

Guide to Animal Welfare Laws

Target group – Law enforcement agencies



Animal Welfare Board of India

Ministry of Environment Forests & Climate Change,
Government of India

13/1, Third Seaward Road, Valmiki Nagar, Thiruvanmiyur, Chennai- 600 041.
Phone : 044-24571024, 24571025 Fax: 044-24571016
E-mail : awbi@md3.vsnl.net.in, animalwelfareboard@gmail.com

Table of Contents

Sr No	Subject Matter	Page
1	Gist of Sections for drawing of FIR/NCR	3-4
2	Cruelty to Animals in general	5
3	Illegal use of oxytocin in dairies	6
4	Offences against pet animals and community dogs	7-8
5	Illegal use of Animals for Performance	9-12
6	Overloading	13-14
7	Meat shops and Slaughterhouses	15-16
8	Transport of Animals	17-25
8	Offences against captive elephants	26
9	Other Common Offences against Animals	27-30
10	Procedure for seizure and maintenance of seized animals	31
11	Sample Custody letter	32
12	Cow Slaughter Laws	33

Gist of Sections for drawing of FIR/NCR
Prevention of Cruelty to Animals Act 1960

3	Duty of owner to ensure well being of an animal. In this document the word animal includes birds as defined in the act.
11 (1)(a)	Beating, kicking, overriding, overloading, torturing and causing unnecessary pain to any animal
11 (1) (b)	Using an old or injured or unfit animal for work. Applies to owner as well as user.
11 (1) (c)	Giving an injurious drug/medicine to any animal.
11 (1) (d)	Carrying an animal in any vehicle in a way that causes pain and discomfort to it.
11 (1) (e)	Keeping any animal in a cage where it doesn't have reasonable opportunity of movement.
11 (1) (f)	Keeping an animal on an unreasonably heavy chain or an unreasonably short chain or for an unreasonable period of time
11 (1) (g)	Keeping the animal in confinement, not giving an opportunity to exercise.
11 (1) (h)	Owner fails to provide food, water and shelter to animal.
11 (1) (i)	Abandoning a animal.
11 (1) (j)	Allowing an owned animal to roam on the streets or leaving it on the streets to die of disease or old age.
11 (1) (k)	Having possession of or offering for sale, an animal which is suffering because of hunger, mutilation, overcrowding etc
11 (1) (l)	Mutilating or killing an animal cruelly.
11 (1) (m)	Using an animal as a bait for another animal.
11 (1) (n)	Organising, keeping, using or managing any place for animal fighting.
11 (1) (o)	Shooting an animal when it is released from captivity for such purpose.
12	Injecting any substance to improve lactation (Oxytocin).
22 (i)	Exhibiting or training an animal without registration with AWBI.
22 (ii)	Making such an animal perform which has been banned (monkey, bear, lion, tiger, panther, bull).

Other Acts

Section 429 Indian Penal Code	killing, poisoning, maiming or rendering useless, any animal
Section 378 Indian Penal Code	Stealing an animal
Section 503 Indian Penal Code	Criminal intimidation to be charged if animal caretakers are prevented illegally/forcibly from keeping pets or feeding street animals.
Section 9 Wildlife Protection Act	Capturing, killing, poisoning, snaring, and trapping or any wild animal and every attempt to do so, Injuring or destroying or taking any part of the body of any such animal, or in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles, or disturbing the eggs or nests of such birds or reptiles;
Section 38H Wildlife Protection Act	Running a zoo of any size without registration with the Central Zoo Authority
Section 38J Wildlife Protection Act	Teasing, molesting, injuring or feeding animals in a zoo.
Section 39 Wildlife Protection Act	Keeping any wild animal, wild animal article, ivory, any vehicle, vessel, weapon, trap or tool which has been used for trapping or hunting wild animals
Section 48A Wildlife Protection Act	Transporting any wild animal without permission from the Chief Wildlife Warden of the State.

CRUELTY TO ANIMALS IN GENERAL

Section 3 and 11 - Prevention of Cruelty to Animals Act
Section 429 - Indian Penal Code

No person shall beat, kick, injure, kill, torture, cause stress and discomfort to any animal or being the owner, allow such treatment to be inflicted upon any animal.

- Case to be duly registered.
- Photography and videography of the scene of crime to be made for purposes of prosecution.
- District Veterinary officer to be asked for a government veterinarian to attend to the animals
 - a) *If animal is dead – Post mortem to be done*
 - b) *If animal is alive – health certificate to be made*
 - c) *If animal is injured or diseased – Treatment to be ensured.*
- In case of suspected poisoning, viscera must be sent to a forensic laboratory once the veterinarian has sealed and stamped it. Signatures of complainants may be taken as witnesses.
- Statements of the accused and the complainant must be recorded.
- Any other article of evidentiary value such as a weapon(knife/rod/hammer/stone), heavy chains, cage in which animal was confined or any other must be taken into custody as well and produced before the magistrate along with photographs, health/forensic reports and statements.
- Carcass of the animal can be buried after post mortem examination.

Custody of live animals to be handed over to local infirmary, animal welfare organization, SPCA or registered gaushala, following due procedure.

ILLEGAL USE OF OXYTOCIN AND OTHER SUBSTANCE IN DAIRIES

Section 12 – Prevention of Cruelty to Animals Act 1960
Cognizable. Two years imprisonment and/or fine of Rs

No person shall use any drug such as oxytocin to increase lactation in any animal or for any non-therapeutic purpose.

Any police officer not below the rank of a Sub Inspector can take cognizance.

1. All containers of the drug, the syringe and any other evidence must be taken into custody immediately.
2. The Drug Inspector and a veterinarian will be needed for sealing the sample.
3. The veterinarian must write a prescription for purchase of oxytocin from the market.
4. The veterinarian's sample and the confiscated drug must be sealed and stamped by Drug Inspector and sent to the lab for testing.
5. The animals must be seized and sent to the shelter or SPCA following due procedure.
6. FIR must be drawn carefully taking into account any other general cruelty issues or irregularities that may be reported at the event.
7. Once the lab confirms presence of Oxytocin in the sample drug, chargesheet must be prepared.

Points to note:

- Oxytocin cannot be openly sold in the market. It can only be sold with a prescription and records need to be maintained by chemist as per the the Drugs and Cosmetics Act and Rules framed under the act.
- It can only be available in registered hospitals but is illegally made available to dairies across the country.
- An unlabelled, white or colorless drug in a glass or plastic vial reported in a dairy can be sent for testing for suspicion of oxytocin.
- Injecting any substance to an animal without veterinary prescription is an offence.

OFFENCES AGAINST PET ANIMALS AND COMMUNITY DOGS

Article 51A(G) of the Indian Constitution : to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;

Section 11 – Prevention of Cruelty to Animals Act 1960

Animal Birth Control Rules 2001

Indian penal Code 1860

Banning pets from Societies/colonies/neighborhood

- Not allowed. Supreme Court Dated 7. 5.2014, AWBI Vs A.Nagaraja and others, no animal can be treated in a way that causes distress or physical harm.
- Supreme Court order dated 6.2.2013 SLP no 4453 of 2013 and order dated 10.5.2013 in SLP 17112 of 2013 picking up dogs from one place and leaving them in some other place have been disallowed.
- No person can be asked to abandon their pet by any Resident Welfare Association or such organizations or persons as that would mean making a rule contrary to the guidelines laid down in the Constitution and the Laws.

Intimidation and harassment of pet owners/dog feeders- Section 503 IPC

As per Guidelines issued by the Animal Welfare Board of India specifically for RWAs and any other recognized citizens' associations the following directions have been given:

- As per Section 11 of The Prevention of Cruelty to Animals Act,1960, beating, kicking ,over-riding, overloading, over-driving, torturing or otherwise treating any animals so as to subject it to unnecessary pain amounts to cruelty on animals. And whoever indulges in an act of cruelty to animals makes himself liable for action under Prevention of Cruelty to Animals Act.
- Recognized Associations/individuals may approach animal welfare organizations or SPCAs of their district such for redressal of their grievances if any, with regard to stray animals.
- All problems of stray animals have to be handled within the institutional framework available. No association, recognized or unrecognized, shall take recourse to any action regarding stray animals on their own, either themselves or through any person employed by them like security guards. · Where there is no recognized association, residents may take up grievances through the SPCA/Office of the District Veterinary Officer.

· While residents and Associations are free to address institutional agencies for redressal of grievances in this matter, no resident/association can interfere with the freedom of other residents in caring and attending animals.

In a complaint under Section 429 of the IPC in respect of a dog belonging to/looked after by the complainant, poisoned by a neighbor, this course of action needs to be followed:

- If the owner believes that a neighbor is responsible for poisoning their dog, the owner should immediately contact the nearest police officer.
- The police officer should visit the site and note the condition of the animal.
- The dog has to be taken to a vet, for a post-mortem examination to determine the cause and approximate time of death. In the meantime the police officer can collect any physical evidence that is available, indicating both the perpetrator and the method used.
- The police officer must record the statement of witnesses who have seen the poisoning or witnesses who can record the attitude or history of previous cruelty of the alleged perpetrator towards the deceased.
- Thereafter, the police officer must put up a challan before the court of the concerned magistrate.

There is no law to prevent an owner of a pet to freely use the lift, lobby, apartment, garden, streets etc for exercising and keeping his pet.

However, it may be advised to the owner to collect the droppings of the pet animal and dispose it responsibly.

It may also be required of the owner to keep the pet sterilized and vaccinated.

ILLEGAL USE OF ANIMALS FOR PERFORMANCE

Section 22 - Prevention of Cruelty to Animals Act 1960

Performing Animals Rules 1973

Performing Animals Registration Rules 2001

Prevention of Cruelty to Animals Act, 1960 (Amendment) Bill, 2001

No animal can be trained for performance or made to perform without a valid Performing Animal Registration Certificate issued by the Animal Welfare Board of India

“Performing Animal” means an animal which is used for the purpose of any entertainment. Entertainment means films, circuses and any animal events into which public are admitted.

At any such event, the exhibitor/trainer MUST possess a Performing Animals Registration (PAR) Certificate from the Animal Welfare Board of India (AWBI) giving details of ALL animals to be used in the event.

Rule 3 of the said rule makes it mandatory for every person desirous of training or exhibiting a performing animal to apply for registration with the prescribed authority. It further prohibits exhibition and training of a performing animal unless it has been registered with the prescribed authority.

Rule 5 of the said Rules empowers the prescribed authority to satisfy itself about the proposed performance and the method to be adopted for the training of such animals. It empowers the prescribed authority while granting registration to impose such conditions, as it may deem appropriate.

Rule 7 of the said rules mandates that the person who hires out or lends a performing animal in the making of the film shall give prior information to the Prescribed Authority (Animal Welfare Board of India) specifying the kind, age and health of the animal, the nature, duration and method of the performance to be done by the animal, and above all the justification for the use of such animal in the film. It further mandates that every such application has to be accompanied by a fitness certificate along with the ownership certificate in case of animals covered under the Wildlife Protection Act, 1972.

Rule 14 provides that the prescribed authority may depute an officer or authorize any other person, to inspect the mode of transport, care and upkeep of the animals, or to be present at the time of training or exhibition of the performing animals or during making of a film to ensure that the conditions of registration are being complied with.

Performance of Wild Animals

Section 2(7A) of the Wild Life Protection Act, 1972, defines the term “circus” as an establishment – either stationary or mobile – where animals are kept or used wholly or mainly for the purpose of performing tricks and manoeuvres.

Section 2(39) of the Wild Life Protection Act, 1972, includes inter alia “circus” within the definition of the word “zoo”.

Section 38H of the Wild Life Protection Act, 1972, declares that no zoo – including circuses, per Section 2(39) – shall be operated without being recognised by the Central Zoo Authority.

When these provisions of the Wild Life Protection Act, 1972, are read and interpreted together, it is clear that these wild animals which are performed fall within the definition of circus animal, as defined in Section 2(7A) of the Wild Life Protection Act. Hence, such animals cannot be made to perform without recognition by the Central Zoo Authority and without having their housing and other needs met, as detailed in the Recognition of Zoo Rules and as applicable to circuses.

This makes all Madaris, Kalandars, Snake Charmers, Fortune telling parakeets, etc completely illegal.

Additional Conditions for Performance of Animals laid down under Rule 5 of the Performing Animal (Registration) Rules :

1. Every owner who has ten or more such performing animals shall have a veterinarian as a regular employee for their care treatment and transport.
2. The owner shall not transport such animals by road continuously for more than 8 hours and except in cages admeasuring as specified in the Fifth Schedule of the Performing Animals (Registration) rules, 2001.
3. The owner shall ensure proper watering and feeding halts during such transportation.
4. The owner after transportation shall provide feeding and retiring enclosures in respect of the animals specified in the Sixth Schedule of Performing Animals (Registration) rules, 2001.
5. The owner shall ensure that any animal is not inflicted unnecessary pain or suffering before or during or after its training or exhibition.
6. The owner shall not deprive the animal of feed or water in order to compel the said animal to train or perform any trick.
7. The owner shall train an animal as a performing animal to perform an act in accordance with its basic natural instinct.
8. The owner shall not make a performing animal perform if it is sick or injured or pregnant.

9. The owner shall ensure that no sudden loud noise is deliberately created within the vicinity of any performing animal or bring an animal close to fire, which may frighten the animal.
10. The owner in case the performing animal is to be exhibited under artificial light, the overall intensity of such light shall not be more than 500 LUX.
11. The owner shall not subject the animals to any action which may either kill or injure or use the animal in scenes which may cause injury to the animals.
12. The owner shall not use any tripping device or wires or pitfalls for such animals.
13. The owner shall not expose any animal to either burning fire or to fire accidents.
14. The owner shall not keep any animal including horses in close proximity while shooting scenes involving explosives or other loud noises.
15. The owner shall ensure that props such as spears, nails splinters, barbed wires and other such props shall not cause injury to the animals during the performance.
16. The owner shall ensure that the equines are not made to walk on hard surfaces without being showed and shall further ensure that the animals are not used in downhill slides or rodeo slide stops without proper skid and hock boots.
17. The owner of any equine shall not use any whip other than an air cushioned shock absorbing whip which has been scientifically tested to prove that it will not cause weals, bruising or other damage to the horse and subject to the conditions that
 - a. The whip shall not have raised binding, stitching, seam or flap.
 - b. The whip shall be used by licensed jockeys only.
 - c. The owner shall also ensure that the whip is not used other than either on the quarters in either the forehand or the backhand position or down the shoulder in the backhand position or use the whip with the arm above shoulder height.
 - d. The whip shall not be used more than 3 times in a race.
18. The owner shall ensure that the animal is not used on floors that are very smooth without the use of non-skidding mats.
19. The owner shall ensure that large gathering of animals is not allowed in such a way which may cause or result in stampede to the animals.
20. The owner shall ensure that the animal is not made or incited to fight against other animals and shall further ensure that sedatives or tranquillizers or steroids or any other artificial enhancers are not administered to or inserted in any animal except the anesthesia by a veterinary doctor for the purpose of treatment of an injured or sick animal.
21. The owner shall ensure that the animal shall not be transported or be kept or confined in cages and receptacles which do not measure in height, length or breadth as specified under the Transport of Animal Rules, 1978, the Recognition of Zoo Rules, 1992 or under any other Act, rule or order for this purpose.
22. The owner shall ensure that the animal is not continuously used for excessive number of takes in shooting a film without providing adequate rest to the animal and in the event of a snake being used it shall not be made to ingest any

substances or made to crawl across tarred or any other heated surface and shall not be contorted to wrestle.

23. The owner shall ensure that while using an animal in shooting a film, the fight sequence shall not be shot in any livestock holding area including poultry area and shall further ensure that no birds are shown in cages.
24. The owner shall inform the prescribed authority at least four weeks in advance informing the place, date and time of the actual making of the film wherein the animal is to be used.

Any police officer not below the rank of a sub inspector is authorised under section 25 of the PCA act to inspect the premises and check for registration

1. If owner does not have PAR certificate,
 - Seize animals and file NCR for violation of section 22, 26 of the Prevention of Cruelty to Animals Act 1960.
 - If any of the animals are injured or mutilated, an FIR under Section 429 of the IPC can be lodged.
2. If owner has PAR certificate for a certain number of animals but more animals are being used for training/performance/exhibition; and there is visible cruelty to animals
 - Seize the animals not listed in the certificate and file FIR under section 22, 26 and section 11 of the PCA act.
 - Transfer seized animals to the nearest local animal shelter, for treatment and care.

Points to note :

Dog shows, animal rides, animal races, animal sports atc come under the definition of Performance and cannot be done without Registration with Animal Welfare Board of India.

OVERLOADING

Section 3, 11 - Prevention of Cruelty to Animals Act 1960
Draught and Pack Animal Rules, 1965

No person shall cause any animal to carry or pull any load if the load is in excess to the prescribed norms or if the animal is injured, diseased, or unfit in any other way.

I. Load Limit for Transporting Goods on Cart

Type of Cart	Load Limit					
	Small bullock or small buffalo (up to 250 kg)	Medium bullock or medium buffalo (250-350kg)	Large bullock or large buffalo (350 kg and above)	Horse or mule	Pony	Camel
Two-wheeled vehicle						1000 kg
1. If fitted with ball bearing	1000 kg	1400 kg	1800 kg	-	-	
2. If fitted with pneumatic tyres	750 kg	1050 kg	1350 kg	750 kg	600 kg	
3. If not fitted with pneumatic tyres	500 kg	900	900 kg	500 kg	400 kg	

Note:

1. The weights specified are **inclusive of the weight of the vehicle.**
2. Where the vehicle to be drawn is a four-wheeled vehicle, weight specified in each case above, be read as being **one and a quarter times.**
3. If the four-wheeled vehicle is one fitted with pneumatic tyres, the weight specified in each case above, be read as **one and a half times.**
4. If the vehicle, whether two-wheeled or four-wheeled is to be drawn by two animals of either species, the weight specified shall be read as **twice**, and if the vehicle is one fitted with pneumatic tyres, the weight shall be read as **two and a half times of what is specified.**
5. Where the route by which a vehicle is to be drawn involves an ascent for not less than one kilometer and the gradient is more than three meters in a distance of thirty meters, the weight specified in each case, be read as **one-half of what is specified.**

II. Load Limit for Goods on Back (Pack) of the Animal

(Section 4 of The Prevention of Cruelty to Draught and Pack Animal Rules, 1965)

Sl no	Type of animal	Load limit
1	Small bullock or buffalo	100 kg
2	Medium bullock or buffalo	150 kg
3	Large bullock or buffalo	175 kg
4	Pony	70 kg
5	Mule	200 kg
6	Donkey	50 kg
7	Camel	250 kg

III. Load Limit for Passengers

(Section 5 of The Prevention of Cruelty to Draught and Pack Animal Rules, 1965)

No person in charge of any vehicle drawn by any animal shall allow **more than four persons, excluding the driver and children below 6 years of age**, to ride on the vehicle.

IV. Other Common Offences

1. Beating, kicking, over-riding, **over-loading**, torturing any animal *(Section 11 (1) (a) of Prevention of Cruelty to Animals Act, 1960)*
2. Using animal for drawing any vehicle or carrying any load **for more than nine hours in a day** *(Section 6 of Draught and Pack Animal Rules, 1965)*
3. Using any animal in any area where the **temperature exceeds 37°C (99°F) during the period between 12.00 noon and 3.00 p.m.** *(Section 6 of Draught and Pack Animal Rules, 1965)*
4. Continue to **keep animal in harness even after it is no longer needed** for the work purpose. *(Section 7 of Draught and Pack Animal Rules, 1965).*
5. **Use of spiked stick or bit, harness or yoke with spikes, knobs or -projections or any other sharp tackle or equipment** *((Section 8 of Draught and Pack Animal Rules, 1965)*

1. Any police officer above the rank of a constable shall ask the owner or other person in charge of the animal to take the animal and the vehicle to the nearest weigh bridge available to determine the weight of the load and the cart.
2. If weight is excessive, animal must be seized and an NCR report must be drawn up.
3. The custody of the animal must be given to SPCA or any registered organization following due procedure.

MEAT SHOPS AND SLAUGHTERHOUSES

Action under Food Safety and Standards Act (FSSA). Presence of Designated Officer, Food Safety is required to destroy the meat, collect penalty and seal any sample that may be needed to be sent to the laboratory.

Sale of meat or slaughter of animals without Food Safety and Standards Authority of India (FSSAI) license	Section 63, FSSA- imprisonment up to 6 months and fine up to 5 lakh rupees.
Misbranded meat (eg beef sold as mutton)	Section 52, FSSA- penalty of up to 3 lakh rupees.
Meat with flies, dust and smoke sticking to it	Section 54, FSSA- penalty may extend up to 1 lakh rupees
Meat prepared and sold in unhygienic conditions	Section 56 of FSSA- penalty may extend up to 1 lakh rupees

Action under Prevention of Cruelty to Animals Act 1960 and Slaughterhouse Rules 2001

Slaughterhouse is not recognized/ licensed	Rule 3, Slaughterhouse Rules 2001
Slaughter of animals under 3 months of age, pregnant/lactating animals or without being verified as fit for consumption by a qualified veterinarian	Rule 3, Slaughterhouse Rules 2001
Insufficient lairage space	Rule 5 of Slaughterhouse Rules 2001
Slaughter of an animal in front of another animal, drugging of animals before slaughtering, not stunning before slaughter, storage of hides and skins in the premises	Rule 6 of Slaughterhouse Rules 2001
Lack of necessary infrastructure, rodent and insect control, sanitary and drainage lines, lighting and ventilation, potable water	Rule 7 of Slaughterhouse Rules 2001

Points to Note:

- 1) Local body such as a municipality is not the licensing authority for meat shops and slaughterhouses anymore.
- 2) Local body, however, grants an NOC after which the meat shop or slaughterhouse can become eligible for applying for a license under FSSA.
- 3) Two different licenses given by FSSA under the Food Safety and Standards (Licensing and Registration) Rules 2011:
 - a) Slaughterhouse – To kill animals
 - b) Meat Shop – To sell meat
- 4) No animal can be slaughtered in a meat shop, not even poultry.
- 5) No live animal can be kept in a meat shop.

ACTION

- Police officer not below the rank of sub inspector has to establish offence.
- Photograph and video evidence must be taken.
- Live animals to be seized and custody given to SPCA or local animal welfare organization, following due procedure.
- FIR to be registered under the sections given in the table above under the Prevention of Cruelty to Animals Act and under Section 268, 269, 429 of the Indian Penal Code.
- Other offences such as employing children in a meat shop or a slaughterhouse, disposing waste in household drains, causing religious sentiments to be offended, etc may be noted and action taken.
- Meat to be destroyed by the Designated Officer, FSSA.
- Challan to be made by the Designated Officer, FSSA.

Slaughterhouse next to a vegetable market	Not allowed. Part 4, Rule 2, Food Safety and Standards Regulations 2011
Training of Butchers	Training of Butchers is mandatory as per Part 2, Rule 12, Food Safety and Standards Regulations 2011
Health Record of slaughterhouse workers	Mandatory as per Part 4 Rule 6 of Food Safety and Standards Regulations 2011
Stunning of animals	Mandatory as per Part 4 (a) Rule 4.1 of Food Safety and Standards Regulations 2011
Ante Mortem inspection	Written consent of a qualified Veterinary Doctor is mandatory as per Part 7 (a) Rule 4.1 of Food Safety and Standards Regulations 2011

TRANSPORT OF ANIMALS

Prevention of Cruelty to Animals Act 1960
 Transport of Animals Rules 1978
 Transport of Animals Amendment Rules 2001
 Motor Vehicles Act
 Indian Penal Code 1860

GENERAL CONDITIONS FOR TRANSPORT OF ALL ANIMALS

<p>Rule 96 Transport of Animals Amendment Rules 2001</p>	<p>Issue of certificate before transportation</p> <p>(1) A valid certificate issued by an officer or any person or Animal Welfare Organisation duly recognised and authorised for this purpose by the Animal Welfare Board of India or the Central Government shall be procured by any person making transport of any animal before transportation of such animal verifying that all the relevant Central and State Acts, rules and orders pertaining to the said animals including the rules relating to transport of such animals have been duly complied with and that the animal is not being transported for any purpose contrary to the provision of any law.</p> <p>(2) In the absence of such certificate, the carrier shall refuse to accept the consignment for transport.</p>
<p>Rule 97 Transport of Animals Amendment Rules 2001</p>	<p>Cancellation of permit or authorisation for transport -</p> <p>(1) In the event of contravention or non compliance of any of the rules contained in these rule for transport of animals, if it is pointed out in writing by any officer or persons or Animal Welfare Organisations authorised for this purpose by the Animal Welfare Board of India or the Central Government, then, any permit or authorisation issued for such transport shall be immediately cancelled by the concerned authority and it shall be the duty of the police to stop the further transport even from the intermediary station and proceed against the said offenders and deal with the animal in accordance with law.</p> <p>(2) The custody of the animals immediately after unloading from the rail wagons, truck or any other vehicle shall be given to the authorised Animal Welfare Organisation if available, till the competent authority or the magistrate having jurisdiction decides about their care and upkeep.</p>
<p>Rule 98 Transport of Animals Amendment Rules 2001</p>	<p>(1) Animals to be transported shall be healthy and in good condition and such animals shall be examined by a veterinary doctor for freedom from infectious diseases and their fitness to undertake the journey; provided that the nature and duration of the proposed journey shall be taken into account while deciding upon the degree of fitness.</p> <p>(2) An animal which is unfit for transport shall not be transported and the animals</p>

	<p>who are new born, diseased, blind emaciated, lame, fatigued or having given birth during the preceding seventy two hours or likely to give birth during transport shall not be transported.</p> <p>(3) Pregnant and very young animals shall not be mixed with other animals during transport.</p> <p>(4) Different classes of animals shall be kept separately during transport.</p> <p>(5) Diseased animals, whenever transported for treatment, shall not be mixed with other animals</p> <p>(6) Troublesome animals shall be given tranquilisers before loading during transport.</p> <p>(7) Animals shall be transported in their on-farm social groups (established atleast one week prior to journey).</p>
--	--

General Conditions for Transport of Animals for Slaughter as per Food Safety and Standards Regulations 2011

1.1 Only healthy animals in good condition shall be transported unless they are meant for emergency slaughter. These animals should be certified by a qualified veterinary inspector for freedom from infectious diseases and ectoparasitic diseases and their fitness to undertake the journey.

1.2 When animals are to be transported from endemic areas of a disease to non-endemic areas, the animals should be given protective vaccination and kept in quarantine for 30 days, before transportation.

1.3 Female animals in advanced stages of pregnancy shall not be transported.

1.4 When transporting large animals particularly bears/bulls, special arrangements by providing suitable partitions should be made to protect the animals from infighting. Similar arrangements should also be made to protect the young ones from being crushed when they are transported.

1.5 To avoid exhaustion, the animals shall be given humane treatment and care during transportation. The animals shall not be bound or chained during transit and space provided for them shall be large enough to stand or lie.

1.6 An attendant along with first aid equipment shall accompany the animals in transit.

1.7 Before loading, the animals should not be fed heavily. Only light feed may be allowed. For journeys less than 12 hours no feed need be carried but for longer journeys sufficient feed shall be carried to last during the journey. Watering facilities shall be provided at regular intervals.

1.8 Light and heavy animals shall be separated by providing partitions; animals from different pens/sheds shall not be mixed during transportation. Male stock shall not be transported with female stock (adults).

1.9 All vehicles should be inspected for safety, suitability and cleanliness before loading the animals. The floor and walls should be undamaged and there should be no nails or sharp projections which may injure the animals.

1.10 The Vehicles should be thoroughly sprayed with suitable disinfectant before loading the animals.

1.11 A layer of clean sand to cover the floor to a thickness of not less than 6 cm shall be provided. This layer of sand shall be moistened with water during the summer months. During hot months arrangements shall be made to sprinkle water on the animals at frequent intervals. In winter, a 2-cm layer of clean sand with another 6-cm layer of whole-straw shall be provided.

1.12 Animals when driven for loading or unloading shall never be struck with stick. Driving could best be done by soft-rubber pipe.

1.13 If animals are to be transported in extreme cold or hot climate, it is preferable to transport them in covered Lorries on road so that they may not die or get exhausted or suffer from acute respiratory disease. Journey under such adverse climate shall be minimised.

1.14 Each consignment should bear a label showing the following particulars:

- a) Number and kind of the animals loaded;*
- b) Name, address and telephone number, if any, of the consignor;*
- c) Name address and telephone number, if any, of the consignee;*
- d) Instructions regarding feeding and watering.*

2.0 Loading

2.1 Loading during extremes of temperatures shall be avoided.

2.2 Suitable ramp shall be provided for loading and unloading the animals. The floor of the ramp shall have cleats at intervals, so that animals do not slip as they climb or descend. The ramp shall be covered with straw to avoid slipping. At any time of loading and unloading the vehicle shall be kept clean to avoid slipping of animals.

2.3 In case of railway wagons when loading is done on the platform, the door of the wagon may be used as ramp. In such cases, bales or bags of hay, agricultural wastes etc. may be placed on the either side of the dropped door to prevent the animals from getting their legs between the sides of the wagons and platform.

3.0 Space Requirements

*3.1 Overcrowding shall be avoided. **Each animal shall have enough space to lie down.***

Transport of Dogs and Cats (Transport of Animals Rules 1978)

Rule 4	Health Certificate mandatory, both owner and carrier liable. Certificate must be as per the Schedule A of the Transport of Animals Rules 1979
Rule 5	Pregnant dog or cat cannot be transported
Rule 6	Unweaned pups/kittens can only be made to travel with their mother
Rule 8	Adequate care must be taken to ensure that animals are given food and water

	during the journey.
Rule 9	An attendant must be present to ensure well being of animals during the journey.

Transport of Monkeys (Transport of Animals Rules 1978)

Rule 16	Health certificate for each monkey stating its fitness to travel, as specified in Schedule D of the Transport of Animals Rules 1979
Rule 17	Monkeys from different areas must not be mixed together. Adequate arrangement for food and water to be made during the journey. Precautions must be taken to protect the monkeys from extreme weather conditions.
Rule 18	Infant monkeys not to be transported unless permission from the Central Government is obtained.
Rule 19	Pregnant and nursing monkeys cannot to be transported unless permission from the Central Government is obtained.
Rule 21	Trapping cages should be sterilized or thoroughly disinfected to avoid cross infection.
Rule 23	Cage shall be made of wood or bamboo. The floor of the cage shall be made of bamboo reapers and the space between each reaper must be 20mm to 30mm. The weight of any one loaded cage shall not exceed 45 kilograms. The following two sizes of cages shall be used. (a) 910 x 760 x 510 mm – to contain not more than twelve monkeys, weighing between 1.8 and 3.00 kilograms each or ten monkeys weighing between 3.1 and 5.0 kilograms, each. (b) 710 x 710 x 510 mm – to contain not more than ten monkeys weighing between 1.8 and 3.00 kilograms each or eight monkeys weighing between 3.1 and 5.00 kilograms each.
Rule 25	Adequate ventilation must be provided during the journey.
Rule 28	Not more than one cage shall be placed over the other and gunny packing shall be placed between two cages, when one is placed over the other.

Transport of Cattle

Rule 47 (Transport of Animals Rules 1978)	A valid certificate by a qualified veterinary surgeon to the effect that the cattle are in a fit condition to travel by rail or road and are not suffering from any infectious or contagious or parasitic diseases and that they have been vaccinated against infectious or contagious or parasitic diseases, shall accompany each consignment.
Rule 56 (Transport of Animals Rules 1978)	When cattle are to be transported by goods vehicle, the following precautions are to be taken namely: (a) Specially fitted goods vehicles with a special type of tail board and padding around the sides should be used. (b) Ordinary goods vehicles shall be provided with anti-slipping material, such as coir matting or wooden board on the floor and the superstructure, if low, should be raised. (d) Each goods vehicle shall be provided with one attendant. (e) While transporting, the cattle, the goods, vehicles shall not be loaded with any

	other merchandise; and (f) to prevent cattle being frightened or injured, they should preferably, face the engine.
--	---

Rule 2 (Transport of Animals Amendment Rules 2009)

Vehicle Size Length X Width (square meter)	Floor area of the vehicle in square meter	Number of cattle permitted			
		Cattle weighing less than 200kg (1 sq mtr space per cattle)	Cattle weighing 200- 300kg (1.20 sq mtr space per cattle)	Cattle weighing 300- 400kg (1.40 sq mtr space per cattle)	Cattle weighing above 400kg (2 sq mtr space per cattle)
6.9 x 2.4	16.56	16	14	12	8
5.6 x 2.3	12.88	12	10	8	6
4.16 x 1.9	7.904	8	6	6	4
2.9 x 1.89	5.481	5	4	4	2

Transport of Equines

Rule 58 Transport of Animals Rules 1978	(a) A valid certificate by a qualified veterinary surgeon to the effect that the equines are in a fit condition to travel by rail; road or sea and are not suffering from any infectious or contagious disease or diseases shall accompany each consignment. (b) In the absence of such a certificate, the carrier shall refuse to accept the consignment for transport. (c) The certificate shall be in a form specified in Schedule – I.
Rule 59 Transport of Animals Rules 1978	Each consignment shall bear a label showing in bold red letters the name address and telephone number (if any) of the consignor and consignee the number and type of equines being transported and quantity of rations and food provided.
Rule 60 Transport of Animals Rules 1978	(a) Pregnant and young equines shall not be mixed with other animals. (b) Different species of equines shall be kept separately. (c) Equines shall be loaded after being fed and given water adequately, watering arrangements shall be made enroute and sufficient food carried to last during the journey. (d) Veterinary first-aid equipment shall accompany all batches of equines. (e) Adequate ventilation shall be ensured. (f) Suitable ramps and platforms, improved where not available, shall be used for loading and unloading equines.
Rule 62 Transport of Animals Rules 1978	For the transport of equines by goods – Vehicles, the following precautions shall be taken, namely: (a) Specially fitted vehicles with a special type of tail – board and padding around the sides shall be used; (b) Ordinary goods vehicles shall; be provided with antislipping material on the floor and the super structure, if low, should be raised:

	<p>(c) Bamboo poles of at least 8 cm diameter between each animal and two stout batons at the back shall be provided to prevent the animal from falling;</p> <p>(d) To prevent horses from being frightened or injured their heads should face left away from the passing traffic;</p> <p>(e) Each vehicle shall not carry more than four to six equines;</p> <p>(f) Each vehicle shall be provided with one attendant;</p> <p>(g) These vehicles shall be driven at a speed not more than 35 kilometers per hour.</p>
--	--

Transport of Animals Amendment Rules 2009

Space requirement for transport of equines

Horses	Space in sq mtr
Stallion horses	2.25
Mares	2
Ponies	1.5
6 months to 12 months	1.4
12 months to 18 months	1.6
Over 18 months and upto 2 years	2
Mares with foal at foot (upto 6 months)	2.25

Transport of Goats and Sheep

Rule 65 Transport of Animals Rules 1978	<p>(a) A valid health certificate by a qualified veterinary surgeon to the effect that the sheep and goats are in a fit condition to travel by rail or road and are not suffering from infectious or contagious or parasitic disease shall accompany each consignment.</p> <p>(b) In the absence of such a certificate, the carrier shall refuse to accept the consignment for transport.</p> <p>(c) The certificate shall be in a form specified in Schedule – J.</p>
Rule 66 Transport of Animals Rules 1978	Each consignment shall bear a label showing in bold red letters the name, address and telephone number (if any) of the consignor and consignee the number and type of sheep or goats being transported and quantity of rations and food provided.
Rule 67 Transport of Animals Rules 1978	<p>(a) First-aid equipment shall accompany the sheep or goats in transit.</p> <p>(b) Suitable ramps shall be provided for loading and unloading the sheep or goats.</p>
Rule 68 Transport of Animals Rules 1978	Sheep and goats shall be transported separately; but if lots are small special partition shall be provided to separate them.
Rule 69 Transport of Animals Rules 1978	Rams and male young stock shall not be mixed with female stock in the same compartment.
Rule 70 Transport of Animals Rules 1978	Sufficient food and fodder shall be carried to last during the journey and watering facility shall be provided at regular intervals.

Rule 71 Transport of Animals Rules 1978	Material for padding, such as straw, shall be placed on the floor to avoid injury if an animal lies down, and this shall be not less than 5 cm thick.
Rule 72 Transport of Animals Rules 1978	The animals shall not be fettered unless there is a risk of their jumping out and their legs shall not be tied down.

Rule 4 Transport of Animals Amendment Rules 2009
Space requirement for transport of sheep and goats

Approx weight of animal in kg	Space required in Sq mtr	
	Wooled	Shorn
Not more than 20	0.17	0.16
More than 20 but not more than 25	0.19	0.18
More than 25 but not more than 30	0.23	0.22
More than 30 but not more than 40	0.27	0.25
More than 40	0.32	0.29

Transport of Poultry (Transport of Animals Amendment Rules 2001)

Rule 77	<p>(a) the container shall be properly cleaned and sterilised before the poultry is placed in them</p> <p>(b) poultry shall not be exposed to the sunlight, rain and direct blast of air during transport.</p> <p>(c) poultry shall not be transported when the temperature exceeds 25 degree Celsius or when the temperature falls below 15 degree Celsius.</p>
Rule 78	<p>Day-old chicks and turkey poults</p> <p>(a) chicks and poults shall be packed and dispatched immediately after hatching and shall not be stored in boxes for any length of time before dispatch.</p> <p>(b) chicks or poults shall not be fed or watered before and during transportation.</p> <p>(c) every effort shall be made to ensure that chicks and poults arrive as quickly as possible at the dispatching site</p> <p>(d) personal attention shall be given by the consignor or the forwarding agent to ensure that all consignments are kept out of direct sunlight, rain and heat;</p> <p>(e) care shall be taken to carry the boxes in a level position so that chicks are not in danger of falling over on to their backs and 11 The putting up of other merchandise over and around chick boxes shall be avoided.</p>
Rule 79	<p>Poultry other than day-old chicks and turkey poults</p> <p>(a) the poultry to be transported shall be healthy and in good condition and shall be examined and certified by a veterinary doctor for freedom from infectious diseases and fitness to undertake the journey.</p> <p>(b) poultry transported in the same container shall be of the same species and of the same age group</p> <p>(c) poultry shall be properly fed and watered before it is placed in containers for</p>

	<p>transportation and extra feed and water shall be provided in suitable troughs fixed in the containers.</p> <p>(d) arrangements shall be made for watering and feeding during transportation and during hot weather, watering shall be ensured every six hours;</p> <p>(e) male stock shall not be transported with female stock in the same container</p>
Rule 80	Road Travel - In transport of poultry by road the container shall not be placed one on the top of the other and shall be covered properly in order to provide light, ventilation and to protect from rain, heat and cold air.
Rule 83	<p>Containers for transportation - In transport of poultry by rail, road or air -</p> <p>(a) containers used to transport poultry shall be made of such material which shall not collapse or crumble and they shall be well ventilated and designed to protect the health of poultry by giving it adequate space and safety.</p> <p>(b) the containers shall be so designed as to render impossible for birds to crowd into the corners during transportation, and to avoid the danger of boxes being stocked so close together as to interfere with ventilation.</p> <p>(c) all the containers shall be clearly labelled showing the name, address and telephone number of the consignor and the consignee.</p> <p>(d) the minimum floor space per bird and the dimension of the containers for transporting poultry shall be as specified in the Table</p>
Rule 84	<p>Special requirement of containers for chicks and poults - In transport of poultry</p> <p>(a) wire mesh or a net of any material shall not be used as a bottom for the containers.</p> <p>(b) the container shall be properly secured to avoid pilferage</p> <p>(c) the following instruction shall be printed on a label and fixed to the lid or printed directly on sides, namely "Care in Transit".</p> <p>(e) poultry shall not be transported continuously for more than 6 hours and whole batch shall be inspected at every 6 hours interval.</p> <p>(f) the transportation shall not remain stationary for more than 30 min and during this period, it shall be parked in shade and arrangements shall be made for feeding and watering</p> <p>(g) all precautions against fire shall be taken and provision of fire extinguishers in transport shall be provided.</p>

Transport of Pigs

Rule 87 Transport of Animals Amendment Rules 2001	<p>(1) A valid health certificate by a veterinary doctor to the effect that the pigs are in a fit condition to travel by rail or road and are not suffering from infectious or contagious or parasitic disease shall accompany each consignment in the transport of pigs by rail or road.</p> <p>(2) In the absence of a certificate under sub-rule (1), the carrier shall refuse to accept the consignment for transport.</p> <p>(3) The certificate under sub rule (1) shall be in a form specified in Schedule K</p>
Rule 88 Transport of	Each consignment shall bear a label showing in bold red letters the name, address and telephone number (if any) of the consignor and consignee, the number and type of pigs

Animals Amendment Rules 2001	being transported and quantity of rations and food provided to them.
Rule 89 Transport of Animals Amendment Rules 2001	First aid - In transport of pigs by rail or road. (a) first-aid equipment shall accompany the pigs; (b) suitable ramps shall be provided for loading and I unloading the pigs; (c) in the case of a railway wagon, when the loading or unloading is done on the platform the dropped door of the wagon shall be used as a ramp.
Rule 90 Transport of Animals Amendment Rules 2001	Group of pigs - In transport of pigs by rail or road, male young stock shall not be mixed with female stock in the same compartment.
Rule 91 Transport of Animals Amendment Rules 2001	Facility of food and water - In transport of pigs by rail or road, sufficient food and fodder shall be carried to last during the journey and watering facility shall be provided at regular intervals.
Rule 92 Transport of Animals Amendment Rules 2001	Padding of floor during travel - In transport of pigs by rail or road, material for padding, such as straw, shall be placed on the floor to avoid injury if an animal lies down, and this shall be not less than 5 cm thick.
Rule 93 Transport of Animals Amendment Rules 2001	Ban on fettering - In transport of pigs by rail or road, the animals shall not be fettered unless there is a risk of their jumping out and their legs shall not be tied down.

Rule 6 Transport of Animals Amendment Rules 2009

Type of animal	Maximum number of pigs (Road Vehicle)			
	Vehicle size 5.6m x 2.35m	Vehicle size 5.15m x 2.18m	Vehicle size 3.03m x 2.18m	Vehicle size 2.9m x 2.0m
Weaner	43	37	22	19
Adult	31	26	15	13
Young	21	18	10	9

OFFENCES AGAINST CAPTIVE ELEPHANTS

Prevention of Cruelty to Animals Act 1960

Wildlife Protection Act 1972

Indian Penal Code 1860

No person shall house, transport or exhibit an elephant except under the provisions laid down in law. Elephants are protected under Schedule I of the Wildlife Protection Act 1972

1. Committing mischief by killing, poisoning, maiming or rendering useless any elephant is a cognizable offence under Section 429 of the Indian Penal Code.
2. Illegal possession - Not having ownership certificate (Section 42 Wildlife Protection Act, 1972)
3. Illegal transport - If the elephant is being transported from one state to another, not having the transport certificate issued by the Chief Wildlife Warden. (Section 40, 43 (3) and 48A of Wildlife Protection Act)
4. Offering an elephant for sale (Section 48 of WPA)
5. Forcing injured, diseased or unfit elephants to work (Section 3 and 11 of PCA Act)
6. Using iron ankus (Section 3 and 11 of PCA Act)
7. Beating, kicking, over-driving, over-loading, torturing or treating any elephant in a cruel manner (Section 3 and 11 of PCA Act)
8. Not providing adequate veterinary care to a sick, injured or pregnant elephant (Section 3 and 11 of PCA Act)
9. Willfully and unreasonably administering any injurious drug or substance to an elephant to control elephants particularly to suppress musth without proper veterinary advice (Section 3 and 11 of the PCA Act)
10. Keeping for unreasonable time, an elephant chained or tethered upon an unreasonable short or unreasonably heavy chain or cord (Section 3 and 11 of PCA Act)
11. Abandoning an elephant (Section 3 and 11 of PCA and Section 42 of WPA)
12. Training or exhibiting or forcing an elephant to perform any act such as elephant rides for tourism purposes without the permission of Animal Welfare Board of India. (Performing Animals Registration Rules, 2001).

1. Take photos and videos of cruelty/ offence.
2. Section 50 of WPA authorizes any police officer not below the rank of sub-inspector to arrest any person without warrant and detain him, if the arresting officer has reasonable grounds for believing that such person has committed an offence under the Act.
3. File a charge sheet before a judicial magistrate with evidence of cruelty in the form photographs and videos.
4. The police officer shall take a cognisance of the offence under PCA Act, WPA and Indian Penal Code confiscate the animal so as to provide necessary treatment and care to the elephant

OTHER COMMON OFFENCES AGAINST ANIMALS

Sr no	Offence	Action to be taken
1	Slaughter of Camels, rabbits, dogs, cats	Rule 3, Slaughterhouse Rules 2001 Camel is not listed as a food animal under the Food safety and Standards Act, hence cannot be slaughtered. Designated food inspector to be asked to destroy meat. Live animals to be seized. FIR to be drawn under Section 429 of IPC
2	Bull races	Sections 3, 11 and 22 of the Prevention of Cruelty to Animals Act Also banned by the Supreme Court of India
3	Animal Fights (buffaloes, dogs, cocks, bulbul etc)	Sections 3, 11 and 22 of the Prevention of Cruelty to Animals Act Also banned by the Supreme Court of India
14	Cow Slaughter	Provisions as per Special Acts made in each State
5	Breeding of dogs	Registration of each breeding dog must be done with the Animal Welfare Board of India. Rule 12, Animal Birth Control Rules 2001
6	Overcrowding of animals (eg in dairies, pet shops, poultry markets etc)	Sections 3 and 11 of the Prevention of Cruelty to Animals Act 1960 If animals are injured or mutilated, Section 429 IPC may also be used
7	Selling indian wild animals or body part of any indian wild animal (tortoises, turtles, birds, frogs, parakeets, leopard, tiger, snakes etc)	Section 9, Wildlife Protection Act 1972
8	Animal Sacrifice (in any religious place on any festival)	No animal is allowed to be killed in any place other than a

		registered slaughterhouse. Section 3 and 11 of the Prevention of Cruelty to Animals Act, Rule 3 of the Slaughterhouse Rules 2001, Food Safety and Standards Act 2006
9	Killing of stray dogs by local authority (municipal corporation/municipality/panchayat/cantonment or any other)	Section 11 of the Prevention of Cruelty to Animals Act 1960 Section 429 of Indian Penal Code
10	A person not holding a valid degree from a Veterinary College, pretending to be a Veterinarian	Sections 3 and 11 of Prevention of Cruelty to Animals Act Sections 415 and 425 of Indian Penal Code
11	Transport/Capture/Relocation of Monkeys	Section 9, Wildlife Protection Act 1972 Transport of Animals Rules 1978 Cage specifications are detailed in the Rules. Permission of the Central Government is compulsory before female and infant monkeys can be transported.
12	Cruelty during transport of animals	Transport of Animals Rules 1978 Transport of Animals on Foot Rules 2001 Transport of Animals (Amendment) Rules 2001 Transport of Animals (Amendment) Rules 2009
13	Cruelty during capture of animals	Rule 3, Prevention Of Cruelty (Capture Of Animals) Rules, 1979 No animal can be caught except with a sack and loop method. Tranquilizer guns may be used to capture large animals which may be difficult to catch.
14	A monkey being made to 'dance' and beg for money	The government of India has prohibited the performance of Bears, Monkeys, Tigers,

		<p>Panthers, Lions and Bulls. Therefore it is illegal to use these animals for performances on the streets.</p> <p>The Performing Animal (Registration) Rules, 2001 under the Prevention of Cruelty to Animals Act 1960, mandates that every animal who is used for performance needs to be registered with the Animal Welfare Board of India but as the performance of monkeys is prohibited, the Animal Welfare Board of India does not register these animals for performance. All species of monkeys are protected under the Wildlife Protection Act, 1972. This act declares that all Indian wildlife is government property and thus prohibits the capture and possession of monkeys.</p>
15	Parakeet Fortune Tellers /Snake Charmers	<p>The Prevention of Cruelty to Animals Act 1960 and the Rules thereunder.</p> <p>The Wildlife Protection Act of 1972 and the Rules thereunder.</p>
16	Unrecognised/Illegal Zoos or Deer Parks	<p>Recognition of Zoo Rules, 1992. The said Rules besides the requirement of registration of zoos extensively prescribed the standards and norms subject to which recognition under Section 38 H of the Act is to be granted.</p>
17	Animal Experimentation	<p>The Prevention of Cruelty to Animals Act, 1960 governs the</p>

		<p>animal experimentation in the country. The Committee for the Purpose of Control and Supervision of Experimentation on Animals (CPCSEA) has been constituted under the provisions of the Prevention of Cruelty to Animals Act, 1960 and the rules framed thereunder.</p> <p>It is mandatory that all institutions that breed, conduct experiments on animals register themselves with the CPCSEA.</p>
18		

PROCEDURE FOR SEIZURE AND MAINTENANCE OF SEIZED ANIMALS

- Police Officer not below the rank of a Sub Inspector may enter any premises and seize an animal against which an offence has taken place.
- The animal needs to be produced before a Veterinary Officer incharge of the area for health examination.
- The animal should then be sent to any suitable facility at SPCA or any registered animal welfare organization or gaushala.

Care should be taken to transport all animals along with their calf and all other animals against which offence has been committed in a manner that causes least discomfort.

Transport of Animals Rules 1978, Transport of Animals (Amendment) Rules 2001, Transport of Animals (On Foot) Rules 2001, and Transport of Animals (Amendment) Rules 2009, must be kept in mind while such transport is being

The cost of transporting the animal to the shelter shall be payable by the District Magistrate, or, in presidency towns, by the Commissioner of Police Section 35(4) PCA Act 1960

Under Section 35(5) amount spent on transport, veterinary care and maintenance of the animal must be recovered from the owner of the animal. Such recovery must be made before animal can be released from the SPCA or registered animal welfare organization.

The animal cannot be released for any purpose unless a fitness to discharge certificate is granted by a Veterinarian under Section 35(3).

The animal cannot be returned into the custody of the accused till the pendency of the trial – Supreme Court judgment dated 22.2.2002 in the CA no 283-287 of 2002.

SAMPLE CUSTODY LETTER

Ref: _____ police station, case number _____

Dated _____ . Offence related to _____

Subject: Custody of animals

Animals with details listed below have been seized by _____
_____ police station under section _____

You have agreed to provide necessary housing, medical care, food and water for the below mentioned animals till further orders of the Court. In case any animal/s dies in your custody, you are directed to get the post mortem examination of the same done by a registered veterinary practitioner and submit the same to this police station within 24 hours.

In case any animal/s go missing from your custody, you are instructed to inform this station within 24 hours. You are also directed not to transfer custody of any of the animals till such time that final court orders are received.

Details of custodian:

Name _____

S/O / W/O _____

R/O _____

Phone number _____

Place where animals will be kept _____

Name of the Organisation _____

AWBI recognized YES NO

Species	Number	Any special housing/ food requirements

Signature of the custodian

COW SLAUGHTER LAWS

1	Andhra Pradesh Prohibition of Cow Slaughter and Animals Preservation Act, 1977	Section 5 – Total prohibition of slaughter of cow and buffalo calves or any buffalo that is likely to become economical (breeding or agricultural purposes) <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
2	Assam Cattle Preservation Act, 1950	Section 5 – Prohibition of slaughter of cows, calves, bulls, male and female buffaloes which are less than 14 years old, unless they are unfit for work or breeding. <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
3	Bihar Preservation and Improvement of Animals Act, 1955	Section 3 – Prohibition of slaughter of cows. Bulls and female buffaloes older than 25 years may be given written permission if they have become unfit for work or production. <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
4	The Chhattisgarh Agricultural Cattle Preservation Act, 2004	Section 4 – Prohibition of slaughter or cows, bulls, calves, male or female buffaloes. <i>Cognizable and Non Bailable Offence – Three years imprisonment or ten thousand rupees or both.</i>
5	The Delhi Agricultural Cattle Preservation Act, 1994	Section 4 – Prohibition of slaughter of cows, calves, bulls production. <i>Cognizable offence – Five years imprisonment and upto ten thousand Rupees fine.</i>
6	The Goa Animal Preservation Act 1995	Section 4 - Total prohibition of slaughter of cow and buffalo calves or any buffalo that is likely to become economical (breeding or agricultural purposes) <i>Cognizable offence – Three years imprisonment.</i>

7	The Bombay Animal Preservation Act 1954 (Applied to Gujarat)	Section 5 – Total Prohibition of the slaughter of cow, bull or calf. Prohibition on the slaughter of productive buffaloes (male and female) <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
8	The Jammu and Kashmir Ranbir Penal Code Samvat, 1989	Section 298 A - Total prohibition of the slaughter of cow, calf, bull. <i>Cognizable offence – Ten years imprisonment and fine</i>
9	The Karnataka Prevention of Cow Slaughter and Cattle Preservation Act, 1964	Section 4 – Prohibition of slaughter of cow, calf or she buffalo. (Section 5 provides for slaughter of unfit animals and those that are over 12 years of age after obtaining certificate from competent authority) <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
10	The Madhya Pradesh Agricultural Cattle Preservation Act, 1959	Section 4 – Prohibition of slaughter of cow, calf, bull and calf of she buffalo. Prohibition of slaughter of any other cattle unless its 15 years of age or is unfit for production or use. <i>Cognizable offence – One year imprisonment or one thousand Rupees fine or both.</i>
11	The Maharashtra Animal Preservation Act, 1976	Section 5 – Prohibition on the slaughter of cows. Prohibition of slaughter of any other cattle unless its 15 years of age or is unfit for production or use. <i>Cognizable offence – Six months imprisonment or one thousand Rupees fine or both.</i>
12	Proclamation on the Prohibition of Cow Killing in Manipur Memo no 915 P, 15.10.1936	Cow slaughter prohibited.
13	The Orissa Prevention of Cow Slaughter Act, 1960	Section 3 - Prohibition on the slaughter of cows and calves. Prohibition of slaughter of any other cattle unless its 14 years of age or is unfit for production or use.

		<i>Cognizable offence – Two years imprisonment or one thousand Rupees fine or both.</i>
14	The Pondicherry Prevention of Cow Slaughter Act, 1968	Section 3 - Prohibition of the slaughter of cows and calves. Prohibition of slaughter of any other cattle unless its 15 years of age or is unfit for production or use. <i>Cognizable offence – Two years imprisonment or one thousand Rupees fine or both.</i>
15	The Punjab Prohibition of Cow Slaughter Act, 1955 (Applicable in Haryana and Himachal Pradesh as well)	Section 3 – Prohibition of the slaughter of cows, bulls, and calves. <i>Cognizable offence – Two years imprisonment or one thousand Rupees fine or both.</i>
16	The Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 1995	Section 3 – Prohibition of the slaughter of cows, bulls, and calves. <i>Cognizable offence – Upto ten years imprisonment or ten thousand Rupees fine or both.</i>
17	The Madras Livestock Improvement Act, 1940	Section 4 - Prohibition of slaughter of any other cattle unless its 10 years of age or is unfit for production or use. <i>Cognizable offence – Upto three years imprisonment or one thousand Rupees fine or both.</i>
19	The Uttar Pradesh Prevention of Cow Slaughter Act, 1955	Section 3 – Prohibition of the slaughter of cows, bulls, and calves. <i>Cognizable offence – Seven years imprisonment or ten thousand Rupees fine or both.</i>
20	The Uttarakhand Cow and Its Progeny Protection Act, 2007	Section 3 – Prohibition of the slaughter of cows, bulls, and calves. <i>Cognizable offence – Ten years imprisonment or ten thousand Rupees fine or both.</i>