

**MINUTES OF THE 47<sup>th</sup> ANNUAL GENERAL MEETING OF  
ANIMAL WELFARE BOARD OF INDIA HELD ON 20<sup>TH</sup> & 21<sup>ST</sup> FEBRUARY, 2016  
AT CHENNAI**

**PRESENT**

- |   |   |                     |
|---|---|---------------------|
| 1. Maj. Gen. Dr. R.M. Kharb, AVSM (Retd.)       | - | Chairman            |
| 2. Dr. S. Chinny Krishna                        | - | Vice Chairman       |
| 3. Shri Jai Raj, IFS                            | } |                     |
| Addl. PCCF, Uttarakhand                         | } |                     |
| 4. Brig. S.S. Chohan, VSM (Retd.)               | } |                     |
| Representative of Gurgaon Municipal Corporation | } |                     |
| 5. Shri A.J. Anandan, IPS (Retd)                | } |                     |
| 6. Shri Doulat Jain                             | } | Members             |
| 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. Anjali Sharma                           | } |                     |
| 14. Ms. Sowmya Reddy                            | } |                     |
| 15. Shri S. Shankar, Deputy Secretary (HE)      | } |                     |
| Representative of Ministry of HRD               | } |                     |
| 16. Shri Mahendra Yadav, Under Secretary, AWD   | } | Invitee             |
| 17. Shri S. Vinod Kumar                         | } | Assistant Secretary |

Prof. Suresh S. Honnappagol, Animal Husbandry Commissioner, Smt Vasanthamma, Member & Dr. Arun Sirkeck, Representative of Municipal Corporation of Shimla requested for leave of absence and the same was granted.

Honb'le Chairman extended a warm and hearty welcome to all the Members of the Board to its 47<sup>th</sup> Annual General Meeting.

Chairman addressed the Members and informed them about two important directions of the Supreme Court on Jallikattu Notification & on stray dogs which are coming before Supreme Court in March.

Chairman briefed about the sensitization workshops for ABC for stray dogs which are being conducted by the Board at various places. He also stated that 5 workshops have since been conducted and some more will be conducted in the near future. He also thanked HSI, India for helping the Board in conducting these workshops. He also informed that the Board Members should sensitize State

Government / civic body officials to promote implementation of ABC (Dogs) Rules 2001 in letter and spirit.

Chairman stated that there is a general misconception that the AWBI is responsible to carry out the ABC Programme in the country. AWBI is only facilitating the implementation of Central Sector Scheme on Animal Birth Control on street dogs with a very limited budget and it is the local bodies in the country that are mandated as per ABC Dog Rules 2001 to do their part in the implementation of the Rules to control stray dog population and prevent incidence of rabies. If the ABC Programme is properly implemented, then the stray dog population and incidence of rabies will reduce considerably. Chairman also informed that Jaipur, Ooty, Sikkim & Chennai programmes have been conducted successfully and dog population and Rabies there is under control. People who want to eliminate street dogs have to be educated that it is illegal and cruel, through awareness programmes.

Chairman informed that Rajasthan High Court has banned horse tonga races taking into account the AWBI's study report on the cruelties inflicted on the horses and violation of PCA Act & Rules as sought by the Honorable Court.

Chairman also informed the Members that another issue that the Board is engaged in on conduct of dog shows by Kennel Clubs which also involve performances and entertainment. The Board's stand is that entertainment and performance requires registration under Performing Animals Registration Rules (PARR). Some High Courts have ruled that when there is no performance or entertainment, then there is no need for registration with AWBI. However, the dog breeders are required to register with AWBI as per Animal Birth Control (Dogs) Rules 2001 and if there is entertainment, then Show Dogs have to register with AWBI under PARR.

Chairman also apprised the Members that not all breeders are registering with AWBI as per Rule 12 of ABC Dog Rules. Dogs & pups are also sold commercially in Dog Shows. Our mandate is to sensitize people regarding this requirement.

Chairman appreciated Shri Jayasimha and others for conducting workshop / master trainer programmes for Judges and Magistrates in the National Judicial Academy in January 2016 and informed the Members that this has come about after Hon'ble Union Law Minister had written to AWBI to conduct training / sensitization workshop on animal welfare laws. Shri Jayasimha informed that the AWBI will be conducting similar workshops in other State Judicial Academies and that the National Judicial Academy is preparing and finalizing the module for supplying it to the State Judicial Academies.

Chairman also briefed Board about the status of the inspection of circuses' and evaluation reports. There are about 53 circuses operating in the country, of which, only 32 are registered with AWBI. The Board had de-registered some circuses after joint CZA & AWBI inspections and hearings, after finding out cruelties and violation of Act & Rules as per prescribed procedure.

Hon'ble Chairman directed to upload the advisory of AWBI on Euthanasia for animals in Board's website.

Shri Shankar, Member suggested that AWBI should collect donations from celebrities and private organizations under CSR to augment its funds.

**Item No.1: Approval of Annual Report and adoption of Audit Report and Annual Accounts of the Animal Welfare Board of India for the year 2014-15.**

The Assistant Secretary, AWBI briefed the Members about the Audit Report of the Comptroller & Auditor General of India on the Accounts of AWBI for the year 2014-15. The Board adopted the separate Audit Report of C&AG of India on the accounts of the Board for the year 2014-15 and also approved the Annual Report for the year 2014-15.

**Item No.2: Confirmation of the Minutes of the 42<sup>nd</sup> General Meeting held on 16.05.05.**

The Minutes of the 42<sup>nd</sup> General Meeting held on 16.05.05 were confirmed.

**Item No.3: Report on action taken on the minutes of the 42<sup>nd</sup> General Meeting held on 16.05.05.**

The decisions and actions taken in the 42<sup>nd</sup> General Meeting held on 16.05.05 were reviewed and noted.

The Board directed that the identity cards be issued to the sub-committee members nominated to the various sub-committees formed by the Board.

**Item No.4: Ratification of the Minutes of the GSC held on 15.05.15.**

The ratification of the Minutes of the GSC held on 15.05.15 in the 42<sup>nd</sup> G.M. held on 16.05.15 was noted.

**Item No.5: Ratification of Revised Estimates for 2015-16 and Budget Estimates for 2016-17 submitted to the Ministry.**

The Annual General Meeting considered the Revised Estimates 2015-16 and Budget Estimates 2016-17 submitted to the Ministry and ratified the same. The Under Secretary, AWD of MoEF & CC informed the Board that the budget allocation for the year 2016-17 in respect of the plan Central Sector Schemes are as under:

1. AWBI Plan-	Rs.700 lakhs
2. Shelter House-	Rs.500 lakhs
3. ABC-	Rs.100 lakhs
4. Ambulance services-	Rs.100 lakhs
5. Natural Calamity-	Rs. 5 lakhs

The Board resolved that sanction letters to organizations will be sent only up to the actual amount of funds allotted and available and directed that this be followed strictly. Sanction letters to organizations shall not be issued over and above the availability/allocation of funds for the financial year by the Ministry.

**Item No.6: 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.**

The Board requested the Ministry to consider the matter favorably. The Ministry representative assured that the Ministry will expedite the matter regarding regularisation of the staff and intimate to the Board.

**Item No.7: 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.**

The Board members requested the Ministry to expedite the matter as there is an acute shortage of man power in the Board. The Ministry representative assured that the Ministry will expedite the matter regarding implementation of the SIU report at the earliest and intimate the same to the Board.

**Item No.8: Consideration of matter relating to latest status report of Utilization Certificate under Regular Grant and CSS Grant (Shelter, Ambulance, ABC & Natural Calamity).**

The Board members noted the status report of UC pendency and directed the office to send the list of organizations in respect of whom the UCs pending to the Board Members to facilitate the collection of pending UCs and also write to the AWOs.

The Board directed the office to write to the Director of Animal Husbandry of all States apprising them of the pendency of UCs in respect of AWOs over 5 years and request the help of the State Government Departments to obtain the pending UCs and also appraise the Board about the working of the organizations.

The Board also suggested that Utilisation Certificates pending for over 15 years back should be waived off with a copy to District Administration, organization, Ministry and Member of Board.

The Board resolved that the format of Utilisation Certificate to be furnished by the organizations should be the same in all the schemes and such format shall be as given in GFR 19 A of General Financial Rules 2005. The organizations be informed accordingly of the same.

The Board also directed the office to accept the UCs of AWOs in cases where the grant is sanctioned for particular year and released in the subsequent year(s), if the UCs are certified by the Chartered Accountant and also where Audited Accounts of the organizations reflect the utilization of the grant for purposes intended.

**Item No.9: Consideration of the matter regarding the Board's directions to AWOs to forward the applications / proposals for grant through SAWBs with the endorsement of the DM/DC and to consider only such proposals received through SAWB endorsed by DM/DC.**

The Board decided to reverse the decision taken earlier to get the endorsement of the DM/DC in all the applications for grant and recognition and directed that such applications will be accepted if they are forwarded by the State Animal Welfare Board/Director, Animal Husbandry Department. The Board also decided that the letter for carrying out inspection of AWOs should be marked to the Deputy Director or CVO of the Animal Husbandry Department of the concerned area also.

**Item No.10 : Brief on matter relating to important pending court cases by Assistant Secretary**

The Board noted the pending court cases and thanked the Legal sub Committee of the Board for doing commendable work in the cases in which Board is a party.

**Item No.11: Consideration of matter relating to funding of SPCAs and the request received from the Uttarakhand State Animal Welfare Board.**

The Board noted that the Supreme Court has issued orders in 2 cases on 06.08.2008 & 13.07.2015 directing the State Governments to establish SAWBs in all States & UTs. The Board resolved to write to the Ministry to issue a notification on the establishment of SAWBs in all States / UTs with uniform constitution identifying the role and responsibilities of the SAWBs for its implementation.

The Board noted that 5 Central Sector Schemes are being implemented by the Board with the funds provided by the Government of India and that all District SPCAs can apply for grants-in-aid to the Board under these schemes for financial assistance. The District SPCAs can also apply to the Board for financial assistance for community awareness programme under the humane education component in AWBI plan scheme. The Board provides financial assistance to organizations for maintenance of cattle rescued from illegal slaughter/transportation under AWBI Plan

Scheme. The District SPCAs can apply for these grants. However, the Board noted that there is no provision in these schemes for granting revolving fund for transport and treatment of case property animals.

The Board also resolved to write to the Ministry requesting funds for such schemes including grants for SAWBs and District SPCAs.

**Item No.12 : Consideration of the matter related to advisories issued by Chairman, AWBI on behalf of AWBI since last meeting of the Board.**

The Board noted the advisory issued on pet dogs (dated 26.02.15) and guidelines for equines employed at pilgrim sites (dated 08.09.15) & ratified the same and directed that in the advisory on equines, the provision regarding glanders should be added & included under the heading Health Check and that the equines which are suffering from glanders need to be addressed as per Glanders and Farcy Act and euthanised humanely. The Board also directed that the guidelines on euthanasia issued by the Board shall be uploaded in the Board's website.

**Item No.13 : Consideration of proposal to expand the legal Sub-committee of AWBI in order to address the marked increase in the legal cases all over India as also to seek assistance of MoEF & CC to authorise Govt. Standing Counsels in High Courts to represent AWBI as and when required.**

The Board decided that the composition of the legal subcommittee shall continue to remain the same. The Board decided to have a legal panel and requested the Board Members to furnish the names of people who are experienced in legal matters and animal welfare issues who could appear in legal cases for the Board, preferably on pro bono basis.

**Item No.14 : Inspection of the Parliamentary Committee on Official Language to AWBI on 21<sup>st</sup> January, 2016 for information of Board members.**

The Board noted the matter and desired that letters to organizations be sent in Hindi as much as possible. The Board also desired that the staff who are not proficient in Hindi are required to undergo training to learn Hindi.

**Item No.15 : Discuss the implementation of the directions of the Hon'ble Supreme Court Judgement of 18<sup>th</sup> November, 2015 to AWBI pertaining to Stray Dogs matter again coming up for hearing on 9th March, 2016.**

The Board noted the matter and directed that the copies of letters, correspondence sent by Board to various authorities to implement the ABC (Dogs) Rules, 2001 and the MOUs signed by Board with the Municipal Corporations for ABC programmes, the action taken by Board to facilitate training of the stake holders of

ABC Programmes through organizations like WVS India, VBB India, NIAW should be sent to Ms. Anjali Sharma, Member & convenor of legal sub committee of AWBI. The Board also noted that sensitization programme is being conducted by AWBI in various states and to send the details of such programmes also along with the details furnished by the state governments in response to the Board's letters sent to comply with the directions of Hon'ble Supreme Court. Since the next date of hearing is fixed on 09.03.16, the details should be sent at the earliest.

**Item No.16: Discuss progress on implementation of National Rabies Control Programme in Haryana State and Ratification of grant released to Humane Society International, India under NRCP scheme.**

The Chairman appraised the Board of the progress of the National Rabies Control Programme implemented in Haryana and informed that WVS India has written to the Board that they are withdrawing from the programme because of the delay in the release of funds for the programme. The Board considered the request of WVS India about reimbursement of the expenditure incurred for the work done till their withdrawal and approved for the same on the receipt of required documents for the work done duly authenticated by Govt. of Haryana officials. Chairman also informed the Board about the meeting which took place in Gurgaon on 16.02.16 to consider the matter regarding the identification of new organizations to carry on NRCP programme and approved their decision to upload the Expression Of Interest (EOI) first in the website of AWBI and send it to all the recognized AWOs & Municipal Corporation doing ABC immediately as the time limit for responding to the EOI is on 15.03.2016. Chairman also appraised the Board of the positive response of the DC & Municipal Commissioner of Gurgaon who stated in the meeting held on 16.02.16 that MCG will ensure that they will fund the programme whenever there is delay in the receipt and disbursement of grants-in-aid by the NCDC, Ministry of Health & Family Welfare. The Board decided to write to the NCDC to provide further grants-in-aid for release to HSI India after the submission of Utilisation Certificate and other documents for the previous grant released and utilised by them or allow the Board to utilize the balance of grant released by NCDC for WVS India after making the payment/reimbursement to the work already done by them till their withdrawal.

**Item No.17.: Consideration of matter related to the status report of circuses.**

Chairman appraised the Board of the action taken in respect of the various circuses as per the Provisions of Performing Animals Registration Rules under the PCA Act, 1960. The Board ratified the decisions taken by the Performing Animals Sub Committee and duly approved by Chairman on the various circuses. The Board also noted that the Ministry in their letter dated 10.06.14 has stated that the Board officials should work in collaboration with CZA and Wildlife Division wherever cruelty is involved to de-register all the animals in circuses as performing animals and make arrangement for moving these animals to sanctuaries and forest camps, etc., adhering to CZA specifications.

The present Board has come to know of the contents of the Booklet issued on "Circuses" on behalf of AWBI only now and resolved not to distribute or circulate or sell the Booklet 'Circuses' in view of the objectionable information in the booklet and directed that the available booklets are to be kept out of circulation. The Board also

directed that the booklets published in 2001 be reviewed by the Editorial Sub Committee and the Editor is to make the booklets available to the Subcommittee.

**Item No.18: Consideration of matter relating to recognition application form for AWOs and its guidelines for approval.**

The Board decided that for the purpose of recognition there shall be 3 types of application forms i.e. one meant for goshalas, separate on organizations doing only ABCs and separate for organizations doing animal welfare and other charitable work. The Board reconsidered its earlier decision about 75% of total expenditure to be on animal welfare purposes and decided that multipurpose organizations (where animal welfare activities are undertaken by the organization along with other human welfare charitable activities) shall be considered for recognition as an animal welfare organization if they incur at least 50% of the total expenditure on animal welfare. The Board decided that multipurpose organizations shall have to shelter minimum of 150 animals to become eligible for recognition as an AWO.

The Board directed that the revised application form for recognition (soft copy) should be sent to the Board members requesting them for the inputs for finalizing the application forms for the 3 types of organizations as mentioned above. The Board suggested that the point as to whether the organization is/was blacklisted by any Government Agency should also be included in the application for recognition.

**Additional Item No.1 : ABC programme implementation and inspection of ABC Centres in Delhi as per request of Co-opted Member**

The Board decided to remove the ABC rate breakup given in the AWBI's website. The Board also directed that states should be informed that it is the function of Animal Birth Control Monitoring Committee to determine the rate for sterilization & vaccination as provided in Rule 6 (3) of ABC Dog Rules and that the states like to follow the steps taken by the states of Uttarakhand & Haryana which have formed the State Animal Birth Control Monitoring Committee for prescribing the uniform rates for all local bodies in state to follow, so that local bodies do not have to go in for tenders to select the ABC implementing organizations (AWBI recognised).

The Board decided that the Central Sector ABC Scheme facilitating the ABC Programme should continue to be implemented by the Board. The Board approved for uploading all relevant resource material regarding dog population management programme as suggested including the monitoring committee of the individual local bodies as and when made available to the Board for dissemination of such information to the public.

The Board decided to authorize a team to conduct an inspection of the ABC facilities in Delhi and recommend ways for improving their functioning, if it was found necessary.



## **Additional Item No.2 : Publication of Magazines**

The Board authorized Chairman, AWBI to take action as appropriate in the matter of the performance of Shri R.B. Chaudhary, Editor of Publications for not discharging his assigned duties properly.

The issue pertaining to the publication of Golden Jubilee Souvenir was also discussed and it was decided that the Golden Jubilee Souvenir be published. It was also decided that sufficient number of copies be published so that copies of the Souvenir are provided to every AWOs / NGOs registered with AWBI.

## **Additional Item No.3 : Matter relating to response of AWBI to Ministry's letter dt.19.01.16 regarding legal affidavits of AWBI**

The Board considered the letter dated 19.01.16 of the Deputy Secretary, AWD, MoEF&CC and it fully agreed to the points made in Para 1 & 2 of the letter wherein the Ministry has sought the AWBI to furnish its advise / comments factually on legal matters and resolved that Board will provide its advise / comments factually on all legal matters sought by the Ministry.

With regard to Para No.3 & 4, the Board unanimously resolved that the Board will file its response to the Court in affidavits based on its stand for overall welfare of animals irrespective of the stand taken by Ministry on the matter as the Board felt that it has to take a stand based on the mandate given in the statute viz. PCA Act, 1960. Wherever possible the stand taken by the Board and the Ministry should be harmonious and as per the provisions of the Act. However, the Board reiterated that the Board will share its affidavit with the Ministry with regard to the stand taken by the Board for the Ministry's information.

Shri Mahendra Yadav, Under Secretary, AWD stated that the Board is not an autonomous body and that its affidavit should have the same stand as the Ministry of Environment, Forest & Climate Change/Central Government as has been reiterated in Para 3 of the Ministry's letter dated 19.01.16.

The Board authorized the Chairman to reply to the Ministry's letter dated 19.01.16 on the lines as unanimously decided by the Board.

## **Additional Item No.4 : Consideration of new recognition proposals of AWOS for which all required documents have been received for approval of recognition**

The Board noted that there are 33 proposals of recognition of AWOs of various States in which all necessary documents have been received and decided to approve all those proposals placed in Additional Item No.4 for recognition as animal welfare organization after going through the details.

**Additional Item No.5 : Performance Review of AWBI Staff**

The Board Members brought to the notice of Chairman about the provisions available in FR&SR regarding performance review of staff who have completed 30 years of service/50 years of age and the Board resolved that the office will review the performance of all employees who have completed 30 years of service/50 years of age as per the provisions of rules to assess their performance and take appropriate action as per provisions of FR 56 wherever found necessary.

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

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