

No.U3/155574 /PHQ/2015
Police Headquarters, Kerala
Thiruvananthapuram - 10
Dated: 24/09/2015

From
DGP & State Police Chief

To
District Police Chiefs

Sir,

Sub: **Alleged illegal killing of stray dogs – Legal action** - reg.
Ref: Letter No. 9-2/2015-16/PCA dtd 23/09/2015 from Animal Welfare
Board of India.

Attention is invited to the above.

I am herewith forwarding a letter received from Animal Welfare Board of India, as referred above, for urgent attention and immediate necessary action. The letter is very clear about the legal action that is to be taken.

They have also complained that some organizations have also embarked in an illegal activity of catching and killing stray dogs. These persons are also liable under action as suggested in the letter.

Yours faithfully


DGP & State Police Chief

Copy for information [by email] to:
gandhim@nic.in / gaurimaulekhi@gmail.com
ADGP Int. / Zonal ADsGP / Range IsGP

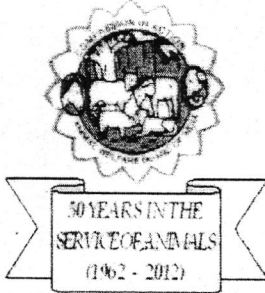
155574

GRAM: JIVABANDHU

Phone : 04424571025

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ANIMAL WELFARE BOARD OF INDIA

(Ministry of Environment and Forests, Govt. of India)

Post Box No. 8672

13/1, Third Seaward Road, Valmiki Nagar, Thiruvanimiyur, Chennai - 600 041

Email : awbi@md3.vsnl.net.in Website: www.awbi.org

No.9-2/2015-16/PCA

23.9.2015

The Director General of Police
Govt. of Kerala
Thiruvananthapuram
Kerala.

Sir,

Sub: Request for action to be taken against persons circulating 'advertisements' promising incentives for the illegal killing of dogs, and thereby inciting crime and lawlessness in the State

It has come to the notice of the Board through a news report that advertisements are being circulated in Kerala by a group called the "Street Dog Eradication Group", promising incentives and rewards to persons killing and burying dogs, in the sum of Rs. 500/- for each dog killed and buried. A copy of the news report in English and Malayalam, and the advertisement in Malayalam, translated into English, that the Board has received from a citizen, is enclosed for your reference. It is learnt that these persons have, or are in the process of issuing many such advertisements in the vernacular press, which has larger circulation.

As you know, killing any animal, including stray dogs in this manner is a crime and a cognizable offense in terms of Sections 428 and 429 of the Indian Penal Code. The relevant sections are set out below :

Section 428 of the Indian Penal Code

428. Mischief by killing or maiming animal of the value of ten rupees.—Whoever commits mischief by killing, poisoning, maiming or rendering useless any animal or animals of the value of ten rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section 429 of the Indian Penal Code

429. Mischief by killing or maiming cattle, etc., of any value or any animal of the value of fifty rupees.—Whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

Moreover, the Prevention of Cruelty to Animals Act, 1960 makes it an offense to kill or mutilate any animal, including stray dogs.

The Supreme Court is seized of the stray dogs' matters, and is hearing several petitions in which the moot question is whether municipalities can destroy stray dogs despite the existence of a Central law which clearly mandates that they cannot, while specifying the extreme circumstances under which humane euthanasia is permissible.

In any event, there is no law whatsoever that vests power in any citizen of India, or any association of persons, such as this group called the "Street Dog Eradication Group", to issue advertisements promising rewards for the killing of stray dogs. Not only are they acting illegally, they are also inciting lawlessness and crime. Moreover, the newspaper/s carrying such advertisements, or though not carrying the actual advertisement but carrying the contact details of the persons' promising these illegal incentives, are also a party to the offence of inciting lawlessness and crime. (Because such newspapers are, in effect, promoting the commission of crime being proposed by this group.)

You are therefore requested to immediately take action against this association of persons, whose address is stated to be RT X1840A, Church Building Complex, Pulluvazhy, Perumbavbur-683 541, Ernakulam District, Kerala. Please also take action in accordance with law against the Editors of all newspapers that may have carried the advertisement, or may carry it in future ; or even those that carry the contact details of the persons' promising these illegal incentives, and thereby, in effect, promote the commission of crime.

Kindly do so under intimation to us.

Yours faithfully,



(S. Vinod Kumar)
Assistant Secretary

Encl: as above

Copy to:

1. The Chief Secretary, Govt. of Kerala
2. The Principal Secretary, Local Self Government Department, Kerala
3. Chairman, AWBI
4. Vice-Chairman, AWBI



DR.S. CHANDRANKUTTY
DIRECTOR I/C.
ANIMAL HUSBANDRY DEPARTMENT

DIRECTORATE OF ANIMAL HUSBANDRY
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17/09/2015

**The Chairman,
Animal Welfare Board of India,
Ministry of Environment and Forests,
Government of India,**

Dear Sir,

The Government of Kerala has decided to expedite the Animal Birth Control Programme through the Local Self-Government Department with the help of Department of Animal Husbandry. In the first phase, 50 Animal Birth Control Centres are being earmarked in Government Veterinary Hospitals. Each center has been allocated 2 veterinarians, 2 paravets and 2 dog handlers apart from their regular staff. More dog catchers will be hired by the local bodies. All the staff will need to be trained in high throughput ABC programme so that they are able to deliver better results without compromising the welfare of the animals and as per the SOP prescribed by the Government of India.

We understand that there are organisations such as Humane Society International, Worldwide Veterinary Services and Vets Beyond Borders which specialize in conducting birth control surgeries in canines at a very large scale. These organisations have also been useful in training other organisations and government agencies in the skills that are needed to safely and humanely carry out such programmes.

We request AWBI to allocate any one organisation for a phase-wise and intensive training of the vets, paravets, handlers and catchers in Kerala. The trainers will need to suggest low cost changes in the current infrastructure of the 50 veterinary hospitals to make them suitable to carry the programme through. They will also be required to suggest modifications in the animal transport vehicles that will be used for the project. This will help in standardising the programme for faster results and better monitoring.

We hope for the cooperation of the Board in the humane dog population management programme initiated by the Kerala Government.

Thanking you

Yours Faithfully

Dr. S. Chandran Kutty
Director of Animal Husbandry (i/c)