

**ANIMAL WELFARE BOARD OF INDIA
CHENNAI – 41**

Minutes of the 43rd General Meeting of the Animal Welfare Board of India held on 23rd July, 2016 at Chennai.

PRESENT

1. Maj. Gen. (Dr.) R.M. Kharb, AVSM (Retd.)	-	Chairman
2. Dr. S. Chinny Krishna	-	Vice Chairman
3. Shri Anil Sant, IAS Joint Secretary (AW), MOEF & CC	}	Members
4. Shri Jai Raj, IFS PCCF, Uttarakhand	}	
5. Shri A.J. Anandan, IPS (Retd)	}	
6. Shri Doulat Jain	}	
7. Dr. Sandeep K. Jain	}	
8. Shri N.G. Jayasimha	}	
9. Shri Anil Sancheti	}	
10. Shri Vinod Bam	}	
11. Shri Shivayya Swamy Kamthana	}	
12. Ms. Norma Alvares	}	
13. Ms. Sowmya Reddy	}	
14. Dr. (Mrs.) Vasanthamma	}	
15. Ms. Anjali Sharma	}	
16. Brig. S.S. Chohan, VSM (Retd.)	}	
17 Dr. Neeraj Mohan, Representative of Municipal Corporation, Shimla	}	
18. Shri M. Ravikumar	}	Secretary
19. Shri S. Vinod Kumar	}	Assistant Secretary

Shri S. Shankar, Deputy Secretary (HE), Representing Ministry of HRD requested for leave of absence and the same was granted.

Chairman AWBI welcomed the Board Members present in the meeting. Chairman appraised the Members on the stray dogs case being heard in the Supreme Court. The module prepared by the Board requires some amended and that the Supreme Court has granted permission for the same. The next date of hearing is fixed for 14th Sep 2016.

Chairman informed the Members of the orders of the High Courts of Uttarakhand and HP regard the banning of illegal sacrifice of animals. He noted that cruelty inflicted on the street dogs are on the rise, general tolerance in public for them is very low. He emphasised the need of creating awareness in the society to show compassion to animals and human beings should co-exist with the animals who are contributing so much for human welfare.

Chairman informed Board about the Meeting held in Chennai with Film Expert Committee of Shri Shyam Benegal and four other Members constituted by Ministry of Information & Broadcasting. He said that Shri Shyam Benegal appreciated the procedures being adopted by Performing Animals Sub Committee and that the committee suggested for increasing registration fees for performing animals from Rs.500/- to Rs.5,000/- per application to meet the cost of inspection charges etc., the need about having licensed supplier for performing animals was also projected. Chairman informed the Board that it was conveyed to the Committee that the film industry must be advised not to engage middle men or agents for obtaining permission or NOC.

The Board also had a brief discussion about usage of Air Guns. Shri A.J.Anandan IPS (Retd) informed the Board that there are some airguns which inflict severe damage when used on animals.

The Board discussed and emphasised the need for SAWB to become active and effective so that grants can be released to AWOs through SAWB. Ms. Norma Alvares, Member, AWBI suggested that SAWB should collect Utilisation Certificates from organisations who received funds from Board. It was also decided that SAWB be requested to forward the application form and inspection report in respect of the schemes like shelter, ambulance services, ABC and Natural Calamity relief to avoid delay in release of grants.

The Board decided that sanction letters should be sent to AWOS within the limits of funds allocated by the Ministry for the particular grant in aid.

Shri Jayasimha suggested that all SPCAs should be funded through a special scheme. He also suggested that Ms. Gauri Maulekhi and Dr. Manilal our Co-opted Member should also be included in Legal Sub Committee.

The Board discussed the issue of battery cages for poultry industry and decided that the size of battery cages should be increased. Shri Jairaj, Member, AWBI stated that more cruelty is happening in smaller battery cages. The Board needs to take up this with BSI for necessary action.

Item No.1: Confirmation of the Minutes of the 47th Annual General Meeting of the Animal Welfare Board of India which was held on 20th & 21st February, 2016 at Chennai.

The Board confirmed the Minutes of the 47th Annual General Meeting held on 20th & 21st February, 2016.

Item No.2: Report on action taken on the minutes of the 47th Annual General Meeting of the Animal Welfare Board of India which was held on 20th & 21st February, 2016 at Chennai.

The decisions and actions taken of the minutes of the 47th Annual General Meeting held on 20th & 21st February, 2016 were reviewed and noted by the Board. The Board decided that SAWB/AHD be requested to forward the application form from AWOs to AWBI and also the inspection report in respect of the schemes like shelter, ambulance services, ABC and Natural Calamity relief to avoid delay. It was also decided that in respect of grants to AWOs in Uttarakhand, the release of grants is to be done through the UKSAWB for distribution to the eligible AWOs.

Item No.3: Ratification of Minutes of the Grants Sub-Committee Meeting of the Board held on 27.6.2016

The Minutes of Grants Sub-Committee Meeting of the Board held on 27.06.16 were approved and ratified by the Board.

Item No.4: Review of the matter regarding regularization of services and pay of the Staff and retirement benefits to the retired/resigned/deceased employees of AWBI by adopting ACP/MACP method as directed by the Ministry.

Smt Anjali Sharma and other Board members emphasised the need for regularisation of services and pay of staff of the Board. Secretary, AWBI informed that he is pursuing the matter with the Ministry. The Board requested the Ministry to consider the matter of regularisation of service of temporary staff favourably at the earliest.

Joint Secretary, MoEF & CC informed the Board that the matter is under active consideration of the Ministry.

Item No.5: Review of the matter regarding Implementation of report submitted to MOEF by Staff Inspection Unit (SIU), Department of Expenditure, Ministry of Finance, GOI in March 2011 in respect of enhancement of staff strength of AWBI.

Secretary, AWBI informed that he is pursuing the matter with the Ministry. The Joint Secretary (AW) informed the Members that the Ministry is actively considering the SIU Report. The Board requested the Ministry to consider the matter favourably at the earliest.

Item No.6: Consideration of matter relating to latest status report of Utilization Certificate under Regular Grant and CSS Grant (Shelter, Ambulance, ABC & Natural Calamity).

The Board was informed that UCs are being received from AWOs after the issue of legal notices but the Board Members directed that final Notice should be sent to the AWOs who have not submitted UCs for a long period and thereafter letters should be sent to the concerned District Magistrates for initiating action to recover the amount as arrears of land revenue.

Item No 7: Consideration of matter relating to application form for recognition of AWOs and its guidelines for approval.

It was informed to the Board that as per the approval of the Board in the 42nd General Meeting, three different applications were designed and circulated to the Board Members for confirmation and approval. The Members decided that the application forms should be more user friendly. HC requested to Board Members to send their views regarding application form for recognition within next 15 days.

Item No.8: Consideration of matter relating to the Training Programmes conducted by Shri Naresh Kadyan and other Master Trainers.

The Board noted the letter of Chairperson about the misrepresentation being done by Shri Naresh Kadyan and also about the misutilization of the Shelter and Ambulance grant given to this organisation and the Board decided that a fresh inspection is to be conducted by Brg. S.S. Chohan, Board Member, a representative of SPCA Palwal & Deputy Director of the AHD representing the Director General, Animal Husbandry Department, Govt. of Haryana within one month and submit the report to the Board to take further necessary action. The amount released under Shelter Grant and Ambulance Grant should be recovered from the organisation if misuse of funds is established.

Item No.9: Consideration of matter regarding cruelties to animals and mass killing of stray dogs.

The Board decided to obtain compliance report from all the States as is required to be furnished by them as per the SC directions (wherever such report is not received till date). The Board condemns the cruelties perpetrated on the dogs and exhorts the State law enforcement authorities to take effective action against the offenders.

Item No.10: Consideration of matter regarding increasing complaints and resistance by the Resident Welfare Association about keeping of pet dogs in residential apartments.

The Board resolved and reiterated that RWAs cannot make byelaws that are at variance with the laws of the land. The provisions of Section 3, 11(1) of PCA Act, 1960 makes it a cruelty if a person abandons any animal under his charge without reasonable cause and RWAs forcing citizens to abandon their pets actually amounts to cruelty perpetrated on animals. Ms. Anjali Sharma suggested to put up the Advisory in the Board's website as well as the letter be sent by Board addressed to Director General Police of all States regarding keeping of pet dogs and to intervene in cases where compassionate citizens are harassed/ intimidated. It was brought to the notice of the Board that action has been taken as stated above.

Item No.11: Consideration of matter regarding increasing number of complaints received from local public about relocation of stray dogs by the Local Bodies after ABC/AR programme.

The Board noted that the ABC(Dogs) Rules, 2001 have clearly stated that the dogs caught for sterilisation have to be returned to the same locality/place from where they were captured after the ABC surgery and post operative care. The Supreme Court has directed in their interim orders that the local authorities have to implement the ABC (Dogs) Rules 2001 in letter and spirit and has emphasised that no innovative method or subterfuge should be adopted not to carry out the responsibility under the PCA Act, 1960 or the ABC (Dogs) Rules. The local bodies have to abide by the law and the directions of the Supreme Court.

The Board authorized the Legal Sub Committee to make the corrections in the ABC Module and submit it to the Supreme Court and also in the existing SOP on sterilization and immunization of stray dogs.

Item No.12: Consideration of matter regarding smuggling of cattle for illegal slaughter from the States sharing International Border.

The responsibility of enforcing the PCA Act and Rules to prevent illegal transportation and illegal smuggling is that of the respective law enforcement

departments of the State Government. The Board has also authorized the AHD of all States to issue the fitness certificate under Rule 96 of the Transport of Animals (Amendment) Rules, 2001. The Board resolved that the law enforcement agencies have to effectively enforce the laws to deter such illegalities.

Item No.13: Consideration of matter regarding Cow slaughter in illegal slaughter houses and regular monitoring of registered slaughter houses.

The Board noted the matter and authorized the inspection of the Al Kabeer abattoir by the Members of the Board along with representatives of State Committee.

Item No.14: Consideration of matter regarding Advisory to Ministry of Environment, Forest & Climate Change regarding banning of Elephant as Performing Animals.

The Board approved the study report and resolved to send an advisory to the Ministry for issuing the Notification to ban the training, exhibition and use of elephants for performances in India as per the provisions of Section 22 (ii) of the PCA Act, 1960.

Item No.15: Consideration of matter regarding enactment of draft Animal Welfare Bill 2014, Dog Breeding Rules, Aquarium Fish Breeding Rules and Pet Shop Rules.

The Board authorized the Legal Sub Committee to look in to the queries raised and comments sought by the Ministry on the draft Rules approved by the Board in 2010 and vetted by the Law Ministry and submit the same at the earliest for forwarding it to the Ministry for its consideration. Joint Secretary (AW) opined that the fundamental rights of people are not to be violated.

Item No.16: Brief on matter relating to important pending court cases by Secretary, AWBI.

The Board noted the matter. The Board directed to write to the BIS to provide the specifications for the cages for egg laying hens in the Battery cages case.

Item No.17: Discuss progress on implementation of National Rabies Control Programme (NRCP) in Haryana State

The Members were appraised of the progress of the NRCP scheme and Chairman informed that the Chief Secretary of the Govt. Of Haryana had convened a meeting recently to take inputs from the officials of the State Government. The NCDC has sought the minutes of the meeting for releasing the grants in aid for the financial year 2016-17. The Board requested Chairman to write to the Chief Secretary to share the minutes of the meeting so that it can be sent to the NCDC, M/o Health so that the funds could be released for NRCP.

Item No.18: Ratification of grant-in-aid released to Humane Society International (HSI) India, Hyderabad and Friendicoes SECA under NRCP programme

The Board approved and ratified the release of grants in aid to the organizations Humane Society International (HSI) India, Hyderabad and Friendicoes SECA under NRCP programme.

Item No.19: Consideration of matter relating to increasing the number of Honorary Animal Welfare Officer (HAWO) Cards to animal welfare activists.

The Board noted the matter and requested the Ministry to continue the HAWO training program at NIAW even after the JNU has taken over the operations of the Institute. The Board also approved for conducting the training program at different places like Hyderabad through Blue Cross of Hyderabad and such other experienced and capable organisations.

Additional Agenda Item No.1 : Reconstitution of CPCSEA with a Member of AWBI as Chairman and inclusion of at least two non-official Members of AWBI as Members of CPCSEA

The Board resolved to write to the Ministry demanding reconstitution of CPCSEA with a Member of AWBI as Chairman and inclusion of atleast two non-official members of AWBI as Members of CPCSEA.

Additional Agenda Item No.2 : Consideration for setting up of monitoring Team to monitor captive elephant at Regular interval

The Board noted the matter and authorized Chairman and Vice Chairman to authorize suitable person(s) to conduct the inspection of the captive elephants whenever complaints received and as directed by Court of Law. The Board also noted that Hon'ble Madras High Court has directed the AWBI to conduct inspection of captive elephants of the temples in Tamil Nadu.

Additional Agenda Item No.3 : Increasing the Registration fee of Rs.500/- to Rs.5,000/- for using performing animals in Films, ad-films, tele-serials, etc.

The Board decided to write to the Ministry seeking approval to utilise fund from RRAECF Account so that inspection charges for the inspection of performing animals used in film shooting can be reimbursed from RRAEC Funds for which it was established. The Board recommended for increasing registration fees from Rs.500/- to Rs.5,000/- and decided to send a proposal to Ministry for the consideration of the same.

Additional Agenda Item No.4 : Review of the Scheme of Animal Birth Control & Immunization of stray dogs

The Board requested the Ministry to revise the rates of ABC from Rs.445/- fixed in the year 2003 to Rs.800/- per sterilisation.

Additional Agenda Item No.5 : Appointment of temporary driver for AWBI's Mobile Animal Clinic on contractual basis

Joint Secretary (AW) informed that since the appointing authority for the post of Driver is the Secretary/Chairman, the decision to offer compassionate appointment to the late Driver's son may be taken by the Board. The Board resolved that the appointment on compassionate basis to the late Driver's son be done as per Rules and hence the question of getting approval for appointment of temporary driver from Ministry does not arise.

Additional Agenda Item No.6 : Consideration of matter regarding inclusion of Cattle seized by the Nagar Nigams and handed over to gaushalas for maintenance in the criteria of rescued cattle grant

The Board did not accept the same and noted that such animals are included in the AVC for consideration of Regular grant and cannot be considered for grant under the Rescued Animals Maintenance grant which is provided for animals rescued by the law enforcement authorities by registering FIR.

Additional Agenda Item No.7 : Consideration of matter regarding grant of Recognition to Vet's Society for Animal Welfare and Rural Development (VSAWRD) Hyderabad, A.P.

The Board decided to conduct fresh inspection of the organisation by Mr.Pradeep Nath of VSPCA along with Shri.S.B.Das, representative of SAWB of AP before granting permanent recognition. However temporary recognition for one year may be given immediately so that the ABC program is not interrupted.

Additional Agenda Item No.8 : Consideration of the matter regarding Budget Allocation for plan schemes implemented by AWBI for the year 2016-17

The Board decided to write to the Ministry for enhancing the budget in the RE Proposal.

Additional Agenda Item No.9 : Ratification of the Prevention of Cruelty to Animals (Care and Maintenance of case property animal) Rules, 2015 and Prevention of Cruelty to Animals (Livestock markets) Rules, 2015

The Board approved the draft Prevention of Cruelty to Animals (Care and Maintenance of case property animal) Rules, 2015 as placed and the Prevention of Cruelty to Animals (Livestock markets) Rules, 2015 with the suggested modification in the number of members to form the minimum quorum (Rule 3) and Rule 7 regarding the organization of animal market within any State border or International border and authorized Shri N.G.Jayasimha, Member to forward the corrected draft Rules to the Board for forwarding it to the Ministry for its consideration after circulation to Members.

The meeting ended with a vote of thanks to the Chair.
