such interest does not exceed ten thousand rupees during the financial year and asked whether it would not hamper the earning on savings of the Senior Citizens as they have no other source of income. The Ministry replied that as per sub-clause (c) of clause (i) of sub-section (3) of section 194-A of the Income-Tax Act, 1961(the Act), no tax was required to be deducted at source on payment of interest on deposits made with Post Offices or Banks under the SCSS, if the amount of interest so credited or paid during the financial year is up to Rs. 10,000/-. The Act provided facility to senior citizens to claim certain receipts without deduction of tax or deduction of tax at lower rate. Under sub-section (1C) of section 197 A, a senior citizen claiming certain receipts without deduction of tax can file a declaration in Form No. 15H to the person paying such income. Further, under section 197, an application can be made to the Assessing Officer in Form No. 13 for no deduction of tax or deduction of tax at a lower rate.

6. The Committee inquired whether deposits under the SCSS scheme were to be made only from funds received as retirement benefits. The Ministry replied that the aforesaid restriction was not applicable to depositors who have attained the age of 60 years and above, subject to the condition that the deposits were within the prescribed maximum ceiling. Citizens who retire on superannuation or otherwise attain the age of 55 years (but less than 60 years) were eligible to invest only their retirement benefits, subjects, to the maximum deposit ceiling.

7. The Committee pointed out that the Rules say that the account under SCSS is opened by such individuals within one month of the date of receipt of the retirement benefits and enquired the method of calculating the “one month” period after receipt of retirement benefits, when benefits were mostly received in piece meal on different dates. The Ministry replied that the facility of opening multiple accounts was already available under the scheme. The retired persons were allowed to open more than one account on receipt of the retirement benefits in piece meal, provided the relevant account was opened within one month of receipt of the particular retirement benefit.

8. The Committee inquired about the age of spouse in case of a joint account under Rule 3(3). The Ministry replied that there is no age bar/limit for the joint holder, *i.e.*, spouse.

9. Regarding Rule 6, the Committee pointed out that multiple nominations with shares create other problems. The Committee asked if the depositor nominates two persons jointly to receive the amount and if one of the nominees predecease—and the depositor also dies without making any changes in the nomination—how then does the bank deal with the deposit and whether the bank will pay the surviving nominees their shares and treat the deceased nominee’s share as assets of the depositor’s legal heirs and asked the Ministry to clarify. The Ministry clarified that such cases are to be dealt with in accordance with Indian Succession Act, 1925.

10. The Committee inquired whether any fees are to be charged for nomination and/or changed/cancellation of nomination and the Ministry replied that no fee is chargeable in such cases.

11. The Committee inquired whether a person holding the Power of Attorney can sign for the nominee in the nomination form. The Ministry replied that in the nomination Form C, signature/thumb impression of the nominee has been

prescribed. The rules of the scheme do not provide for signing by a person holding the Power of Attorney for the nominee.

12. The Committee pointed out that under Rule 6 (4), account can be opened jointly with spouse and can also be continued by spouse after death of the depositor. But it is not clear whether the age of the spouse should also be 60 years or above. For example, assume the husband's age is 61 years and spouse's age is 54 years at the time of opening of account. After one year, the husband dies when the age of spouse is 55 years. The Committee wanted clarification on whether the account can be continued if the spouse wants to continue after the death of husband. The Ministry replied that in accordance with First Proviso to rule 8(3) of the Scheme, the spouse may continue the account on the same terms and conditions as specified under the rules.

13. The Committee inquired what happens to the accounts if both the spouses are maintaining individual accounts and not any joint account and one of them expires and the Ministry replied that such account shall not be continued and would be closed.

14. The Committee inquired whether the facility of automatic electronic transfer of interest to a savings account at a post office/bank other than the deposit office is available. The Ministry replied that as per instructions issued by DG Posts, the quarterly interest due in the account can be credited in the account of the depositor standing in a bank through electronic clearing service in selected Post Offices. Facility of RTGS transfer of interest is also available in select branches of State Bank of India.

15. The Committee asked if the interest can be paid on completion of a quarter from/based on the date of deposit instead of clubbing the interest on payments to the last day of the quarter of the calendar year. The Ministry replied that as per the existing provisions of the Scheme, in the first instance, interest is payable from the

date of deposit to the end of the quarter following such deposit and thereafter payable on quarterly basis.

16. The Committee asked whether new savings account is required to be opened for getting the interest credited periodically. The Ministry replied that there is no need of opening a new savings account for getting the interest credited periodically in the account. The depositors may get their interest credited to their existing savings account(s) at the deposit office where the account is opened under the Scheme.

17. The Committee asked whether multiple withdrawal is permitted as per the requirement of the depositor. The Ministry replied that whether interest on SCSS account is credited into the savings accounts of the depositor in terms of rule 7(4) of the Scheme, multiple withdrawals from such savings accounts are permissible.

18. The Committee asked the Ministry's comments on whether successors/heirs of deceased depositor should also be made eligible to deposit the terminal benefits under the scheme under Rule 8(3). The Ministry replied that as per Rule 8(3) of the Scheme, in case of death of a depositor before maturity, the account shall be closed and deposit refunded along with interest to the nominee or legal heirs. The successors/legal heirs may open their own accounts in the Scheme, in case they are eligible.

19. The Committee pointed that premature penalty under Rule 9 does not match with the purpose of the Scheme. If the person needs any funds for any contingency, say emergent hospitalization, then the advantage of the Scheme becomes its disadvantage. The Ministry replied that the Scheme provides interest @ 9% p.a., which is the highest amongst the small savings scheme. Also, with effect from the 1st April, 2007, the deposits under the scheme are included for benefit of deduction under section 80C of IT Act, 1961. No withdrawal is ordinarily allowed in the Scheme before expiry of 5 years period. However, provision for pre-mature closure of accounts, after expiry of one year has been

made so that investors, if required, could withdraw their deposits and in such cases the prescribed penalty is levied.

20. The Committee asked whether Post Dated Cheques/Warrants may be issued towards repayment of the principal on maturity. The Ministry replied that as per rule 8(1) of the Scheme, on expiry of five years from the date of opening of the account, the deposits are payable on production of pass book accompanied by application in Form E.

21. The Committee inquired about the role of State Governments in the implementation of the Scheme and whether State Governments are eligible to the share of net collections under the Scheme. The Ministry replied that State Governments take various measures from time to time to promote and popularize various small savings schemes, including SCSS, through print and electronic media, holding seminars etc. The net collections under various small savings schemes are invested in the Central/State Government securities in accordance with National Small Savings Fund (Custody & Investment) Rules, 2001. Since 2002-03, 100% of the net collections were being invested in the State Government securities. However, with effect from the 1st April, 2007, the net collections are to be shared between States and the Centre in the ratio of 80:20, with the option to the State Governments to take up to 100% of their net collections.

22. The Committee pointed out that Rule 11 provides that the account can be transferred to other post offices in case of change of residence but it is not clear whether the same can be done for reasons other than change in residence. The Ministry clarified that transfer of account under the Scheme from one deposit office to another in accordance with rule 11, does not necessarily require change of residence.

23. The Committee asked whether apart from Post Offices, banks are also handling this Scheme and if so, asked the Ministry to furnish the names of banks handling SCSS, 2004. The Ministry replied that banks are handling the scheme

and furnished that the following banks are handling the scheme: State Bank of India, State Bank of Bikaner and Jaipur, State Bank of Travancore, State Bank of Saurashtra, State Bank of Hyderabad, State Bank of Indore, State Bank of Patiala, State Bank of Mysore, Canara Bank, Central Bank of India, Allahabad Bank, Syndicate Bank, Bank of Baroda, Union Bank of India, Indian Overseas Bank, Punjab National Bank, Bank of India, United Commercial Bank (UCO Bank), United Bank of India, Bank of Maharashtra, Indian Bank, Corporation Bank, Dena Bank, ICICI Bank, IDBI, HDFC Bank and UTI Bank.

24. The Committee notes the fact that when the Scheme was launched, the rate of interest provided under the Scheme was higher than the prevailing rate of interest in the market. Nowadays rates of interest on fixed deposits of commercial banks are more than 10% per annum for senior citizens. As a result the Scheme has become less attractive.

25. The Committee, during its interaction with various public sector banks, is apprised of the fact that the Scheme did not take off due to its low rate of interest as compared to the prevailing market rates of interest on fixed deposits of commercial banks.

26. The Committee observes that State Governments are not taking adequate interest in promoting the Senior Citizens Savings Scheme. The Committee feels that the Scheme which was introduced in the year 2004 with a view to help the people who have attained the age of 55 years and above with annual rate of interest of 9 percent, has failed to fulfil its basic objectives. This has happened mainly due to the fact that more profitable schemes are also available with the same banks that are supposed to operate it. The rate of interest under the scheme is lower in comparison to even ordinary deposits made in the Bank. The Committee also takes note of other lacunae, viz, deductions are made on the benefits under Section 80C of Income Tax Act, 1961, and no withdrawal is ordinarily allowed in the Scheme, before the expiry of five years period.

The Committee therefore recommends that the rate of interest on the Senior Citizens Savings Scheme, 2004 may be revised and tax incentives such as exemption.. of interest from income tax may also be added to make it more attractive. The whole Scheme the Committee feels, needs to be revisited.

II

THE ANIMAL BIRTH CONTROL (DOGS) RULES, 2001

The Animal Birth Control (Dogs) Rules, 2001, were notified on the 24th December, 2001, under the Prevention of Cruelty to Animals Act, 1960. The main objective of the rules is to control the population of stray dogs by sterilization and to reduce the incidence of rabies by immunization. Under this, funds are provided to the Animal Welfare Organizations/Society for Prevention of Cruelty to Animals (SPCAs) working in municipalities / rural areas by Animal Welfare Board of India, through financial grants received From Ministry of Environment and Forests for sterilization and immunization of dogs.

2. India continues to be one of the most highly endemic areas in the world in respect of rabies, which can be linked to a large number of stray dogs. Controlled stray dog would result in reduced number of dog bites which would further mean a reduced incidence of rabies in human. The rules aim at humane, efficient and cost-effective control of stray dog population.

3. Due to the importance of the Rules, it was examined by the Committee on Subordinate Legislation, Rajya Sabha and a questionnaire on the subject was forwarded to the Ministry of Environment and Forests on the 20th November, 2003. The Ministry furnished their comments/clarifications on the 24th May, 2004. The points raised by the Committee and the comments of the Ministry are reproduced below:

(1) Point raised

The Animal Birth Control (Dogs) Rules, 2001, deal with an area of great public importance which affects common man's life to a fairly large extent. The Rules place a number of obligations on the local authority, which also contemplate a Committee consisting of representatives of local authority and others for the purpose of achieving the objectives of the Rules.

It is felt that the obligations of the representatives of the local authority or the Committee that has been set up under the Rules are not widely known to the public. Is it not possible to add in the rules certain provisions so that the activity of the local Authority or the Committee in this area comes to public notice and undergo their scrutiny as well?

Ministry's comments

There can be no objection for inclusion of provisions relating to making the activity of the Committee of the local authority to bring to the public notice by announcement/advertisement.

(2) Point raised

One of the functions of the Committee is to provide guidelines for pet dog owners. It is seen that pet owners generally take their pet for easing in the morning hours in the locality itself which is big source of nuisance. Sometimes, these pets are also taken to public places like parks, etc. for the purpose. Whether there are any rules/guidelines in this behalf for the pet owners and how do these compare with rules guidelines in other countries.

Ministry's comments

At present, there are no such, rules/guidelines in other countries, it may be stated that the conditions in other countries are not similar to India. However, in many countries, it is mandatory for the dog owners to “pick up” after the animal and dispose off the fecal matter in the nearest dust bin. This rule may be implemented by the local authority.

(3) Point raised

The Rules have been framed under a legislation of 1960. In what manner the various aspects being dealt with in these rules were being regulated prior to framing these rules?

Ministry's comments

The Animal Welfare Board of India had been implementing the Scheme "neutering/sterilization of dogs" through the Animal Welfare Organisations in a limited way during last 30-35 years. This programme was implemented more vigorously after 1990s and gradually spread to other towns. The Board has formulated guidelines for the ABC Programme.

(4) Point raised

Whether there is any restriction on the number of pet dogs to be kept by any individual/family. Is there any need for fixing such a number?

Ministry's comments

At present, there is no such restriction of the number of pet dogs to be kept by any individual/family. The licence fee for animals may be left to local authorities.

(5) Point raised

What responsibility/accountability the Government imposes on the pet dog owners so that their neighbours and people in the locality do not face nuisance for any kind. ?

Ministry's comments

It may be stated that although there is no direct provision regarding responsibility on the pet dog owners, for nuisance to the people in the locality, the owner is liable for prosecution if being the owner he allows his dog to go at large in the street and thereby causes nuisance to the public. Statutory provisions in this regard are as follows:-

As per section 3 of the PCA Act 1960, it shall be the duty of every person having the care or charge of any animal to take all

reasonable measures to ensure the well being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering.

As per the Section 11(1) of the PCA Act the owner is responsible for causing any nuisance to the people in the locality. Being the owner of an animal if any person allows it to stray in the street due to negligence, it is considered to be an offence. Nuisance to the people in the locality is caused due to the negligence of the owner to keep the animal in one's proper care and control. This is made out generally under Section 11(1) (g)(h)(i) and G) reproduced below:

Section 11 (1) if any person

- (g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; or
- (h) being the owner of (any animal) fails to provide such animal with sufficient food, drink or shelter; or
- (i) without reasonable cause, abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation thirst; or
- (j) willfully permits any animal, of which he is the owner, to get at large in any street, while the animal is affected with contagious or infectious disease or, without reasonable excuse permits any diseased or disabled animal, of which his is the owner, to die in any street.

Any violation of the above provisions by the owner is punishable with fine or imprisonment or with both.

(6) Point raised–Rule 2(b) Definition

“Animal Welfare organization” means and includes the Society for Prevention of Cruelty to Animals and any other welfare organization for animals which is registered under the Societies Registration Act of 1860 or any other corresponding law for the time being in force and which is recognized by Animal Welfare Board of India.”

What is meant by “corresponding law” in the above provisions; can there be any law which is not recognized by the Animal Welfare Board of India and can the Ministry give some examples of this?

Ministry’s comments

There are no such law which is not recognized by the Animal Welfare Board of India which are applicable for the purpose of registration. The Board does not recognize unregistered organizations. The term “which is recognized by the AWBI” refers to Organization not laws.

(7) Point raised – Rule 3 Classification of dogs and their sterilization

“(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, immunization, sterilization 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 sterilized and immunized by participation of animal welfare organizations, private individuals and the local authorities.”

(i) What is the role contemplated for private individuals under rule 3(3)?

(ii) Is any action contemplated against those pet owners who do not get their pets immunized on a regular basis?

Ministry's comments

There are street dogs which belong to the community where even poor people feed and take care of such street dogs. These dogs do not belong to any particular individual as such belong to the community/area. In such cases, any individual belonging to that area takes care of the dog belonging to that area. Under Rule 3(30) pet owners are governed by the rules of the local authority who may draw up the rules covering this.

(8) Point raised–Rule 4 Formation of the 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 representatives of the Public Health Department of the local authority.*
- (c) *A representative of Animal Welfare Department if any of the local authority;*
- (d) *A Veterinary doctor;*
- (e) *A representative of the district Society for the Prevention of Cruelty to Animals (SPCA);*
- f) *At least two representatives from the Animal Welfare Organization operating within the said locality”.*

- (i) *What is the tenure of the Committee as also the method of selection/nomination of the members on the Committee. Should the same not be specified in the rules?*
- (ii) *Local representative of the people, representatives of the Animal Welfare Organizations do not find any place in the Committee. Whether the Ministry have any objection in including these persons?*

Ministry's comments

The tenure of the Committee may be suggested for 2 years.

Under Rule 8(f), “the monitoring committee is to consist of among others, at least two representatives from AWOs operating within the said locality”.

There should be no objection for inclusion of representative of the people1 a humanitarian and/or a well known individual who is interested in Animal Welfare work. in the said locality.

(9) Point raised–Rule 5 Functions of the Committee

As per rule 5, the Committee has been made responsible for the planning and management of the dog control programme. But there is nothing in rules to show to public/Government as to how the Committee has been discharging its responsibility. Should the rules not provide for regular meeting of the Committee and making of its activities public in order to induce public awareness as well as accountability to public?

Ministry's comments

There can be no objection to include a provision in the Rule that the monitoring committee of the said locality should meet at least once in a

month to assess the progress made in regard to implementation of the ABC programme.

(10) Point raised–Rule 5 (c) 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) **** **** ****

(b) **** **** ****

(c) *create public awareness. Solicit co-operation and funding”*

The Rule mentions about soliciting of funds. How are the funds being collected and how these are being utilized? What are the main sources of funds for the Committee and in what manner these are accounted for?

Ministry’s comments:

At present, no details are available as to fund raising and utilization by the monitoring committee. In cities such as Bangalore, the Municipal Corporation pays the entire cost of the programme. In Chennai, the Municipality has provided two facilities to two AWOs to carry out the programme. In Delhi, the Municipal Corporation of Delhi (MCD) has been instrumental in forming a Society known as Society for Stray Canine Birth Control to take care of the entire programme.

(11) Point raised–Rule 7 (6)

“The captured dogs shall be brought to the kennels/dog pounds managed by the Animal, Welfare Organization (AWOs) On reaching the dog pounds all the dogs shall be examined by the veterinarians and healthy and sick dogs shall be segregated. Sick dogs shall 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 sterilized and vaccinated. The dogs will be sterilized/vaccinated under the supervision of the veterinarians of the hospital run by the Society for Prevention of Cruelty to Animals (SPCA), Animal Welfare Organization or other dog shelters. After necessary period of follow up, the dogs shall be released at the same place and locality from where they were captured and the date, time and place of their release shall be recorded. The representative of Animal Welfare Organizations (AWO) shall accompany the dog squad at the time of release also”.

Which are the ‘other institutions’ as mentioned in the Rule; Whether these are run by the Government or include private institutions also; Whether Government have any objection in inserting the word ‘recognized’ between the words ‘other’ and ‘institutions’ ?

Ministry’s comments

Other institutions relate to other Animal Welfare Organizations in the said locality. There can be no objection for including the word “recognized” between the words “other” and “institutions”

(12) Point raised–Rule 12 Guidelines for breeders

“(i) A breeder must be registered with Animal Welfare, Board of India. Breeder must maintain full record of the number of pups born/died from individual bitches.

(ii) Breeder must maintain record of the person buying the pups. He should ensure that the buyers have the required knowledge for the upkeep of the pups”

(i) Whether breeding is allowed in a Government flat/complex or private housing societies/residential complexes?

(ii) What responsibility/accountability Government imposes on the breeders so that people do not face nuisance of any kind?

Ministry's comments

At present, there are no guidelines for breeders.

(13) Point raised–Rule 13 Application of Rules where local byelaws etc. exist

Who is the authority to decide whether the rules in hand or the rules/regulations etc. framed under any other law for the time being in force by the State or the local authority is less or more irksome for the animals? Is it not possible to specify such authority in the rules?

Ministry's comments

At present, there are no specified authority to decide the application of Rules where local bye laws etc exist. Generally all Municipal laws that are in force contemplate elimination of stray dogs by killing. Obviously, nothing can be more irksome for the animals than getting killed. Hence, implementation of ABC Programme to control dog population is less irksome and should prevail over any method of killing. It may also be pointed out that the ABC (Dog) Rules, 2001 have been notified by the Government of India under Prevention of Cruelty to Animals Act 1960 which is a Central Act and, therefore, they should prevail over the Municipal Act which are normally Acts framed by the States.

4. The Committee considered the matter at its meeting held on the 19th July, 2005 and decided to call for views/ suggestions of some individuals/ organizations active in this field and, thereafter, to hear the representatives of the Ministry of Environment and Forests in the matter. Accordingly, views/ suggestions were received from 25 organizations. A copy of each of the complete documents

received from the 25 individuals/ organizations along with a compilation of the same were forwarded to the Ministry for their comments/ clarifications on the 23rd October, 2006. The Ministry furnished their comments on the 24th August, 2007 which is placed at **Annexure-I**.

5. The Committee is happy to note that the Ministry has agreed to the Committee's suggestion on the following points:

- (i) Inclusion of provisions for making the activity of the Committee of the local authority to bring the public notice by to announcements/advertisements.**
- (ii) Specifying the tenure of the monitoring committee and inclusion of representatives of the people – a humanitarian and/or a well known individual who is interested in animal work in the said locality.**
- (iii) Inclusion of a provision in the Rule that the monitoring Committee of the said locality should meet at least once in a month to assess the progress made in regard to implementation of the Animal Birth Control Programme.**
- (iv) In Rule 7(6) inclusion of the word 'recognized' between the words "other" and "institutions".**

6. The Committee also makes the following observations in order to make the Rules more effective:

- (i) Monitoring Committee should meet on a regular basis and participate in activities concerning animal welfare organized by NGOs or other authorities.**

- (ii) Punishment for offences of cruelty to animals should be enhanced and a hefty fine should be imposed so that it acts as a deterrent.**
- (iii) Organizing seminars and awareness campaigns so as to make the public aware about animal welfare, especially in schools/educational institutions.**
- (iv) Further increase in grant-in-aid/financial assistance to Animals Welfare Organizations, NGOs engaged in the ABC programme.**

The Committee also feels that better solid waste management would go a long way in controlling the population of stray dogs and recommends the Ministry of Environment and Forests to take stringent measures for more effective implementation of the waste management programmes.

7. The Committee directs that in view of the above paragraphs, appropriate amendments be carried out by the Ministry of Environment and Forests in the Rules expeditiously, under intimation to the Committee.

III

THE COIR BOARD (REGISTRATION AND LICENSING) RULES, 1958 – IMPLEMENTATION OF 136TH REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION, RAJYA SABHA

The Coir Board (Registration and Licensing) Rules, 1958 framed under the Coir Industry Act, 1953 were examined and the Committee in its 136th Report which was presented to the House on the 29th August, 2001 recommended as follows:-

“The Committee observed that many of the provisions of the Coir Board (Registration and Licensing) Rules, 1958 have become outdated in the liberalized economic scenario calling for a major review of these provisions. The Committee noted that with the onset of liberalization, the Coir Board has already dispensed with the process of licensing. The Committee is of the view that there is enough export potential in the Coir Industry and the Ministry of Small Scale Industries and Agro and Rural Industries should put all efforts in reviewing the existing rules in line with the present requirements. The Committee hopes that the Ministry would expedite the process of review.”

2. The Committee forwarded the relevant extracts from the 136th Report to the Ministry of Small Scale Industries and Agro & Rural Industries on the 6th September, 2001 for necessary action. The Ministry *vide* their O.M. dated the 24th December, 2001 furnished the status of the proposed action to be taken on the recommendations of the Committee, as contained in point Nos. 2,7,8 and 14 of the Report (**Annexure-II**). The points raised by the Committee, the Ministry's comments, the Committee's observations on the points as contained in the Report and the Ministry's Action Taken Note are reproduced below:

2. Point referred

The Coir Industry (Registration & Licensing) Rules, 1958 lack in format in as much as they indicate neither the name nor the provisions of the Act under which these rules have been framed.

Whether the Ministry have any objection in rectifying this discrepancy?

Ministry's comments

There is no objection to adopt the standard format and will be incorporated at the time of revision of the Coir Industry (Registration & Licensing) Rules, 1958.

Committee' observation

The Committee noted the reply.

7. Point referred–Rule 8 regarding application for renewal

Whether Government have any objection in fixing a time period for allowing renewal of registration of a coir Spindle/industrial establishment?

Ministry's comments

Under the existing provisions of Rule 8, the Secretary or other officer may entertain an application for renewal which is not made in time if he is satisfied that there was sufficient cause for not making the application in time. The objective of the provisions is to ensure that the industrial units come forward and comply with the provisions of the rule. It will be difficult to enforce renewal of registration within the prescribed time limit especially in the absence of a penal provision or any particular incentive. However, a time limit of 30 days may be prescribed, with the provisions to relax it, if there was sufficient reason for not filing the application in time.

Committee's observation

The Committee accepted the proposed amendment.

8. Point referred – Rules 9, 10 and 23

The quantum of fee prescribed for registration of renewal of registration for an Industrial Establishment or for issue of a duplicate certificate is Rs. 1/- only. No fee is charged on an application for registration or renewal of registration of a coir-spindle. Further, as per rule 23, the fee for license is @ 5 paise per 50 kg subject to a maximum of Rs. 100/-

Whether the amount of fee to be charged as prescribed in the above rules has since been revised, if not, whether Ministry have any objection to revise the same so as to make it realistic?

Ministry's Comments

The fee for registration/renewal of industrial units for export license have not been revised so far. The Board is in favour of revision of the fee referred to in Rule 9 & 10.

The Board has proposed revision of the fee for registration/renewal of an industrial establishment as Rs. 10/- and for issue of duplicate certificate as Rs.25/- . However, the coir spindles are proposed to be exempted from any registration/renewal fee on the ground that such units are run by small household entrepreneurs.

No fee is proposed to be levied for license as the requirement of a license for export has been relaxed by the Central Government by Notification No. S.O. 1898 dated 2nd July, 1963.

Committee's observation

The Committee accepted the proposed amendments.

14. Point referred

A general perusal of the provisions of the rules gives an impression that its provisions have not been updated. For example, the fee etc. prescribed for registration/or issue of licences is really too less in the present day's context. For example, rule 20 (a) refers to a scheduled bank or a registered bank often years standing for the purpose of obtaining a certificate regarding financial status for applying for registration as an exporter. The condition of Registered Bank of ten years' standing is not relevant in present day's context. Whether Government have any objection in reviewing the provisions of these rules for the purpose of amending those provisions that are either irrelevant or insignificant in the present scenario?

Ministry's comments

Coir Industry (Registration & Licensing) Rules were enacted on 22.02.1958. On account of various developments especially liberalization and economic reforms some of these provisions have become outdated and irrelevant as rightly commented upon by the Committee. The Government and the Board have no objection in reviewing the provisions of these Rules to keep in line with the changed scenario especially in the context of economic liberalization policies.

However, based on the direction received from the Prime Minister's Office, the Ministry of Law and Justice had requested all Ministries/Department of the Government of India to review all laws, regulations and procedures so that outdated laws/regulations etc. may be deleted and suitable reorienting modifications can be done in those which have substantial changes. Accordingly, an Expert Group under the Chairmanship of Joint Secretary in this Ministry was constituted for the

purpose. The Expert Group in its various meetings held with the representative of the concerned Organisation, Coir Board in this case had, proposed various amendments to the Coir industry Rules, 1954 and the Coir Industry (Registration & Licensing) Rules, 1958 which are being finalized in consultation with the Ministry of Law, Justice and Company Affairs.

Committee's Observation

The Committee noted the reply.

Ministry's Action Taken Note

The Ministry *vide* their O.M. dated the 30th September, 2002 stated that out of four recommendations made by the Committee, action on two recommendations *i.e.* the rules at Point No.7 (Rule 8) and 8 (Rule 9,10 and 23) of the Report have already been amended *vide* GSR 383(E) dated 4th April, 2004 and GSR 842 (E) dated 9th August, 2002 (**Annexure-III**).

As regards the amendment of rules at point 2 and 14, the Ministry sought extension of time frequently. After repeated reminders, the Ministry *vide* O.M. dated the 21st May, 2008 explained in detail the reasons of delay in implementing the remaining recommendations of the Committee given in 136th Report (**Annexure-IV**).

The Committee noted with satisfaction that the Ministry has carried out the amendments in Rules 8 (Point No.7) and Rules 9, 10 and 23 (Point No. 8) in compliance with the recommendations of the Committee.

However, the Committee has taken a serious view over the non--implementation of the recommendations at Point No. 2 and 14 of the Report and seeking frequent extensions.

The Committee hopes that the Ministry of Micro, Small and Medium Enterprises would expedite the process of review of Rules mentioned at point 2 and 14 of the Report in line with the recommendations of the Committee as contained in its 136th Report and update the Rules, especially in the context of economic liberalization as suggested by the Committee.

SUMMARY OF RECOMMENDATIONS

I

The Committee observes that State Governments are not taking adequate interest in promoting the Senior Citizens Savings Scheme. The Committee feels that the Scheme which was introduced in the year 2004 with a view to help the people who have attained the age of 55 years and above with annual rate of interest of 9 per-cent, has failed to fulfil its basic objectives. This has happened mainly due to the fact that more profitable schemes are also available with the same banks that are supposed to operate it. The rate of interest under the scheme is lower in comparison to even ordinary deposits made in the Bank. The Committee also takes note of other lacunae, viz. deductions are made on the benefits under Section 80C of Income Tax Act, 1961, and no withdrawal is ordinarily allowed in the Scheme, before the expiry of five years period.

The Committee therefore recommends that the rate of interest on the Senior Citizens Savings Scheme, 2004 may be revised and tax incentives such as exemption of interest from income tax may also be added to make it more attractive. The whole Scheme the Committee feels, needs to be revisited.

II

The Committee is happy to note that the Ministry has agreed to the Committee's suggestion on the following points:

- (i) Inclusion of provisions for making the activity of the Committee of the local authority to bring to the public notice by announcements/advertisements.
- (ii) Specifying the tenure of the monitoring committee and inclusion of representatives of the people – a humanitarian and/or a well

known individual who is interested in animal work in the said locality.

- (iii) Inclusion of a provision in the Rule that the monitoring Committee of the said locality should meet at least once in a month to assess the progress made in regard to implementation of the Animal Birth Control Programme.
- (iv) In Rule 7(6) inclusion of the word 'recognized' between the words "other" and "institutions".

The Committee also makes the following observations in order to make the Rules more effective:

- (i) Monitoring Committee should meet on a regular basis and participate in activities concerning animal welfare organized by NGOs or other authorities.
- (ii) Punishment for offences of cruelty to animals should be enhanced and a hefty fine should be imposed so that it acts as a deterrent.
- (iii) Organizing seminars and awareness campaigns so as to make the public aware about animal welfare, especially in schools/educational institutions.
- (iv) Further increase in grant-in-aid/financial assistance to Animals Welfare Organizations, NGOs engaged in the ABC programme.

The Committee also feels that better solid waste management would go a long way in controlling the population of stray dogs and recommends the Ministry of Environment and Forests to take stringent measures for more effective implementation of the waste management programmes.

The Committee directs that in view of the above paragraphs, appropriate amendments be carried out by the Ministry of Environment and Forests in the Rules expeditiously, under intimation to the Committee.

III

The Committee noted with satisfaction that the Ministry has carried out the amendments in Rules 8 (Point No. 7) and Rules 9, 10 and 23 (Point No. 8) in compliance with the recommendations of the Committee.

However, the Committee has taken a serious view over the non-implementation of the recommendations at Point No.2 and 14 of the Report and seeking frequent extensions.

The Committee hopes that the Ministry of Micro, Small and Medium Enterprises would expedite the process of review of Rules mentioned at point 2 and 14 of the Report in line with the recommendations of the Committee as contained in its 136th Report and update the Rules, especially in the context of economic liberalization as suggested by the committee.

MINUTES OF THE MEETING OF THE COMMITTEE ON
SUBORDINATE LEGISLATION, RAJYA SABHA

VIII
EIGHTH MEETING

The Committee met at 3.00 P.M. on 18th February, 2009 in the Committee Chairperson's Room 126-C, Third Floor, Parliament House, New Delhi.

PRESENT

1. Dr. (Shrimati) Najma A. Heptulla — *Chairperson*
2. Dr. Radhakant Nayak
3. Shri Vikram Verma
4. Shri Raghunandan Sharma
5. Shri Penumalli Madhu
6. Shri Ali Anwar Ansari
7. Shri Tiruchi Siva
8. Shri Bharatkumar Raut

SECRETARIAT

1. Shri N.K. Singh, *Joint Secretary*
2. Smt. Subhashree Panigrahi, *Deputy Director*
3. Shri Ranjan Chaturvedi, *Research Officer*

The Chairperson welcomed the Members and following items were taken up:

- 179th Report on the various rules/regulations examined by the Committee regarding Senior Citizens' Savings Scheme, 2004, The Animal Birth Control (Dogs) Rules, 2001 and the implementation of the 136th Report of the Committee regarding Coir Board (Registration and Licensing) Rules, 1956.

- 180th Report on Statutory Orders Laid on the Table of the Rajya Sabha during its 214th Session.
- 181st Report on Drugs and Cosmetics (Eighth Amendment) Rules, 2001 and the implementation of the 128th Report of the Committee regarding State Bank of Mysore Officer's Service Regulations, 1979.

The Committee then adopted the Reports unanimously. The Committee also authorized the Chairperson and in her absence Shri Vikram Verma and Shri Ali Anwar Ansari to present the Reports to the House on 20th February, 2009.

2. The Chairperson during the discussion noted with concern that certain Ministries had been seeking repeated extensions for furnishing their replies to the Committee's questionnaires and the queries raised by the Members during the meetings, thereby delaying the preparation of the Committee's reports until the issue loses its relevance. The Members were of the view that the Committee's questions should be treated at par with the parliamentary questions by the concerned Ministries and that the issue of delay in replies should be addressed urgently with a view to prescribe a time limit.

3. Another issue the Committee considered was the usage of modern techniques by the Ministries in communicating with the Secretariat about the notifications to be laid on the Table of the House. The Committee was of the view that in order to increase efficiency a possibility should be explored if the electronic copy of list of laying items in a standardized prescribed format could be provided by the Ministries to the Secretariat.

4. The meeting was adjourned at 4.30 P.M.

ANNEXURE-I

I

Blue Cross Society of Pune

T-4 Florida Estate, Keshav Nagar, Mundhwa, Pune-411036

Point No.	Points	Comments of the Ministry of Environment and Forests
1.	The scale and intensity of the Animal Birth Control and Anti Rabies programme needs to be increased. There is a need for generating more NGO's who would undertake the ABC and AR programme. The programme must be implemented in an integrated manner and should cover not only the city of Pune, but the adjacent areas covered by the PCMC and the Cantonment.	ABC & AR-programme are implemented through AWBI and is being implemented, throughout the country, involving local authorities, Animal Welfare Organizations, Societies for Prevention of Cruelty to Animal, NGOs and private individuals involved in animal welfare etc. The scale of financial support for XIth Five Year Plan has also been increased.
2.	The programme could become more effective if it is undertaken as a joint Animal Welfare Organization and Municipal activity, as laid down in Rules 6 and 7 of the Animal Birth Control Rules. Municipal Authorities look upon it as a 'compliance' activity. Instead they should adhere to the modus operandi of the programme and return the immunized dogs to their own areas. Also the mandatory	Rule-6 of Animal Birth Control (Dogs) Rules, 2001 lays down obligation of the local authorities and Rule-7 lays down a detailed and comprehensive procedure for the capturing/ sterilization/ immunization/release of dogs. The intention of the ABC Rules is to involve local authorities, Animal Welfare Organizations, Societies for Prevention of Cruelty to Animals, NGOs and private individuals involved in animal

<p>meetings of the ABC and AR Programme Monitoring Committee should be convened on a regular basis by the concerned local authorities. Rarely do they participate in camps or awareness drives organized by the NGOs.</p> <p>3. There is a tendency amongst the public, encouraged by an irresponsible media, to opt for senseless/ ineffective short-term and apparent cheaper options for reducing the number of stray dogs <i>i.e.</i> illegal and callous acts of wanton poisoning and destruction of stray dogs.</p> <p>(i) The police should accept an FIR in this regard as they are bound to do under the Prevention of Cruelty to Animals Act, 1960.</p> <p>(ii) Need for the local authorities and the State and Central Governments for a firm and uncompromising stand against such illegal acts.</p>	<p>welfare etc. The programme can be successful if monitoring committee meets on regular basis and participate in activities concerning animal welfare organized by NGOs or other authorities.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Being in the concurrent list, local authorities are to take action as per ABC Rules/PCA Act. The Central Government makes law with intention that there is no cruelty on animals and any violations in this regard is taken</p>
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<p>4. There is need for educating the citizens about the need for vaccinating pet dogs, responsible pet ownership, the importance of garbage free cities for reducing stray dogs numbers in cities.</p>	<p>seriously.</p> <p>Section 3 of the Prevention of Cruelty Act, 1960 gives effect to the constitutional mandate under article 51-A(g) and states that “It shall be the duty of every person having the care of any animal to take all reasonable measure to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering”.</p> <p>The better solid waste management is one of the key factors in reducing the population of dogs. AWBI takes steps for awareness regarding vaccinating dogs including pet dogs.</p>
<p>5. Plan should include:</p> <p>(i) Carrying out a stray dog population census with the involvement of AWO’s, Municipal bodies, and conservancy staff to locate stray dogs in their respective areas.</p> <p>(ii) Organization of sterilization and anti-rabies awareness</p>	<p>Rule 8 of the ABC Rules provides identification and recording of Dogs</p> <p>Rule 7 of ABC Rules provides for capturing / sterilization /immunization /</p>

<p>and vaccination drives with the participation of corporators and youth organizations.</p> <p>(iii) Liaisoning with adjacent villages and PCMC and the cantonment boards to ensure that all dogs in the vicinity are reached.</p> <p>6. As per Rule 11 incinerators should be installed for disposal of carcasses.</p> <p>7. Need for greater zeal and more financial and administrative support.</p>	<p>release of Dogs. Being in the concurrent list local authorities are to take action as per ABC Rules/PCA Act.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to Reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The local authorities have obligation to take appropriate action for taking awareness programmes through active participation of Animal Welfare Organization, NGOs and other individuals concerned with animal welfare.</p> <p>Rule 11 of the ABC Rules provides that the carcasses of such euthanized dogs shall be disposed of in an incinerator to be provided by the local authority.</p> <p>Financial and Administrative support under ABC Rules is provided by AWBI as per Government policies.</p> <p>ABC & AR programme are</p>
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<p>8. Need to tighten the provisions of Rule 6(3) and ensuring that this is done as per specified fortnightly time periods. Need for building accountability by mandating an authority which can oversee such payments. At present the funds received from AWBI are either not disbursed or are hopelessly delayed.</p> <p>9. Need for compliance to Rule 7(3). This required a system that identifies dogs and their localities. In actual practice, the picking of stray dogs is haphazard, leading to confusion at the time of release and the usual problems to the public that follow.</p>	<p>implemented through AWBI and is being implemented throughout the country, involving local authorities, Animal Welfare Organizations, Societies for Prevention of Cruelty to Animal, NGOs and private individuals involved in animal welfare etc. The scale of financial support for Eleventh Five Year Plan has also been increased.</p> <p>Monitoring Committee is responsible for planning and management of dog control programme as per ABC Rules.</p> <p>Funds are released through AWBI to various organizations and NGOs following Government Rules. The delays can be curtailed if utilization certificates and other required documents are submitted in time as per GFR provisions stipulated for releasing grant-in-aid.</p> <p>Rule 7 (3) says that 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 complaint in case of complaint oriented capturing and other dogs in case of general capturing. All the dogs caught will be tagged for</p>
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<p>10. Rule 7 should stipulate the following:</p> <p>(i) The definition of ‘trained employees of the local authority’ mentioned in Rule 7(2)(ii) should be included. The definition must require at least 2 days training every 6 months to be imparted to such employees of AWO.</p> <p>(ii) The ‘representative of the AWO’s mentioned in Rule 7(2)(iii) must be selected</p>	<p>identification purposes and to ensure that the dogs are released in the same area after sterilization 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.</p> <p>(i) The rule 7(2)(ii) provides for two or more trained employees of the local authority who are trained in capturing of dogs. Dog catchers are to catch dogs in painless and humane manner. The local authority are competent to take decision regarding training needs of employees.</p> <p>(ii) One representative of any of the animal welfare organization is</p>
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<p>and appointed by the concerned AWO, but must be financially reimbursed by the local authority.</p> <p>(iii) A general clause be inserted that the local authorities should consult with AWOs in the logistics of the pick up and release of the animals, and adopt the systems required by the AWOs.</p> <p>11. There is an urgent need for incinerators. As incinerators are not easily available, dead animals remain lying on the street for long period creating danger for spread of infectious disease.</p> <p style="text-align: center;">II</p> <p style="text-align: center;">Animal & Bird Welfare Society Vill. Singti, P.O. Singti-Sibpur, P.S. Udaynarayanpur, Distt. Howrah, West Bengal-711222</p> <p>1. Need for strict legislations for compulsory vaccination of pet dogs.</p>	<p>to be involved as per ABC Rules. AWBI takes appropriate action in consultation with AWOs. As per ABC Scheme, Rs. 75/- per stray dog is given to AWOs, for dog catching and admission to ABC Centre and relocation to areas from where they captured.</p> <p>(iii) The Monitoring Committee as per ABC Rules is to take a view, in which local representation is there.</p> <p>Rule 11 of ABC Rules provide for an incinerator to be provided by the local authority.</p> <p>ABC Rules deals with vaccination of dogs.</p> <p>The PCA Act and ABC Rules are legislation based on human Approach towards animal and, any violation</p>
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<p>2. Extensive publicity and propaganda of the rules and awareness of the local authority about the existing law and its amendments and work done by Animal Welfare Organizations.</p> <p>3. Strengthening of the Monitoring Committee which conducts the rules.</p> <p style="text-align: center;">III Animal Aid Society 388 Krishna Pura, Near St. Paul's School, Udaipur, Rajasthan-313001</p> <p>1. Need for spreading compassion for animals.</p>	<p>attracts punishment.</p> <p>Animal Welfare Board of India's functions include to keep the law in force in India for the prevention of cruelty to animals under constant study and advise the Government on the amendments to be undertaken in any such law from time to time.</p> <p>ABC Rules provides for functions of the Monitoring Committee (Rule 5). The Monitoring Committee which is headed by Chief of the Local Authority is an Empowered Committee and has enough powers to implement these Rules.</p> <p>Section 3 of the PCA Act gives effect to the constitutional mandate under Article 51-A(g) and states that "It shall be the duty of every person paving the care of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering. The policy of Government of</p>
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<p>2. Need for creating awareness among the public the importance of sterilization. Sterilized dogs are healthier, less aggressive and incidences of dog-bite is reduced.</p> <p>3. Adherence by the organizations undertaking stray dog- sterilization to internationally recognized standards of catching, animal evaluation, maintaining aseptic conditions in the operating theatre, feeding and all aspects of post operative care, and release in the location of the pickup.</p> <p style="text-align: center;">IV</p> <p style="text-align: center;">All India Animal Welfare Association Animal Birth Control Centre, Dr. E. Moses Road, Mahalaxmi East, Mumbai-4000 011</p> <p>1. Offences against animals need to be</p>	<p>India is based on compassion and implementing laws in a human manner to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Rule 7 of the ABC Rules details full procedure for capturing/sterilization/immunization/ release of the dogs. AWBI takes steps for awareness camps, seminar etc. for creating awareness among the public regarding the importance of sterilization from time to time.</p> <p>The ABC Rules provide for taking care of dogs in a humane manner. The ABC Rules are based on the internationally recognized standards of dogs catching and other conditions regarding feeding and all aspects of operative and post opera</p> <p>Section 11 of the PCA Act provides for</p>
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<p>cognizable along with hefty fine and prison sentence. At present, most of the cases attract meager fines, which the offenders pay off and are back to business as usual.</p> <p>2. Problem of lack of space and finance to maintain animals in case they are taken away from offenders. Also lack of infirmaries to house any kind of animals.</p> <p>3. ABC programme should be extended to stray cats, particularly if rabies has to be eradicated from the country.</p> <p>4. Animal Welfare needs to be introduced as a subject in schools from primary level.</p>	<p>punishment for offences of cruelty to animals, The feedback for increasing punishment for violation regarding enhancement of Punishment for offences of cruelty to animals can be considered, if found that existing punishments are not achieving the objectives of the Act.</p> <p>Rule 7(8) of ABC Rules provide that sufficient space must be provided for proper housing and free movement of dogs. The obligation of local bodies are highlighted in Rule 6 of ABC (Dogs) Rules which include making provision of various facilities for conduct of ABC Rules.</p> <p>Some of the stray dogs are the vectors of rabies, Population of stray dogs is very high compared to stray cats. Therefore, the first priority for ABC is stray dogs.</p> <p>The subject falls in the Concurrent list. AWBI takes a number of steps for educating public for welfare of animals and there is no denying the fact that if schools at primary level are given the message of animal welfare that can help in bringing down the population of dogs etc. in a humane and planned manner.</p>
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<p>5. Rule 3: Classification of Dogs</p> <p>A third category, that of ‘community dogs’ may be added. Street dogs belonging to an individual, building, shop, hotel, any institution and any other establishment can come under this category.</p> <p>6. Rule 5: Function of the Committee</p> <p>(i) Sub rule (c) ABC programme must be viewed as a health related programme to eradicate rabies. Municipalities and State Governments must devise a proper system of creating awareness among the public. Till now, AWOs have mainly shouldered the responsibility of creating awareness.</p> <p>(ii) Sub rule (e) Independent censor system need to be developed for pet dogs and stray dogs.</p> <p>(iii) Sub rule (f) Separate records on monthly basis of dog bites details should be made available from Municipal hospitals and private doctors to ascertain the number of bites from stray dogs.</p>	<p>As per Rule 3 of ABC Rules all dogs are to be classified in two categories (i) pet dogs and(ii) street dogs. Introduction of another category as ‘community dogs’ is not practicable as legal obligation of its maintenance can not be fixed.</p> <p>ABC (Dogs) Rules, 2001 aims to check stray dog population and consequent cases of rabies scientifically and in a humane manner by sterilization/immunization of stray dogs. As per the Rules the Committee comprises, of local bodies and AWOs have been entrusted with the responsibility of creating public awareness. As such, AWOs togetherwith local bodies have to take steps in relation to creating public awareness.</p> <p>Rule 5(e) says that get a survey done of the number of street dogs by an independent agency. The local authority has to take necessary action in the matter according to ABC Rules.</p> <p>Monitoring Committee under ABC Rules is to take a view in the matter, depending upon the need.</p>
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<p>7. Rule 6</p> <p>(i) Sub rule 1(a) Local authorities must have reserve open space, preferably at every ward level, for shelters of stray dogs.</p> <p>(ii) Sub rule (e) Not installed yet in Mumbai.</p> <p>(iii) Sub rule (f) Not done regularly.</p> <p>(iv) Sub rule (2): No animal related programme should be implemented without the participation of AWOs / individuals as there is need for humane approach to animals.</p> <p>(v) Sub rule (3): The Municipality, State and Central Government should jointly fund the programme while AWOs must be responsible for its proper implementation.</p>	<p>The obligation of the local authority under the ABC Rules are defined under Rule 6, as evident from the suggestion.</p>
<p>8. Rule 7</p> <p>(i) Sub rule 1(b)(i) & (ii): Municipalities generally attend to those areas where complaints have been registered. No general purpose capturing, specially for sterilization/ immunization is done.</p> <p>(ii) Sub rule (3) Strict rules should be</p>	<p>(i) Rule 7 of ABC provides for specific complaints as well as capturing for general purposes is to be done on such dates and time to be specified by the Committee.</p> <p>(ii) The ABC rules provide for the same</p>

<p>formulated for dog catchers to release the dogs in the same area from where they were caught.</p> <p>(iii)Sub rule (4) Catching equipment should be such that minimum injury is caused both to the animal and the catcher.</p> <p>(iv)Sub rule (5) Need for creating awareness of the ABC programme among the public especially of release of the dogs in the same area.</p> <p>(v) Sub rule (7) It is advisable to restrict catching of dogs from one area at a time.</p> <p>(vi)Sub rule (8) Enough space must be provided for the programme so that there is no over crowding in kennels.</p> <p>(vii)Sub rule (9): Visibly pregnant dogs, in the first instance, must not be caught for sterilization.</p> <p>9. Rule 8</p> <p>There should be only one “approved identification method” for all those</p>	<p>in a humane manner</p> <p>(iii) -do-</p> <p>(iv)Under Rule 5 of ABC Rules, functions of the Committee is to create public awareness, solicit co-operation and funding.</p> <p>(v) Rule 7 (7) provides for catching of dogs of a particular area. Restricting catching of dogs from one area at a time will certainly be more effective.</p> <p>(vi)It is inherent in Rule 7(8) of ABC Rules that sufficient space must be provided for proper housing and free movement of dogs.</p> <p>(vii) Rule 7(9) discourages capture of pregnant dogs and lays down that such dogs shall not undergo sterilization.</p> <p>The ABC Rules Provide for a set and approved method.</p>
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<p>who are implementing the ABC programme.</p> <p>10. Rule 9</p> <p>Euthanasia should be adopted only for the good of the dog, when it is suffering immeasurably. Euthanasia should not be used for the sake of saving cost, time and energy.</p> <p>11. Rule 10</p> <p>The local authorities must see that the ABC centers are equipped with an insolation ward to keep suspected rabid dogs.</p> <p>12. Rule 12</p> <p>Breeding of dogs, particularly pedigree dogs, be put under strict surveillance. Breeders are only interested in getting easy money. License should be issued by the local authority in conjunction with an AWO, only after a thorough check of their background and their place of breeding. Periodic inspection by the local authority along with a veterinarian and representative of AWO be carried out of the breeding centres. Details of every litter produced must be submitted to the local authority and registration be done of the new owners to whom the pups</p>	<p>Rule 9 of ABC Rules provides that incurably ill and mortally wounded dogs, as diagnosed by a qualified veterinarian appointed by the committee, shall be enthanasied during specified hours in a humane manner.</p> <p>The obligations of local bodies have been highlighted in Rule 6 of ABC (Dogs) Rules which include making provision of various facilities for conduct of ABC programme.</p> <p>Rule 12 of ABC Rules provides guidelines for breeders.</p>
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<p>have been sold.</p> <p>No breeder be allowed to discard his/her pet (sterilized or unsterilized) on the road. Hefty fine be imposed on the breeder and such act be registered as cognizable offence punishable under law. License to be confiscated for a period fixed by the authority.</p> <p>13. Rule 13</p> <p>Any new rule, bye-law etc. if formed, should be done with the intention of protecting the rights of a dog. The authorities and AWOs together must create a conducive environment where animals and persons are able to live in harmony without being disturbed and troubled by each other.</p> <p>1. Hurting of stray dogs by the public without any reason should be put an end to by enacting laws and imposing stringent punishment. The laws and rules should be given wide publicity in the print and visual</p>	<p>Any rules under the PCA Act are to be made with the intention to have compassion for living creatures.</p> <p>The PCA Act, 1960 under section 11, cover various aspects of Cruelty to Animals including dogs.</p> <p>ABC Rules 7 deal with the matter</p>
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<p>media to create awareness among the public. Municipal corporations and panchayat authorities should be instructed that waste food be segregated and deposited in low bins so that stray dogs released after surgeries can get food and not die of starvation. Also concrete containers can be constructed in each street filled with water for the dogs. Animal welfare activities and compassion for animals must go hand in hand.</p> <ol style="list-style-type: none"> 2. Dogs should be properly relocated in their territory after birth control surgeries immunization. 3. The animal welfare organization can spread the message of 'feeding of one stray dog by one family.' This would go a large extent help in preventing mance of stray dogs hunting for food. 4. A policy should be evolved to dump left over food in houses and social, functions in separate bins where the stray dogs can have free access to food without being a hindrance to the public. 5. The Government should bring out a clear policy of animal birth control 	<p>effectively.</p> <p>As per constitutional mandate, it shall be the duty of every person having the care of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or sufferings. The AWO's are involved in a big way to increasing awareness about treatment of dogs in a humane way. Better solid waste management can led to a gradual reduction in the population of stray dogs on a long term basis.</p> <p>The good waste management can lead to better management of dog population. The local authority can take proper steps in this regard.</p> <p>ABC Rules provide for the same.</p> <p>The population of 'stray dogs' is</p>
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<p>surgeries and immunization; and feeding of dogs after surgery for survival.</p> <p>6. Government should be liberal in granting funds to recognized animal welfare organizations for maintenance of shelters for animals for treating stray animals. In many districts of chennai, cyanide, a banned drug is being used mercilessly to 'kill the helpless animals. Another method is to call Narikoravas (gypsies) to shoot the stray dogs. Government should ban the issue of gun licence to this tribe, which is being misused.</p> <p>7. Animal welfare should be made a subject in the primary level to educate the younger generation to show compassion and kindness towards the animals including stray dogs.</p>	<p>controlled by the implementation of ABC programme. Only rabid, seriously injured and terminally ill dogs should be euthanised. There has been increase in grant-in-aid released to AWO's, NGOs etc. during the Eleventh Five Year Plan. However, local authorities are free to generate funds for other sources. Any violation of the PCA Act or ABC Rules is dealt seriously as per provisions under Law.</p> <p>Monitoring Committee is to take a view in the matter. AWBI takes a number of steps for educating public for welfare of animals and there is no denying the fact that if schools at primary level are given the message of animal welfare, it can help in bringing down the population of dogs etc. in a planned manner, without unnecessary pain and suffering.</p> <p>The intention of the PCA Act and ABC Rules is to treat animals in a humane way. Any violation of PCA Act and ABC Rules is punishable as per</p>
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<ol style="list-style-type: none"> 1. State Governments are in the least bit concerned about implementation. Class III workers (dog catchers, municipal dog pound workers) are rough and abusive. Poison is also used in several smaller municipalities. 2. V.I.P. complaints are answered with the dog squad rushing to the location and killing the dogs despite the dogs being sterilized and vaccinated according to the rules. 3. It is a mockery of the system and animal welfare organizations spend precious time and funds including that of the Animal Welfare Board to implement the rules when the dogs are dilled any way. 4. The rules will be seriously taken only if steep penalty to killers is defined. 5. Any decision with the dog rules has to be done with legal norms and principals laid down. 	<p>provision of Law.</p> <p>Rule 7 of ABC Rules deals with complaint cases. Any violation in this regard is dealt as per PCA Act and ABC rules.</p> <p>The Animal Birth Control – (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Being in the concurrent list, local authorities are to take action as per ABC Rules/PCA Act. The Central Government makes law with intention</p>
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<p>1. Extracts from some documents have been quoted as suggestions:</p> <p>Document 1 – The WHO Technical Report Series: World Expert Consultation on Rabies (World Health Organization, 2004, Geneva, Switzerland)</p> <p>(i) Section 7.0 Page 47 notes</p> <p>‘Dog destruction alone is not effective in rabies control’.</p> <p>(ii) Section 7.4 Page 53 notes</p> <p>‘There is not evidence that removal of dogs alone has ever had a significant impact on dog population densities or spread of rabies.’</p> <p>(iii) Section 7.4 Page 54 notes</p> <p>‘Attempts to control dog population through culling, without alteration of habitat and resource availability have generally been unsuccessful.’</p> <p>(iv) Section 7.4 Page 54 notes</p> <p>‘Culling of dogs these (ABC) programmes may be counter productive as sterilized, vaccinated</p>	<p>that there is no cruelty on animals and any violations in this regard is taken seriously.</p> <p>The Rules provide for punishment.</p> <p>The PCA Act and ABC Rules have legal backing.</p> <p>(i) This is also the view of the Union of India.</p> <p>(ii) ABC Scheme has had a significant impact on the dog population. Solid</p>
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<p>dogs may be destroyed.’</p> <p>2. Document II – Control of Rabies in Jaipur, India by sterilization and vaccination of neighbourhood dogs (J.F. Reece.& S.K. Chawala, veterinary Record, 2006, London; in press)</p> <p>(i) This method has record a 28% reduction in street dog population.</p> <p>(ii) Also there has been a huge reduction in human rabies cases in areas of Jaipur covered by the ABC programme.</p> <p>3. Document III – Summary Figures for the Jaipur ABC Programme 2000-2005. (Help in - Suffering, Jaipur, unpublished data)</p> <p>(i) Resumption of removal, by culling or other methods, of street dogs would not be in the interest of long term dog or rabies control in India. Evidence shows that removal of dogs increases dog population instability and increases the transmission of rabies. Further, removal of dogs is often performed</p>	<p>waste management is also one of the key factors contributing to reducing dog population.</p> <p>(iii) and (iv) The stand of the Union of India has been that indiscriminate culling of dogs is not a wholesome solution to the problem of management of street dogs. It has to be done with a multi-pronged approach. This would include <i>inter alia</i> measures of sterilization, immunization, capture and handling of animal and would also include measures for shelter/relocation. Euthanasia of street dogs has to be resorted only with respect to incurably ill and mortally wounded dogs, as provided in the Rules.</p> <p>ABC programmes has been successful.</p> <p>The stand of the Union of India has been that indiscriminate culling of dogs is not a wholesome solution to the problem of management of street dogs. It has to be done with a multi pronged approach. This would include <i>inter alia</i> measures of sterilization, immuniazation, capture and handling of animal and would also include measures for shelter/relocation.</p>
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<p>in cruel and inhumane ways which are inconsistent with the tenets of all major religions in India.</p> <ol style="list-style-type: none"> 1. More and more people must be involved in the national programme. Wide publicity should be given through mass media like AIR, Doordarshan for different 'zonatic' diseases. 2.. Role of the Municipalities may be geared up by enforcing strict schedule so that the municipalities would seriously take up their moral obligation to coordinate and support the NGOs in implementing the programme. Regarding rule pertaining to 'Obligations of Local Authorities' they are often reluctant in providing trained dog catchers, in installing incinerators, and undertaking periodic repair of shelter or pound as mentioned in Government notification. 3. Often Government formalities come in between, necessary instruction may be issued to respective district authorities in constitution of S.P.C.A. as mandatory and obligatory to implement the Central Government and State Government notification 	<p>Euthanasia of street dogs has to be resorted only with respect to incurably ill and mortally wounded dogs, as provided in the Rules.</p> <p>Monitoring Committee's functions include creating awareness. AWBI takes care of involving media and other publicity methods for creating awareness regarding different diseases.</p> <p>Monitoring Committee, in which Commissioner/Chief of the Local Authority, is ex-officio Chairman, is to take a view in the matter. There is no denying the fact that ABC Rules need strict implementation by the local authorities.</p> <p>- Do -</p> <p>- Do -</p>
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<p>properly by involving NGOs of the respective areas.</p> <p>4. Municipal Corporations of the district should extend full cooperation to the working NGOs for speedy implementation of the rules. Often local authorities do not show positive response in the implementation of the project.</p> <p>5. The NGOs should be allowed to get some concession in compliance to Government notification. At present Government grant is confined to expenditures like cost of dog catching, cost of pre and post operative care, and, cost of animal feeding and medicines. In actual practice, under the project N.G.Os have to keep the animals for at least 10 days in their shelter and for this they have to spend on the cost of electricity, cost of cleaning and other sundry expenses which are not covered under Government grant. Concessions may be given in respect of electricity charges, fuel charges etc. while implementing the Government aided project.</p>	<p>Provision of concession in respect of electricity charges and fuel charges etc., to the NGOs may be favourably considered, by the local authority, who provide these facilities.</p> <p>Grant-in-aid is based on a set procedure as per GFR and Government of India instructions.</p> <p>The grants covers expenses pertaining to ailments and complications arising during post-operative period.</p> <p>NGOs are free to approach AWBI in this regard.</p> <p>- do -</p>
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<p>6. Often the grants are sanctioned in long intervals thereby obstructing speedy implementation of the projects</p> <p>7. Government grant of Rs. 445/- for each dog under the project is insufficient owing to ever increasing prices of medicines, animal feed, doctor charges etc. The grant may be increased to Rs. 600/- per dog to cover other expenses pertaining to existing ailments; complications which may arise during post-operative period.</p> <p>8. NGOs may be allowed to get complete feedback so that the project may be launched in the same area in a specific time gap for sterilization of the remaining dogs which were not covered earlier.</p> <p>9. NGOs may be allowed to conduct training/workshops in their respective areas. This will not only help in the creating of skilled personnel for the project, but will also help in self employment and keeping the surrounding environment in hygienic conditions. For this Government grant may be given.</p>	<p>ABC Rules, if implemented in letter and spirit, coupled with proper, solid waste management, would lead to gradual reduction in the population of dogs. Rule 10 of ABC Rules takes care of furious or dumb rabid dogs.</p> <p>Rule 3(2) of ABC Rules provides that the owner of pet dogs shall be responsible for the controlled breeding, immunization, sterilization and licensing in accordance with these rules and the law for the time being in force within a specified local area.</p>
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<p>10. Guidelines may be issued for administration of three rounds of vaccination in three successive years to vaccinated dogs for developing certain immunity amongst dog population against rabies for complete eradication of the fatal disease.</p> <p>1. Rules 3 (2): Classification of dogs and their sterilization</p> <p>(a) Owners of pet dogs must have their dogs sterilized before the age of six to prevent their breeding. Also they should be immunized against rabies. Any person wishing to be a breeder, must (1) get registered with the Animal Welfare Board of India or such other authority as prescribed by AWBI, and, (2) pay a substantial licence fee to prevent such breeders whose sole purpose is only making large amount of money by sale of pups.</p> <p>(b) Maintenance of complete records as required by AWBI regarding parentage of the pup, number of</p>	<p>Rule 8 of ABC Rules deals with identification and recording of dogs.</p> <p>Rabies cases should be informed to the Health Dept./Municipality so that they can maintain an accurate statistics on rabies cases. Rule 10 of ABC Rules takes care of furious or dumb rabid dogs.</p> <p>Rule 12 provides guidelines for breeders. Any violation of PCA Act attracts for punishment.</p> <p>AWBI advises Central Government on making Rules, who gets feed back from all concerned. The feedback is a continuing process for improving the laws.</p> <p>Monitoring Committee set up under</p>
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<p>pups born at each litter, number that dies, number of pups sold and the name of the buyer.</p> <p>2. Rule 10: furious or dumb rabid dogs.</p> <p>The clause may be modified to permit dogs which in the opinion of the Inspection Panel consisting of veterinary surgeons appointed by local authority and representative from AWO approved by AWBI is considered to be rabid, to be humanly euthanized using over dose of sodium pentathalon. This should be followed by a post mortem in the Government Veterinary Hospital to check whether it was indeed rabid. All such incidences of rabies must be informed to the AWBI so that an accurate statistics of rabies is maintained. In case the post mortem indicates otherwise, the same must be immediately brought to the notice of the Inspection Panel to enable them to make informed judgment the next time.</p> <p>3. Rule 12: guidelines for breeders</p> <p>A sub clause may be added to ensure compliance by breeders by providing</p>	<p>ABC Rules is to take view in the matter.</p> <p>- Do -</p> <p>A provision for installation of incinerators to be installed by the local authority already exist under Rule 6 (e) of the ABC Rules, for disposal of carcasses.</p> <p>Rule 12 provides detailed guidelines for dog breeders</p> <p>The application of law is based on keeping in mind the sole objective of welfare of animals.</p>
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<p>for deterrent fine and any other punishment. Repeated offenders must be treated with utmost penalty to ensure obedience to the rule of law.</p> <ol style="list-style-type: none"> 1. The review exercise at this stage is premature. A Committee should be set up to ensure wide spread implementation of the Rules and only thereafter feedback should be obtained from different parts of the country. 2. Rule 3: A Sub clause may be added to ensure that no pet dog may be kept without obtaining licence from relevant corporation, municipal council, panchayat or local, authority, who shall ensure that one-time nominal fee is imposed on the owner of sterilized dog, whereas annual substantial fee may be imposed and collected from the owner of unsterilized dog. 3. Rule 5: A sub clause may be added to ensure that adequate stock of anti-rabies vaccines are available with 	<p>The approach has to be humane. The ABC Rules has provision of qualified Veterinary Doctor.</p> <p>Local Authority is to take decision as per ABC Rules.</p> <p>The existing classification deals with categories of dogs.</p>
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<p>health authorities for use of the public in case of dog bite.</p> <p>4. Rule 6: Sub clause (e) may be amended as follows: incinerators to be installed or burial ground to be identified by the local authority for disposal of carcasses.</p> <p>5. Rule 12: Rules for dog breeders may be suitably incorporated.</p> <p>6. Rule 13: The clause may be amended to read as follows: “if there is in force in any area to which these rules extend, any act, rule, regulation, bye-law made under any law for the time being in force by the State or the Local Authority in respect of any matters for which provision is made under these rules, such rule shall have no effect unless it is harmony with the provisions of these rules”.</p> <p>1. Rule 2 (g) definition: In line with’ the Supreme Court’s stipulation on human sterilization, a veterinary doctor must</p>	<p>AWBI is to look into the matter. Nominations of the AWO representative is on the basis of concern for animals and their experience in the field of Animal Welfare.</p> <p>AWO/NGO are part of Monitoring Committee. The implementing agencies at the field level is also to observe the ABC Rules.</p> <p>Veterinary Doctors to decide on the drugs/medicine, as per ABC Rules. Monitoring Committing is to take action in the matter based on ABC Rules. ABC Rules also deal with the problem of rabid dogs.</p> <p>Pollution control is essentially a part of eco-system.</p> <p>Reimbursement is based on set principal prescribed by GFR and other instructions of the GOI.</p>
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<p>have training in ABC surgery before he is involved in ABC programme. In India veterinarians are not given compulsory surgery training during B. Vsc course.</p> <ol style="list-style-type: none"> 2. Rule 3 (2): ‘sterilization’ methodology, whether only tubectomy, ovary-hysterectomy, castration, etc. should be notified clearly. 3. Rule 3(3): There should be three categories (i) pet dogs, (ii) street dogs, (iii) community dogs, the dogs staying inside a housing complex, apartments, etc., where food is assured and movement is self restricted. 4. Rule 4 (f): Nomination criteria of AWO representatives should be on the merit/ performance of the concerned AWO, not on any other consideration. 5. Rule 5(a): The Monitoring Committee may give basic guidelines while day to day affairs should be entrusted to the implementing agency at the field level (AWO/ NGO/ Any other.) 6. Rule 5 (b): Veteriinary doctors may be allowed to decide on the 	<p>Rule 7 deals with all types of complaints.</p> <p>The Local Authority has to deal with the matter, as per ABC Rules. The approach towards animals has to be humane.</p> <p>The ABC Rules provides for sufficient and proper housing for dog kennel</p> <p>The rules provides for administering sodium pentahol for adult dogs and thiopental introperitoneal for puppies by a qualified veterinarian in humane manner.</p>
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<p>drugs/medicines. Only banned drugs/medicines to be clearly notified.</p> <p>Inclusion of ‘rabid dogs’ contradicts with Rule 10(4).</p> <p>7. Rule 6(1) (e): Installation of incinerators without proper pollution control should not be made mandatory.</p> <p>8. Rule 6(3): Without regular and mandatory implementation of ‘reimbursement’ clause, the whole scheme would be infeasible.</p> <p>9. Rule 7(1) (i)&(ii): General purpose cannot be separated from specific complaints, because a field worker cannot refuse to attend the later saying he is on a general trip, it may be possible in Government set up but not in a community work by NGO.</p> <p>(i) & (ii) cannot be separated in a community work.</p> <p>10. Rule 7(4): Instead of the manner of catching, emphasis should be given to checking the condition/ injury during catching. A strict stipulation by total ban on metal tongs may lead to no catching of aggressive/biter dogs</p>	<p>The inspection by a panel of two persons provided by ABC Rules is to make sure that inspection is by qualified person in a humane way.</p> <p>Local Authority has to ensure that incinerators are pollution free.</p> <p>The approach has to be humane one as in ABC Rules and PCA Act.</p> <p>Success of Rules depend on proper implementation by authorities concerned.</p> <p>Local authorities have to fully co-operate with the NGOs in the ABC</p>
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<p>resulting in aversion in the community to the programme itself. In any case, catchers should be covered by some Government funded insurance scheme available to other people working in high risk/hazardous situations (each dog is a potential carrier of rabies, apart from other zoonotic infection)</p> <p>11. Rule 7(8): An isolation/ quarantine area must be available for suspected rabies/ communicable zoonotic dogs.</p> <p>12. Rule 9: Rule should notify banned drugs.</p> <p>13. Rule 10(3)(ii): A qualified veterinarian is adequate. A layman may not be the right person to monitor or participate in an inspection. If two persons are necessary then even an AWO representative must be a veterinarian.</p> <p>14. Rule 11: Pollution factor in incinerators may be noted. Near to the Disposal Area, a Central Post Mortem facility (carcasses of suspected rabid dogs may be colour marked at ABC centres) should be provided by the local authority to ascertain incidences of rabies.</p>	<p>programme, to make it a success.</p> <p>The local authorities must take full responsibility for control of stray dogs population and in the implementation of the ABC programme.</p> <p>Sterilization of pet dogs is to be done according to ABC Rules.</p> <p>The local authorities must take full responsibility for control of stray dogs population and in the implementation of the ABC programme.</p> <p>ABC rules already cover this aspect PCA Act provides for punishment for violation.</p>
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<p>15. Rule 13: A rational approach, keeping community sentiment/ priority in mind, should be adopted while framing the rules. Otherwise no amount of awareness will be adequate to make the community tolerant to the dogs.</p> <p>1. Often the ABC Rules, 2001 are not implemented because they are viewed as voluntary or insignificant. There is no accountability or consequences for the local authorities if they choose to disregard the Rules.</p> <p>2. Often there is limited cooperation from local authorities. A realistic evaluation of the ABC programme can only be conducted after the ABC rules have been widely implemented by local Governments.</p> <p>3. The responsibility for the success of the ABC Rules has been unofficially transferred to the animal welfare NGOs. In actuality, it is for the local authorities to spearhead these</p>	<p>Prevention of Cruelty to Animals as a subject falls in the concurrent list and therefore Monitoring Committee can keep a better check. A representative of the Ministry cannot attend Monitoring Committee Meeting as there will be number of Monitoring Committees all over India. However, A WBI has a system to get a feedback. Public involvement is done through the participation of NGOs/ AWO's and local bodies concerned with welfare of animals.</p> <p>Monitoring Committee can take a view in the matter, depending on the local need.</p> <p>The Monitoring Committee may decide on this aspect. Any action is to be taken as per the PCA Act and ABC Rules. The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the</p>
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<p>programmes and for the NGOs to support and assist in their implementation. The ABC Rules may be amended to create accountability and consequences for those local authorities that do not implement the guidelines within a stipulated time period despite having a stray dog problem within their jurisdiction.</p> <p>4. Rule 3(3): It is important to mandate that the pet be sterilized as soon as possible</p> <p>5. Rule 6: Strict consequences be mandated for local authorities not willing to provide the items stipulated in (a) to (f) or not willing to implement the ABC programme within their stipulated jurisdiction despite having a stray dog problem.</p> <p>6. Rule 10 : Rule may be modified to permit dogs that, in the opinion of the Inspection Panel consisting of Veterinary surgeons appointed by the local authority and a representative from the AWO approved by the AWBI, is considered to be rabid to be humanely euthanized using an overdose of sodium pentathol.</p>	<p>Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Dog licences may be issued with a</p>
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<ol style="list-style-type: none"> 1. Need for providing provision for lodging FIR in case of killing of stray dogs also in this regard there is need for chalking out a line of action for the police in case of such mishaps in coordination with the local authorities and the NGOs operating in that area. 2. A representative of the Ministry must attend the meeting of the Monitoring Committee to keep a check press person must also be called for the meetings so that the discussions can be released for the general public as public involvement is crucial for the success of the programme. 3. Areas of a city must be divided and allotted to different NGOs by the Monitoring Committee. Each area needs to be taken up one at a time. Public also need to be made aware of 	<p>validity period of 3 to 5 years for checking the sterilization/immunization of pet dogs, Dog licence should be made available at different zone/divisional office of the municipalities.</p> <p>The AWBI has a system for conducting inspection of the AWOs.</p> <p>Management of Stray Dogs population has to be done with a multi pronged approach. It discriminate culling of dogs is not a wholesome solution to the problem of management of street dogs.</p>
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<p>the programme.</p> <p>4. Whenever dogs are found poisoned, it is observed that a majority of them are marked, which means, they were operated. The shy ones even escape the poisoning. Therefore, there is a need to study these dogs that cannot be caught even after several attempts and use of tranquilizer guns, if the programme has to succeed. The Monitoring Committee must find a solution to this problem.</p> <p>5. The license fee to keep a dog must be reasonably high and a door-to-door check must be maintained on an yearly basis to ensure that anti rabies vaccination is given. A neutered dog can be charged less compared to an unoperated dog to ensure that people also neuter dogs not meant for breeding. Slum breeding has to be halted to give way to responsible dog breeding. A breeders cab may be</p>	<p>Local authorities are to abide by the ABC rules and fully co-operate with the AWOs in the implementation of the ABC Programme.</p> <p>Local authorities are to abide by the ABC rules and fully co-operate with the AWOs in the implementation of the ABC Programme.</p> <p>AWBI provides financial assistance. However, local authorities are free to generate funds for implementing any programme relating to Animal Welfare.</p> <p>MoE&F provides funds to AWBI for further disbursement to AWOs for implementation of the programme. AWBI is making every effort to release the first and second installments of grants in time to the AWOs. Delays of funds can be eliminated if necessary documents are provided in time.</p> <p>Local authorities are to abide by the</p>
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<p>chalked out by directing kennel clubs not to issue certificates without production of licenses per puppy born.</p> <p>6. The purpose of the license is to ensure dogs are immunized per year. However, Municipal Corporations like that of Pune have stated issuing a life long license. This should not be allowed as people will not bother vaccinating their dogs once the license is obtained. License can be issued for 2 years. Dog licenses should be made available at different offices earmarked throughout the city so that animal lovers will also come forward to get license. It should be mandatory to give a stray dog a license only upon neutering.</p> <p>7. There should be regular inspection of the NGOs by the Animal Welfare Board. Problems being faced by the NGOs must be addressed to. Also, funds should be released timely, and good kennels should be provided.</p> <p>1. It is learnt that the Municipal Corporation is going to resume the killing of street dogs instead of sterilizing them. This should be</p>	<p>ABC rules, which provide for humane approach and have to fully co-operate with the AWOs in the implementation of the ABC Programme. The AWBI conducts inspection for proper monitoring.</p> <p>The panchayats should provide all assistance, including finance to the AWOs to make the programme successful.</p> <p>The MoE&F is providing funds to AWBI for release of regular and continuous grants to AWOs engaged in the welfare of animals.</p> <p>AWBI provides financial assistance. However, local authorities are free to generate funds for implementing any programme relating to Animal Welfare under existing provision of GOI.</p> <p>Sterilization cum immunization programme under ABC Rules is solution to the problem of stray dogs in a humane</p>
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<p>condemned. It is a stated fact that killing does not reduce or check dog population. This will only encourage the increase of dog numbers and recreate the irrational fear of stray dogs that animal lovers and the programme are trying to remove.</p> <ol style="list-style-type: none"> 1. In spite of the programme, killing of dogs is taking place in different areas. 2. There is lack of assistance and cooperation from panchayat and Municipal Corporations. 3. There is a need for clearing foreign financial contributions. 4. Often initial funds are sanctioned and received from the AWBI on time. However, funds are delayed and often not forthcoming during the successive years. 	<p>manner. Under Sec. 38 of the PCA Act, the Animal Birth Control Rules throughout India have been made, for uniform implementation.</p> <p>AWBI provide funds for various programmes based on a set principle of grant-in-aid, as per GFR & GOI instructions and norms stipulated in the respective Central Sector Schemes.</p> <p>Local authority has a responsibility to implement the ABC programme. The</p>
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<ol style="list-style-type: none"> 5. In spite of the rules, killing of animals is taking place in many parts. Often death is inflicted by choking instead of humane methods and by injection of strychnine. The implementation of the Rules needs proper monitoring. 6. Need for assistance, financial or otherwise from panchayats. 7. Need for regular and continuous flow of funds from the AWBI to the NGOs for sustained and long term progress of the project. 8. Need for exploring possibility of foreign financial contributions. 	<p>sterilization of street dogs is to be done as per ABC Rules.</p> <p>The Local Authority are to follow ABC Rules. The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>The success of PC A Act and ABC Rules depend on proper coordination.</p> <p>Animal Husbandry Depts. (Central & State), Ministry of Health, Government of India as also the Municipal administration Depts. cooperation in this programme is essential to make this</p>
<ol style="list-style-type: none"> 1. The Kerala High Court in Case No. 	

<p>WP (C) No. 23543 of 2003 have interpreted that whatever the ABC Rules prescribed; local authorities can catch and kill stray dogs. The Court quoted from chapter (3) 11 (2) b-i.e. “nothing in this section shall apply to the destruction of stray dogs in lethal chamber later substituted by other methods with a minimum suffering.” The Court opined that Rules cannot override Act and therefore, municipalities can kill stray dogs. This is a grave discrepancy and against the spirit of both the prevention of Cruelty to Animal Act and the ABC Rules.</p> <p>1. I. Hindrances</p> <p>1. Non availability of continuous funding. Often it is very limited grant and the availability is much delayed with serous set back to the speed of the programme.</p> <p>2. Under Rule 6(3) the local authority has to reimburse. However, the local authority is reluctant to part with any</p>	<p>programme a success.</p> <p>The success of the ABC and AR programme depends upon active participation of municipal corporation/ NGOs, individuals and all concerned. A proper coordination would definitely help in proper waste management system and awareness can help in this regard, would definitely help to achieve this goal.</p> <p>The local bodies may consider allotting land to the NGOs engaged in ABC programmes.</p> <p>There will be no delay if the AWOs submit the documents required to the AWBI, Chennai for the purpose of release of grants like U.C. & sterilization certificate from the local authority. The NGOs should co-operate with the Board in this matter.</p> <p>The scheme provides for Rs.445/-.</p>
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<p>kind of help even medically to increase the sterilization of the street dogs.</p> <p>3. Often a lot of convincing to the Commissioner of the Municipality is needed about the scheme. Often they are unaware of the project and there is lack of positive intention among the officers concerned who view the project as a burden in the absence of clear-cut instructions laid down in their manual. The result is the killing of dogs without any reason, follow-ups and leaving aside the basic problem.</p> <p>4. Here is lack of coordination between the local authority and the NGOs.</p> <p>5. Considering the social responsibility under direct public health and departments like Animal Husbandry, Municipal Corporations do not provide any guidelines or assistance to address the problem.</p> <p>2. II. Suggestions</p> <p>1. The aim and objective of the scheme</p>	<p>Both the male and female dogs should be sterilization, as per ABC Rules.</p> <p>It may not be possible/feasible for the Board Members to attend the meeting of the AWOs.</p> <p>PCA Act provides punishment for violations.</p> <p>Identification and recording of dogs is done under Rule 8 of ABC Rules.</p>
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<p>should be to complete it within the shortest time possible.</p> <p>2. It is the local authority's obligation to investigate the progress of the project.</p> <p>3. A proper coordination between the departments of Animal Husbandry, Municipal Corporation and the NGOs must be in place.</p> <p>4. There must be continuous minimum financial assistance to keep the scheme going and spreading.</p> <p>5. The garbage system and the dumping of wastage also need to be streamlined.</p> <p>6. There is need for creating awareness and education programmed to the masses and the implementing authorities.</p> <p>1. I. Drawbacks/ constraints in the implementation of the ABC Rules</p> <p>Immediate allotment of permanent</p>	<p>The AWBI, Chennai is only an advisory body for recommending policies and rules relating to animal welfare to the Central Govt. The State Govt. is the implementing Authority. Hence, the implementation of all Acts and Rules is the responsibility of the State Govt. As such, dog breeding should be monitored and controlled by the State Animal Husbandry Departments.</p> <p>The intention of the PCA Act and ABC Rules is to have humane approach towards animals.</p>
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<p>land to the NGOs engaged in sterilization of stray dogs so that land can be secured for infrastructural development i.e. sterilization and immunization projects. An NGO whose land is insecure cannot give optimum output. Intervention of both State and Central Government is a must if the NGOs are to achieve optimum results.</p> <p>2. Delay in receiving grant-in-aid from the Ministry of Environment and Forests brings the ABC project to a halt.</p> <p>3. Sanctioning of Rs. 1200/- per sterilization operation (including dog catching and relocation) instead of the present rate of Rs. 445/-. The rise in prices of medicines, instruments, food, cleaning agents, fuel, etc. has resulted in the cost per operation to increase.</p> <p>4. Often only female stray dogs are</p>	<p>The SPCAs is part of Monitoring Committee. The local authorities and other involved in the implementation of ABC Rules and AR programmes are to discharge their responsibilities in a big way for making these programmes a success.</p> <p>There has to be regular monitoring committee meetings for successful implementation of ABC programme.</p> <p>The ABC Rules and PCA Act provide for compassion and humane approach towards animals. The Animal Birth Control (Dogs) Rules, 2001 enacted</p>
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<p>caught for sterilization. Only male stray dogs having maggot-wounds are picked up for neutering, following dogfights during the mating season.</p> <ol style="list-style-type: none"> 1. Success of the project depends on sufficient funds being allotted regularly. For this, procedure for allotment of funds needs to be simplified. Also, one Member of AWBI should attend the meetings of the NGOs regularly for allotment of funds and for coordination purposes with various local bodies. There is need for nominating one person of the respective area as Member of AWBI. This will ease the work of implementation of the rules. 2. At time dogs are being poisoned by unknown persons. The NGOs are helpless to do anything due to limited resources. There is need to file FIR by local bodies i.e. Municipal Corporation/ Corporation Board. Also, post mortem, disposal of carcasses etc. need to be carried out under their arrangement. 3. In foreign countries, chips are inserted in the body of the animal to store data 	<p>under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Municipalities/ Corporations to take action to implement ABC / AR programme as they are the implementing authorities.</p> <p>The provision of Rule 5(b) is applicable to put to sleep critically ill or fatally injured or rabid dogs in a painless method. Rule 10(4) is applicable for dog to have a high probability of having rabies. The provisions are not contradictory.</p>
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<p>of operation / immunization. This possibility needs to be explored.</p> <p>1. Rule 3(2) and (3): The Breeding of dogs by the breeders should be limited and monitored through AWBI. The breeding of ownerless dogs can be controlled through ABC programme.</p> <p>2. Rule 3 (10): The furious or dub rabid dogs should be humanly euthanised only after having confirmed of the fact by a panel of specialized veterinary doctors approved by the AWBI and under the local Government Veterinary Hospital. Post mortem of such dogs should be carried out by Government Hospital or authorized NGOs with approved facilities for such post mortems to confirm that the euthanised</p>	<p>The real intention and purpose of rule 9 is that an incurable / mortally wounded/ rabid dog should not be subjected to prolonged pain and suffering.</p> <p>There is no doubt better coordination and corporation will be effective for implementation of the ABC Rules.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by participation of animal welfare organization, private individuals and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray</p>
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<p>dog was indeed rabid.</p> <ol style="list-style-type: none"> 1. District Animal Welfare Societies in Forests and Village Development Department do not function regularly and properly. They must be activated and made to discharge their duties in relation to the ABC Rules and AR programme. 2. Rule-4 : The monetary Committees often do not function in the Municipalities, resulting in lack of coordination between the AWO (NGOs) and the Municipalities/ Corporations. The Commissioner, Municipality is Ex-officio Member of the District Animal Welfare Society. 3. The Municipal Act should be amended suitably to make it mandatory for the Municipalities/ Corporations to act with compassion and responsibility and not resort to killing of stray dogs indiscriminately and by in-human 	<p>dogs on a long term basis.</p> <p>After implementing the ABC programme on a large scale throughout India continuously for period of four to five years, a review of the rules could be undertaken.</p> <p>Monitoring Committee is competent to take a view in the matter.</p> <p>Guidelines for breeders are in Rule 12.</p> <p>The Rule 13 is based on the principle of humane approach towards animal and hence is as per the spirit of PCA Act.</p>
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<p>methods.</p> <p>4. Municipalities/ Corporations allocate some amounts in the budget every year and call for tenders for killing stray dogs. The amounts may be utilized not for killing the dogs but for ABC/ AR programme as envisaged in the ABC Rules.</p> <p>5. Rule 5(b) may be deleted as it is taken advantage of by the Municipalities/ Corporations merely for killing dogs indiscriminately. Rules 5 (b) and 10(4) are self-contradictory leading to anomalies while dealing with the act of killing of dogs.</p> <p>Dog shelters should be provided in every district to solve this problem and be placed at the disposal of the Animal Welfare Societies.</p> <p>6. Rule 9 may be deleted as it is being taken advantage of as an excuse for killing the dogs on mass scale.</p> <p>7. Need for coordination and cooperation between the Municipalities/Corporations, Animal Husbandry Department and Animal</p>	<p>Guidelines for breeders exist in Rule 12 of ABC Rules.</p> <p>Proper implementation of ABC Rules by local authority in letter and spirit is essential for its success.</p> <p>Animal Welfare Board of India has been entrusted with the task of creating public awareness on the various aspects of animal welfare including those pertaining to ABC programme through newsletters, pamphlets and conducting trainings and seminars directly or with the help of AWOs.</p> <p>Monitoring Committee can take a view in the matter depending on local needs. AWOs involved in the matter are doing the work of volunteers who ensure taking care of street dogs, as per ABC Rules and PCA Act.</p>
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<p>Welfare Organizations (NGOs) for effective implementation of the ABC Rules.</p> <ol style="list-style-type: none"> 1. The Prevention of Cruelty to Animals Act, 1960 forbids cruelty to animals, including stray dogs. Section 11(1) (1) makes it clear that stray dogs are protected by this Act. At the same time Section 11 (3) permits destruction of stray dogs as may be prescribed by law. Thus an exception is created whereby under certain circumstances, euthanasia of certain dogs may be permitted. PCA does not elaborate on the circumstances under which this exception may be resorted to, Rules should clarify these circumstances and also method to be used. 2. Review exercise at this stage is premature. A Committee should be set up to ensure widespread implementation of the rules. 	<p>Rule 9 of ABC Rules provides that 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. Any action in this regard is to be taken as per ABC Rules.</p> <p>Animal Welfare Board of India has been entrusted with the task of creating public awareness on the various aspects of animal welfare, including those pertaining to ABC programme and re-homing/rehabilitation through newsletters, pamphlets and conducting trainings and seminars directly or with the help of AWOs.</p> <p>Rule 9 of ABC Rule deals with euthanasia of street dogs. Rule 11 deals with disposal of carcasses.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 enacted under Section 38 of the Act lays down a scheme to reduce dog population by sterilization and immunization of stray dogs by</p>
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<p>3. Rule 3 : A sub clause (d) may be added to provide that no pet dog may be kept without obtaining license from the relevant authority - City Municipal Corporation, who shall ensure that one-time nominal fee is imposed on the owner of sterilized dog, whereas annual substantial fee is imposed and collected from the owner of unsterilized dog.</p> <p>4. Rule 12 : Rules for dog breeders may be suitably incorporated in the rules.</p> <p>5. Rule 13: The Rule may be amended as follows: ‘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 matters for which provision is made under these rules, <i>such rule shall have no effect unless it is in harmony with the provisions of these rules.</i>’</p> <p>1. Rules and laws should be enacted for</p>	<p>participation of animal welfare organization, private individuals, and local authorities. The Scheme formulated under these Rules is not intended to jeopardize human life but at the same time to treat animals with care, compassion and in a humane manner so as to achieve a gradual reduction and stabilization in the population of stray dogs on a long term basis.</p> <p>Involvement of all concerned can help in better implementation of ABC Rule.</p> <p>Proper implementation of the ABC programme would certainly result in decline in population of stray dogs and incidences of rabies.</p> <p>Proper implementation of the ABC programme has contributed to decline in population of stray dogs and incidences of rabies, There is no denying the fact that this huge task of sterilization of stray dogs can be achieved if all the State Government/local authorities take interest in implementing the ABC programme. AWBI interacts with State Governments to motivate them to implement the programme.</p>
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<p>licensing dog breeders</p> <p>Dog breeders should be licensed (free of charge) by the local veterinary authorities under supervision by local AWOs, who would ensure that no bitch has more than two litters in her life time, by having her neutered after her second litter, and who would remove the license of any breeder mistreating or in-breeding animals. The neutered female dog should be suitably rehomed by the dog breeder or else he may face prosecution under the PCA Act, 1960.</p> <p>2. Rectify the existing pitfalls in the dog - sterilization programme. These pitfalls include:</p> <ul style="list-style-type: none"> ● Failure of Government/ Government bodies to provide finance when scheduled. ● Corruption by employees/ supervisors (especially in purchasing). ● Misuse of vehicles. ● Diversion or theft of medicines/ dog food. ● Obstruction by local officials/ 	<p>Agreed to.</p> <p>The Animal Birth Control (Dogs) Rules, 2001 stipulate that all Municipalities should start the ABC programme in co-operation with local AWOs/ NGOs.</p> <p>Better garbage management is a key for bringing down population of dog and improving upon animal welfare also.</p> <p>Veterinary doctors to follow ABC Rules. NGOs are welcome to take active interest.</p> <p>Welcome suggestion.</p> <p>The ABC Rules provide for a humane approach towards dogs.</p>
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<p>municipal vets.</p> <ul style="list-style-type: none"> ● Failure by Municipalities to implement projects despite availability of finance. ● Dumping of sterilized dogs by the municipalities into areas other than from where they had been picked. <p>3. Publicizing the ABC cum Anti -Rabies immunization programme and networks.</p> <p>A budget should be allocated for advertising for local volunteers and to publicize the location of clinics. Neuter and return should be advertised and explained to the public. A Public Relations Bureau could be engaged to handle this.</p> <p>4. A network of volunteer dog wardens should be established in each clinic area. School children enthused by the Education Project might also help. Their job would be to locate, feed, befriend and catch street dogs, then to care for them after release, notifying their local clinics of illness, injuries or complaints. Dog wardens would help</p>	<p>Suggestion welcome</p> <p>ABC & AR programme are implemented through AWBI and is being implemented throughout the country, involving local authorities, Animal' Welfare. Organizations, Societies for Prevention of Cruelty to Animal, NGOs and private individuals involved in animal welfare etc. The scale of financial support for XIth Five Year Plan has also been increased.</p> <p>Monitoring Committee can take a view in the matter depending upon local needs.</p> <p>- Do -</p> <p>PCA Act provides for punishment for</p>
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<p>to re-catch dogs for booster vaccinations.</p> <ol style="list-style-type: none"><li data-bbox="337 300 854 449">5. Weak, small or handicapped dogs would be held in clinics or passed on to animal welfare associations pending adoption/ rehoming or as a last resort.<li data-bbox="337 600 854 835">6. Local newspapers should be encouraged to help with adverts or rehoming of dogs which cannot be returned to their community, for eg. Grown puppies with no home territory, or small or weak dogs.<li data-bbox="337 867 854 974">7. Removal and incarceration, with or without euthanasia, is futile, never-ending and unaffordable.<li data-bbox="337 1005 854 1192">8. Mass sterilization-cum-vaccination of street-dogs is the only practical and permanent solution, but it requires political will, short-term funding and efficient implementation.	<p>violation.</p>
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9. There should be informative programmes in schools, cinema halls, television, radio, etc.

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Animal Welfare Board of India
(Ministry of Environment and Forests)
Post Box No. 8672, 13/1, Third Seaward Road,
Valmiki Nagar,
Thiruvanmiyur, Chennai-600 041

Point	Points
Comments of the Ministry of No. Environment and Forests	

1. The Animal Birth Control which is a permanent and long term solution is based on WHO recommendations. The State Governments required to enforce the Rules by directing the local administration departments/municipalities to implement the ABC programmes in

order to achieve stray dogs control. The fact that the stray dogs population continues to remain high is a pointer to the fact that the ABC programme has not been effectively implemented by the State Governments. In cities where the ABC programme has been adopted for the last 4 to 5 years, the population of stray dogs and incidences of rabies cases have recorded a decline.

2. The Animal Welfare Board is providing financial assistance of the ABC/AR programme to more than 56 Animal Welfare Organizations spread all over the country. Neutering/sterilization of the stray dogs estimated around 18 to 20 million is a gigantic programme and can be achieved only if all State Governments are motivated to seriously implement the ABC programme in letter and spirit.
3. The AWBI of India has submitted the project "Rabies Free India" to the Ministry of Health & Family Welfare and the Ministry of Agriculture (Deptt. of Animal Husbandry) for conducting the ABC/ARV programme on a large scale. The Dept. of Animal husbandry

of the Ministry of Agriculture has decided to enumerate the stray dog population also in ensuring census which will help proper planning in the control of stray dogs.

XXV

Karuna Society For Animal and Nature
2/138/C Karuna Nilayam, Behind S.C.
Quarters, Enumulapalli,
P.O. Prasanthi Nilayam, Andhra Pradesh-515
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Point	Points
Comments of the Ministry of No. Environment and Forests	

1. Heavy pressure on Government and municipalities regarding garbage management and by law, all municipalities have to start ABC in cooperation with NGOs or AWO.
2. Garbage management together with a-septic ABC plus AR is the only humane answer to bring down the number of human rabies death and to improve animal welfare and human welfare alike.
3. Qualified veterinary doctors have to be

<p>trained in ABC by Government veterinary colleges to do a quality job. They should have legal permission to work at NGOs as part of their job.</p> <ol style="list-style-type: none"><li data-bbox="337 380 854 569">4. Veterinary colleges should take up ABC in the area of the College as an e.g. and stray animal have to be included in the country's veterinary care.<li data-bbox="337 600 854 821">5. Pups should not be separated from the mother for ABC purpose. After the pups are 3-6 month old, the females with the mother can be operated together and released back in their own territory.<li data-bbox="337 852 854 1220">6. Quality inspections have to be performed on the NGOs. and other institutions conducting ABC programme. On the national and state level, qualified inspectors have to be trained to be able to inspect and report the performance of the organizations, including the accounts. Corruption at all levels-Government and NGO-has to be stopped.<li data-bbox="337 1251 854 1350">7. Outside of cities, ABC centres should be central and big enough to cover the whole district. This will make	
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inspections easy and the results can be better controlled.

8. ABC programme should not be conduct in times of seasonal distemper/parvo out breaks.
9. Anti rabies vaccinations should be freely available at all the vet. Hospitals.
10. The legal consequences for offenders of cruelty to dogs or killing of stray dog should come on the level of the Wild Life Act.