

श्री बिस्वजीत प्रधान
SHRI BISWAJIT PRADHAN
Member -
Odisha State Animal Welfare Board
Representative of Govt. of India, AWBI
Vice Chairman Dist. SPCA, Cuttack
Member High Court Bar Association



*International Representatives of
International Organization for Animal Protection (OIPA)
Associated to the United Nations DGC, ECOSOC.
UN Environment Assembly & Environment Programme*

No.04-02/S-ABCMIC/24

Date 04.02.2024

To,

1. The Collector & DM –cum- Chairman
District Society for Prevention of Cruelty to Animals, Khordha.
2. The Commissioner, Bhubaneswar Municipal Corporation.

Sub: Illegal Dog Relocation by Municipal Corporation Bhubaneswar.

Sir,

With reference to the subject cited above, I would like to state that, I got information from Animal welfare activists of Bhubaneswar Santosh Das and Sonal Kabi and other members of District S.P.C.A Khordha alleged that healthy stray dogs are captured with their puppies and inhumanely kept in kennels without food and water for relocating them to outside the city.

The relocation of stray dogs are not permissible under the law, Stray dogs will be caught only for sterilization and vaccination, rabid and aggressive dogs cases will deal only with accordance to ABC module of AWBI, the illegal relocation is an offense under Section 11 of the Prevention of Cruelty to Animals Act 1960 and violation of the directions of the Hon'ble Supreme Court of India.

As per Law street dogs cannot be beaten, killed or driven away or displaced or dislocated, they can only be sterilized in the manner envisaged in the "Animal Birth Control Rules, 2023" enacted under the Indian Prevention of Cruelty to Animals Act 1960 (A Central Act), vaccinated, and then returned back to their original locations.

It is pertinent to added that, as per Rule 11 of ABC Rule 2023 Capturing of street dogs shall be conducted for the following reasons namely:-

- **General purpose:** for which the local authority in consultation with the Monitoring Committees shall decide to control the excess population of street dogs through animal birth control program in a specific area or region.
- **Specific complaints:** for which the local authority in consultation with the Monitoring Committee shall set up an Animal Complaint Cell at the Animal Birth Control Center to receive information or complaints about dog bites from street dogs suspected to be suffering from Rabies.

Further, the dog capturing team shall consist of:-

(i) the driver of the van; (ii) two or more trained employees of the local authority or Animal Welfare Organization who are trained in humanely capturing street dogs; and (iii) One representative of any of the Animal Welfare Organization nominated for the purpose.

- Before the street dogs are captured in any locality, the representative of the local authority or of the Animal Welfare Organization shall put up banners or public notices making announcement informing residents that animals shall be captured from the area.

- The capturing of the animals shall be done by using humane methods such as net catching or hand catching or any other manner that is less irksome to the animal and use of tongs or wires for catching dogs shall be strictly prohibited.
- Street dogs under the age of six month shall not be captured for and undergo sterilization and female animals with puppies shall not be captured for sterilization till their litter is two months of age.
- The dogs shall be released at the same place or locality from where they were captured and the date, time and place of their release shall be recorded after their complete recovery and the representative of the local authority or of the animal welfare organization shall accompany the team at the time of release and from time to time, the Board may provide a suitable application for geo-tagging the location of the dogs during capture and release.

It is the obligation of Local Authority as well as the Animal Welfare Officer to ensure that the ABC Rules should properly implement. Action shall be taken officer involved in illegal stray dog relocation as per the direction of Hn'ble Supreme Court in Para 77 of the S.L.P.(C) No. 11686 of 2007, Animal Welfare Board of India Vs A.Nagaraja & Others and guidelines issued vide by DoPT vide F.No.30/9/2006-Welfare dated 26.5.2006.

In view of the above, it is requested to investigate the above complaint and take appropriate action as per provision of the law.

“Please treat this as most urgent”.

Yours sincerely,



(BISWAJIT PRADHAN)

Member

*State Implementation & Monitoring Committee
For Animal Birth Control*

Encl:As

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Copy Forwarded to: -

1. Additional Chief Secretary, HUD Dept. Govt. of Odisha
2. DMA & Ex-officio Addl. Secretary, HUD Dept. Govt. of Odisha.
3. Secretary, Animal Welfare Board of India.
4. CDVO, Khordha

Copy forwarded to OIPA International Relations Officer and International Advisor for Information.