



सत्यमेव जयते



**भारतीय जीव जन्तु कल्याण बोर्ड**

**ANIMAL WELFARE BOARD OF INDIA**

(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
Ministry of Environment, Forest & Climate Change, Govt. of India

एस.पी. गुप्ता, आईएएस (सेवानिवृत्त)

**S.P. Gupta, IAS (Retd.)**

अध्यक्ष / Chairman

No-9-3/2018-19/PCA

Dated :01<sup>st</sup> October, 2018

1. The Chief Secretary  
of the State Governments / UTs
2. Additional Chief Secretary / Principal Secretary  
Animal Husbandry  
of the State Governments / UTs
3. Director General of Police (DGP)  
of the State Governments / UTs
4. District Magistrate / Collector / Chairman,  
Society for Prevention of Cruelty to Animals (SPCA)
5. Animal Quarantine Officers  
Of the concerned Airport Authorities of India

Sir / Madam,

Sub.: Advisory on Immense cruelty and illegality perpetrated during export of live animals / live stocks including small ruminants such as sheep, goats etc. specially during their transport – Reg.

The Animal Welfare Board of India is a statutory body established under Section 4 of the Prevention of Cruelty to Animals Act, 1960. The functions of the Board include the promotion of animal welfare generally for the purpose of prevention of cruelty and for protecting animals from being subjected to unnecessary pain or suffering, in particular.

It has been reported and complained to the Board with respect to immense cruelty and illegality perpetrated during export of live animals / live stocks including small ruminants such as sheep and goats specially during their transport which are taking place in violation of the following laws, rules and regulations:

1. The Prevention of Cruelty to Animals Act, 1960 as amended.
2. The Prevention of Cruelty to Animals (Transport of Animals) Rules, 1978 (specially rule 98).
3. The Prevention of Cruelty to Animals (Transportation of Animals on Foot) Rules, 2001(specially rule 96).
4. Rule 125 E of Central Motor Vehicle Rules, 1989.
5. Transport of livestock Code of Practice, 2007 (Bureau of India Standards).
6. Live Animals Rules (LAR) formed by International Air Transport Association (IATA).
7. International Guidelines / Standards (OIE) for transportation of animals by sea / air and land transport.

एन.आई.ए.डब्ल्यू. कैम्पस, 42 माइलस्टोन, दिल्ली-आगरा हाईवे, एन.एच.-2, बल्लभगढ़, फरीदाबाद-121004 (हरियाणा)

NIAW Campus, 42 Milestone, Delhi-Agra Highway, NH-2, Ballabhgarh, Faridabad-121004 (Haryana)

Email: animalwelfareboard@gmail.com, awbi@md3.vsnl.net.in, spguptachairmanawbi@gmail.com

Website: www.awbi.org Tel.: +91 129 2555611

8. Proper medical examination certification by the appropriate designated authority.
9. Quarantine procedure and certification laid down by AQCS as the nodal agency for certification for export of livestock.
10. OIE Animal Health Terrestrial Code.
11. State Laws, Rules, Regulations, if any.

It is widely noted that huge numbers of cattle are transported without any facility in vehicles in an inhumane manner and thus, there is a clear violation of Prevention of Cruelty to Animal Act 1960. During the transportation of animals, the animals were stuffed with chilly in their eyes, in order to prevent them from sleeping during the course of transit and also to prevent them from moving from their places in the vehicle. Through their nose, a rope is fastened. They were all suffocated and some of them die in the course of transport. The pregnant animals were taken, which is against the Prevention of Cruelty to Animals Act, 1960.

As per Rules 47 to 56 of the Transport of Animal Rules, 1978, no goods vehicle should carry more than six cattle and there should be a valid certificate by a qualified Veterinary Surgeon that the animals are fit to travel and each consignment should bear a label showing the name and address of the consignor and the consignee. Goats and sheeps were found to be transported for slaughter in a cruel manner (they were tightly bound to each other, which was against the provisions of the Prevention of Cruelty to Animals Act, 1960). Such activity has to be nibbed in the bud and not only the owners of the animals but also the vehicle owners should be stringently punished.

Veterinary Certificate for Animal Health before export is mandatory and the same should be followed as per international standards. It has been noticed that animals are exported without appropriate health check up by veterinary doctors. Further, it is mostly found that the medical certificates are issued without actual and physical examination of animals. Export of live animals without medical examination results into transport of such animals which are ailing, pregnant, disable extremely young etc.

Quarantine of livestock is mandatory. *Animal Quarantine & Certification Services* (AQCS) is prescribed by Govt. of India, Ministry of Agriculture. The purpose of the Animal Quarantine and certification (AQC) is to prevent the ingress of livestock and poultry exotic to India as per provisions of livestock importation Act, 1898 keeping in view the International standards for the Import and Export of live stock Government of India initiated AQCS. In this program Farmers Welfare and Department of Animal Husbandry, Dairying & Fisheries envisages provisions of an internationally accepted certification service for the live stock and live stock products exported to other countries from India confirming to the health requirements of the importing country or the health regulations prescribed in the International Zoo Sanitary Code. One of the main objectives of the AQCS is to provide an internationally accepted certification services for augmenting export and to play an important role to increase international trade of livestock and livestock products.

The Hon'ble Supreme Court in the matter titled as AWBI v. A. Nagaraja, (2014) 7 SCC 547 has recognized the following freedoms of the animals :

- i) *freedom from hunger, thirst and malnutrition;*
- ii) *freedom from fear and distress;*
- iii) *freedom from physical and thermal discomfort;*
- iv) *freedom from pain, injury and disease; and*
- v) *freedom to express normal patterns of behaviour."*

In view of the above, you are requested to take all necessary and appropriate steps for implementing the provision of law, rules and regulations during export of live stocks / live animals including small ruminants such as sheep, goats etc. specially during their transport and punish the offenders in the letter and spirit of law. An action taken report along with supporting documents may be forwarded to the Board periodically and at least once in three months for record and further necessary action.

Yours sincerely,

  
(S. P. Gupta)