



**ODISHA POLICE
CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT**

C.B. CIRCULAR NO. 1 /2013

1. In order to prevent cruelty to animals, various laws and rules have been enacted such as (1) The Prevention of Cruelty to Animals Act, 1960, (2) The Orissa Prevention of Cow Slaughter Act, 1960, (3) Maintenance of Slaughter House Rules, (4) Transport of Animals Rules, 1978, (5) Transport of Animals (Amendment) Rules, 2001, (6) Prevention of Cruelty to Animals (Transportation of Animals on Foot), Rules, 2001, (7) The Orissa Municipal Act, 1950.

2. In spite of stringent legal provisions, allegations of cruelty during transportation of animals by railways/ trucks and by foot are received at frequent intervals. There are also allegations of contraventions of the provisions of The Orissa Prevention of Cow Slaughter Act, 1960. On these issues, a number of circulars and instructions have been issued by State Police Hdqrs., CID, Crime Branch and also by Animal Welfare Board of India. The offenders very often violate the provisions of the Motor Vehicle Act, 1988 and the Orissa Motor Vehicle Rules, 1993 while transporting animals by trucks.

3. Hon'ble High Court of Odisha while disposing of the W.P.(C) No.30506/ 2011, have directed the State Government, Director General of Police, Odisha and Commissioner of Police, Bhubaneswar-Cuttack to see that instructions issued by the Animal Welfare Board of India as well as the provisions of the Acts and Rules are strictly implemented in letter and spirit.

4. Vide Communication No. F.No.11/2010-COAWBI dated 11th August 2010, Animal Welfare Board of India has circulated that in order to address cruelties to animals during transportation, Government of India during 2001 effected an amendment in Transport of Animals Rules, 1978. In the amended Rule, an additional certificate is required to be issued under Rule 96 by a person authorized by Animals Welfare Board of India to check cruelty aspect after the animals have been loaded in Railway Wagons / Trucks. State Government Veterinary Officer not below the rank of Assistant Director/ SDO (District Animal Husbandry Officer) in each district is also authorized to issue such a certificate under Rule 96.

5. The word "Animal" is defined in Clause (a) of Section 2 of the Prevention of Cruelty to Animals Act, 1960 which means "any living creature other than a human being". So it should be kept in mind while dealing the matter.

In the above premises, it is urged upon all the field functionaries of Police Organization to ensure prevention of cruelty to animals in letter and spirit adopting various measures.

The following measures are suggested to be taken for prevention of cruelty to animals.

- i) Strictly enforce various laws and rules framed in this regard to prevent cruelty to animals,
- ii) While the animals are transported by a Motor vehicle, the provisions of the Motor Vehicle Act, 1988 and the Orissa Motor Vehicle Rules, 1993 pertaining to transportation of animals by trucks should be strictly implemented.
- iii) Instructions issued by the Animal Welfare Board of India are to be strictly followed.

