

ANIMAL BIRTH CONTROL (DOGS) RULES, 2001.

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ANIMAL BIRTH CONTROL (DOGS) RULES, 2001.

Whereas the draft Animal Birth Control (Dogs) Rules, 2001 were published, as required under subsection (1) of Section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), vide Ministry of Culture Notification Number G.S.R. 816(E) dated November 2, 2001 in the Gazette of India. Extraordinary. Part II. Section 3, sub-section (i) dated November 2, 2001 and whereas objections and suggestions from all persons likely to be affected thereby were invited before the expiry of 30 days from the date on which copies of the gazette containing the said notification have been made available to the public; And whereas copies of the said Gazette were made available to the public on November 2, 2001: And whereas the objections/suggestions received from the public have been incorporated in the rules. Now, therefore, in exercise of the powers conferred by the sub-sections (1) and (2) of Section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, namely:

1. Short title and commencement. :-

(1) These rules may be called the Animal Birth Control (Dogs) Rules, 2001.

(2) They shall come into force on the date of their final publication

in the Official Gazette.

2. Definition. :-

In these rules, unless the context otherwise requires,

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

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 authority.

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

namely:

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

5. Functions of the Committee. :-

The committee constituted under Rule 4 shall be responsible for planning and management of dog control programme in accordance with these rules. The Committee may,

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

of sterilization, vaccination, etc.

6. Obligation of the local authority. :-

(1) The local authority shall provide for

(a) establishment of a sufficient number of dog pounds including animal kennels/ shelters which may be managed by animal welfare organizations;

(b) requisite number of dog vans with ramps for the capture and transportation of street dogs;

(c) one driver and two trained dog catchers to be provided for each dog van;

(d) an ambulance-cum-clinical van to be provided as mobile center for sterilization and immunization;

(e) incinerators to be installed by the local authority for disposal of carcasses;

(f) periodic repair of shelter or pound.

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

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

7. Capturing/sterilization/immunization/release. :-

(1) Capturing of dogs shall be based on:

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

(b) General.

(c) On receipt of specific complaint about nuisance or dog bite the same shall be attended on priority basis, irrespective of the area from which the complaint comes. On receipt of such complaint the

details such as name of the complainant, his complete address, date and time of complaint, nature of complaint etc. shall be recorded in a register to be maintained for permanent record.

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

(2) The dog capturing squad shall consist of:

(i) The driver of the dog van.

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

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

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

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

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

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

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

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

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

8. Identification and Recording. :-

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

9. Euthanasia of Street Dogs. :-

Incurably ill and mortally wounded dogs as diagnosed by a qualified

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

10. Furious or dumb rabid dogs. :-

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

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

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

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

(ii) a representative from an Animal Welfare Organisation.

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

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

11. Disposal of carcasses. :-

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

12. Guidelines for breeders. :-

(i) A breeder must be registered with Animal Welfare Board of India.

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

(iii) Breeder must maintain record of the person buying the pups.

He should ensure that the buyer has the required knowledge for the upkeep of the pups.

13. Application of rules where local bye-laws etc. exist. :-

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

(a) it contains provisions less irksome to the animal than those contained in these rules, shall prevail;

(b) it contains provisions more irksome to the animal than those contained in these rules, be of no effect.