

GRAM: JIVABANDHU



No. 9-2/2015-16/PCA

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ANIMAL WELFARE BOARD OF INDIA

(Ministry of Environment and Forests, Govt. of India)
Post Box No. 8672

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

28.10.2015

To
The Director General of Police of
all States /UTs

Sir,

Sub: Harassment of citizens showing compassion to animals – Request for intervention and enforcement of Animal Protection Laws – Reg.

Kindly refer to our letter dated 25.8.2015 on the above subject requesting to issue a circular or directions from your office to the personnel of all the police stations in your State to ensure that compassionate citizens are not harassed unnecessarily and that animal cruelty cases are investigated and action taken as per law and the directions of the Supreme Court.

In this connection it has been brought to our notice that complaints about animal cruelty and harassment against individuals indulging in ill treatment of animals are not seriously pursued and action is not taken by the law enforcement agencies.

The voiceless animals can only rely upon human beings to ensure that their welfare and rights that are protected and the laws made in the Country are enforced properly. Taking this into consideration the Supreme Court of India has specifically given directions in Para 77 of its judgement in SLP (C) No.11686 of 2007 in the matter of AWBI Vs A.Nagaraja & Ors and has directed among others that:

(2) We declare that the five freedoms, referred to earlier be read into Sections 3 and 11 of PCA Act, be protected and safeguarded by the States, Central Government, Union Territories (in short "Governments"), MoEF and AWBI.

(3) AWBI and Governments are directed to take appropriate steps to see that the persons-in-charge or care of animals, take reasonable measures to ensure the well-being of animals.

(4) AWBI and Governments are directed to take steps to prevent the infliction of unnecessary pain or suffering on the animals, since their rights have been statutorily protected under Sections 3 and 11 of PCA Act.

(10) The Governments would see that if the provisions of the PCA Act and the declarations and the directions issued by this Court are not properly and effectively complied with, disciplinary action be taken against the erring officials so that the purpose and object of PCA Act could be achieved.

The extracts of the directions and declarations of the Supreme Court of India in the above case is enclosed for reference.

2.

The Board has provided identity cards to Honorary Animal Welfare Officers(HAWOs) who are compassionate citizens and animal welfare activists. Their duties and responsibilities includes interaction with law enforcement officials regarding the various laws on animal welfare and to help the law enforcement officials to provide information about animal cruelty matters for taking necessary action as per law.

It is therefore requested to issue orders to all the Police Personnel in your State/UT to enforce the animal protection laws effectively so that such enforcements become a deterrent to the infliction of cruelty on the hapless animals.

Take action to provide appropriate administrative set up in the Department to deal with animal cruelty cases.

To take appropriate action on the information provided by HAWOs of AWBI or any complaints brought to its notice by the citizens.

To bring about awareness about animal welfare laws to the law enforcement personnel at all levels as envisaged by the Ministry of Home Affairs' direction to include the animal welfare protection laws in the curriculum of the Police Academy.

We look forward to your kind co-operation and we also request you to send a copy of the instructions/orders issued in this matter by e-mail and by post to the Board at the earliest.

Yours faithfully,


(S. VINOD KUMAAR)
Assistant Secretary

Encl: as above

Copy to: for information and further necessary action please.

- 1) The Chief Secretary of all States and UTs
- 2) The Director, Animal Husbandry and Member Secretary, State Animal Welfare Board of all States and UTs
- 3) Chairman, AWBI and Vice-Chairman, AWBI