

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1654 CUTTACK, TUESDAY, SEPTEMBER 20, 2016/BHADRA 29, 1938

CUTTACK MUNICIPAL CORPORATION

CHOUDHURY BAZAR, CUTTACK - 753 009

ORDER

The 12th September 2016

No. 10197—VIII(L)-17/2011—As per the provision under Section 657 read with Section 427 to 429 of Odisha Municipal Corporation Act, 2003 (Act 11 of 2003) as well as, as per the approval of Council of CMC and having been confirmed & approved by the Government, the following bye-law/regulation is hereby notified for publication in the Extraordinary *Odisha Gazette* in the year 2016. It is pertinent to mention here that the year 2015 has already been over. Hence, the following regulation may be called as Regulations, 2016.

1. Cuttack Municipal Corporation Maintenance of Stray Dogs Regulations, 2016.

CUTTACK MUNICIPAL CORPORATION

Maintenance of Stray Dogs Regulations, 2012

In exercise of the powers conferred by Section 657 read with Section 25 (xix), Section 658 & Section 659 of the Odisha Municipal Corporation Act, 2003 (Act No. 11 of 2003), the Cuttack Municipal Corporation hereby makes the following regulations which having been approved and confirmed by the State Government for the purposes of giving effect to the provisions of the said Act, to control the population of stray dogs by sterilisation, to reduce the incidence of rabies by immunisation of stray dogs and maintenance of stray dogs in shelter houses within the City of Cuttack, namely Cuttack Municipal Corporation Maintenance of Stray Dogs Regulations, 2012.

CHAPTER I

PRELIMINARY

1. Short Title and Commencement :

- (1) These regulations may be called the Cuttack Municipal Corporation Maintenance of Stray Dogs Regulations, 2012.
- (2) They shall come into force on the date of their publication in the official gazette of the Odisha Government.

2. Definitions.

In these regulations, unless the subject or context otherwise requires :

- (a) "Act" means the Odisha Municipal Corporation Act, 2003 ;
- (b) "Animal Welfare Organisation" means and includes the Society for Prevention of Cruelty to Animals and any other welfare organization for animals which is registered under the Societies Registration Act, 1860 or any other corresponding law for the time being in force and which is recognized by the Animal Welfare Board of India ;
- (c) "Board" means the State Animal Welfare Board ;
- (d) "Committee" means a committee appointed under these regulations;
- (e) "Corporation" means Cuttack Municipal Corporation for the time being invested by law with the control and administration of any matters within a specified local area;
- (f) "Owner" means the owner of an animal and includes any other person in possession or custody of such animal whether with or without the consent of the owner ;
- (g) "Veterinary doctor" means a person who holds a degree of a recognized veterinary college and is registered with the Indian Veterinary Council.

CHAPTER II

CLASSIFICATION AND STERILIZATION

3. Classification of dogs and their Sterilization :

- (1) All dogs shall be classified in one of the following two categories :—

- (a) Pet dogs,
- (b) Stray/Street dogs.

- (2) The street dogs shall be sterilized and immunized by participation of animal welfare organizations, private individuals and the Corporation.

CONTENTS

Chapter	Chapter Head	Page
Chapter I	Preliminary	2—2
Chapter II	Classification and Sterilization	2—3
Chapter III	Obligations of Cuttack Municipal Corporation	3—5
Chapter IV	Capturing/Sterilization/Immunization/Release	5—6
Chapter V	Identification and Recording	7—7
Chapter VI	Maintenance of Sick Dogs	7—7
Chapter VII	Penalty	7—7
Chapter VIII	Miscellaneous	8—8

5. Functions of the Committee:

The committee constituted under Rule 4(a) shall be responsible for planning and management of dog control programme in accordance with the following:— The committee may:

- Issue instructions for capturing, straying, straying, sterilization, vaccination, treatment and release of strayed/stray/street dogs;
- Authorize veterinary doctor to decide on cases to have basis the need to put to sleep critically ill or fatally injured or rabid dogs in a humane method as prescribed by the Animal Welfare Board. Any other method is strictly prohibited;
- Create public awareness, solicit co-operation and funding;
- Get a survey done of the number of street dogs by an independent agency;
- Take such steps for monitoring the dog bite cases to ascertain the reasons of dog bite, the area where it took place and whether it was a stray or a pet dog; and
- Keep a watch on the national and international development in the field of research pertaining to street dogs, control, sterilization, immunization, development of vaccines and cost effective methods of sterilization, vaccination, and

CHAPTER III

Obligations of Cuttack Municipal Corporation

6. Obligations of the Cuttack Municipal Corporation:

- The Corporation shall provide for:—
 - Establishment of a sufficient number of dogs pounds including animal kennels which may be managed by animal welfare organizations;

4. Formation of Committee :

A monitoring committee consisting of the following persons shall be constituted by the Corporation, namely :—

- (a) Commissioner of the Cuttack Municipal Corporation, who shall be the *ex officio* Chairman of the Committee;
- (b) Health Officer of the Cuttack Municipal Corporation;
- (c) A representative of the Animal Welfare Department if any of the Odisha Government;
- (d) Municipal veterinary doctor shall be Member-Secretary of the Committee;
- (e) A representative of the Society for Prevention of Cruelty to Animals (SPCA);
- (f) A representative from the State Animal Welfare Organizations operating within the Cuttack Municipal area; and
- (g) A representative from the Odisha Public Health Department.

5. Functions of the Committee:

The committee constituted under Rule 4 shall be responsible for planning and management of dog control programme in accordance with these regulations. The committee may :

- (a) Issue instructions for catching, transportation, sheltering, sterilization, vaccination, treatment and release of sterilized vaccinated or treated dogs;
- (b) Authorize veterinary doctor to decide on case to case basis the need to put to sleep critically ill or fatally injured or rabid dogs in a painless method as prescribed by the Animal Welfare Board. Any other method is strictly prohibited ;
- (c) Create public awareness, solicit co-operation and funding;
- (d) Get a survey done of the number of street dogs by an independent agency;
- (e) Take such steps for monitoring the dog bite cases to ascertain the reasons of dog bite, the area where it took place and whether it was from a stray or a pet dog ; and
- (f) Keep a watch on the national and international development in the field of research pertaining to street dogs' control and management, development of vaccines and cost effective methods of sterilization, vaccination, etc.

CHAPTER III

OBLIGATIONS OF CUTTACK MUNICIPAL CORPORATION

6. Obligations of the Cuttack Municipal Corporation :

(1) The Corporation shall provide for :—

- (a) Establishment of a sufficient number of dogs pounds including animal kennels/ shelters which may be managed by animal welfare organizations;

- (b) Requisite number of dog vans with ramps for the capture and transportation of street dogs;
 - (c) One driver and two trained dog catchers to be provided for each dog van ;
 - (d) An ambulance cum clinical van to be provided as mobile centre for sterilization and immunization;
 - (e) Incinerators to be installed or adequate land for deep burial by the Corporation for disposal of carcasses;
 - (f) Periodic repair of shelter or pound;
- (2) If the Corporation feel it expedient to control street dog/stray dogs population, it shall be incumbent upon. them to sterilize and immunize street dogs with the participation of animal welfare organizations, NGO's and private individuals.
- (3) The Corporation shall make all possible endeavour to bring into record NGOs/ Agencies such as Animal Welfare Organisations (AWOs)/Societies for Prevention of Cruelty to Animals(SPCAs) working in the field within the corporation area for the purpose of working in collaboration with them for effective implementation of the objectives of these regulations; and on application made before it by such AWOs/SPCAs get them registered with it subject to the satisfaction of the following :—
- (a) The organization must have experience of working towards the cause of animal welfare or should show evidence of competence in the field ;
 - (b) It must have an appropriate administrative structure and a duly constituted managing/ executive committee;
 - (c) The organization must have sufficient space to carry out the animal birth control programme, capacity for creation of facilities such as operation theatre, shelter for post-surgery care, vehicle to transport the dogs from and to the concerned locality from where the animal was picked up and qualified veterinary doctor(s) who are registered veterinary practitioners with Indian Veterinary Council/State/ UT Veterinary Council and required number of Para-Vets to carry out the sterilization and immunization of the dogs; and
 - (d) In the event of organizations proposing to undertaking catching and release of sterilized stray dogs, the organization must have arrangements for a vehicle to transport the dogs from and to the concerned localities from where the animal was picked up. The NGO/Agency must have capacity to engage dog-catchers trained by vets/experts.
- (4) The Corporation may work in collaboration with those organisations or institutions interested to further the objectives of these regulations under PPP mode.
- (5) The Corporation shall make all possible endeavour to obtain grant in aid under various schemes floated from time to time by the Central and State Government relating to stray dogs for the purpose of effective implementation of these regulations.

- (6) The Corporation shall make all possible efforts to bring into record the individuals and families who adopt and feed stray dogs and provide all aid and assistance to those individuals and families so as to facilitate them to provide these dogs with food and shelter and also getting them vaccinated and sterilised.

CHAPTER IV

CAPTURING/STERILIZATION/IMMUNIZATION/RELEASE

7. Capturing/sterilization/immunization/release:

(1) Capturing of dogs shall be based on :

- (a) Specific complaints (for which the Corporation in consultation with the Monitoring Committee shall set up a dog control cell to receive complaints about dog nuisance, dog bites and information about rabid dogs); and

(b) General :

- (i) On receipt of specific complaint about nuisance or dog bite the same shall be attended on priority basis, irrespective of the area from which the complaint comes. On receipt of such complaint the details such as name of the complainant, his complete address, date and time of complaint, nature of complaint etc. shall be recorded in a register to be maintained for permanent record; and
- (ii) Capturing for general purpose will be on such dates and time to be specified by the Committee.

(2) The dog capturing squad shall consist of :

- (a) The driver of the dog van;
- (b) Two or more trained employees of the Cuttack Municipal Corporation who are trained in capturing of dogs; and
- (c) One representative of any of the animal welfare organization. Each member of the dog squad shall carry, a valid identity card issued by the Cuttack Municipal Corporation. The dog capturing squad will be accompanied by a representative of an Animal Welfare Organization nominated for the purpose.

- (3) On receipt of specific complaint or for capturing dogs in normal course, the dog squad will visit the concerned area, capture the dogs identified by the complaint in case of complaint oriented capturing and other dogs in case of general capturing. All the dogs caught will be tagged for identification purposes and to ensure that the dogs are released in the same area after sterilization and vaccination. Only stipulated number of dogs, according to the Animal Birth Control Programme target, shall be caught by the van. A record of

dogs captured shall be maintained in a register, mentioning therein the name of the area/ locality, date and time of capture, names of persons in the dogs squad on that particular day and details about dogs captured such as number of male dogs, number of female dogs, number of puppies etc.

- (4) The dogs shall be captured by using humane methods such as lassoing or soft-loop animal catchers and such as those prescribed under the provisions of Prevention or Cruelty (Capture of Animals) Rules, 1979.
- (5) While the dogs are being captured in any locality the representative of the Corporation or of the animal welfare organization accompanying the dog squad will make announcements on a public address system that dogs are being captured from the area for the purpose of sterilization and immunization and will be released in the same area after sterilization and immunization. The announcement may also briefly educate the residents of the area about the dog control programme and solicit the support of all the residents reassuring them that the Corporation is taking adequate steps for their safety.
- (6) The captured dogs shall be brought to the dog kennels/dog pounds managed by the Animal Welfare Organisations (AWOs). On reaching the dog pounds all the dogs shall be examined by the veterinarians and healthy and sick dogs should be segregated. Sick dogs shall have to be given proper treatment in the hospitals run by Society for Prevention of Cruelty to Animals (SPCA)/other institutions and only after they are treated they should be sterilized and vaccinated. The dogs will be sterilized/ vaccinated under the supervision of the veterinarians of the hospital run by the Society for Prevention of Cruelty to Animals (SPCA), Animal Welfare Organization or other dog shelters. After necessary period of follow up, the dogs shall be released at the same place or locality from where they were captured and the date, time and place of their release shall be recorded. The representative of Animal Welfare Organisations (AWOs) shall accompany the dog squad at the time of release also.
- (7) At a time only one lot of dogs shall be brought for sterilization, immunization at one dog kennel or dog pound and these dogs shall be from one locality. Two lots from different areas or localities shall not be mixed at the same dog pound or dog kennel.
- (8) The dog kennel must have sufficient space for proper housing and free movement of dogs. The place should have proper ventilation and natural lighting and must be kept clean. Adults and puppies must be housed separately and amongst the adults the males and females also should be housed separately. Adequate arrangement for drinking water and food shall be made for dogs while in captivity.
- (9) Female dogs found to be pregnant shall not undergo abortion (irrespective of stage of pregnancy) and sterilization and should be released till they have litter.

CHAPTER V

IDENTIFICATION AND RECORDING

Identification and Recording : Sterilized dogs shall be vaccinated before release and the ears of these dogs shall either be clipped and/or tattooed for being identified as sterilized or immunized dogs. In addition the dogs may be given token or nylon collars for identification and detailed records of such dogs shall be maintained. Branding of dogs would not be permitted.

CHAPTER VI

MAINTENANCE OF SICK DOGS

9. Euthanasia of Street Dogs : Incurably ill and mortally wounded dogs as diagnosed by a qualified veterinarian appointed by the committee shall be euthanized during specified hours in a humane manner approved by Animal Welfare Board of India by a qualified veterinarian. No dog shall be euthanized in the presence of another dog. The person responsible for euthanizing shall make sure that the animal is dead; before disposal.

10. Furious or dumb rabid dogs :

- (1) On the receipt of complaints from the public to the Dog Control Cell of the Corporation or on its own, the dog squad of the Cuck Municipal Corporation, would catch such dogs, suspected to be rabid.
- (2) The caught dog would then be taken to the pound where it would be isolated in an isolation ward.
- (3) The suspected rabid dog would then be subjected to inspection by a panel of two persons, i. e.
 - (a) A veterinary surgeon appointed by the Corporation and
 - (b) A representative from an Animal Welfare Organisation.
- (4) If the dog is found to have a high probability of having rabies it would be isolated till it dies a natural death. Death normally occurs within 10 days of contracting rabies. Premature killings of suspected rabid dogs therefore prevent the true incidence of rabies from being known and appropriate action being taken.
- (5) If the dog is found not to have rabies but some other disease it would be handed over to the AWOs who will take the necessary action to cure and rehabilitate the dog.

11. Disposal of Carcasses : The carcasses of such euthanized dogs shall be disposed of in an incinerator or deep burial to be provided by the Corporation.

CHAPTER VII

PENALTY

12. Penalty :

Any person who contravenes any of the provisions of these regulations shall be punishable with penalty as prescribed under Section 658 of the Act.

CHAPTER VIII

MISCELLANEOUS

13. Miscellaneous :

- (i) A dog breeder shall not be allowed to cross breed with any stray dogs or leave the off springs of such cross breeding as stray dogs .
- (ii) An owner wishing to reclaim a dog which has strayed is not entitled to do so without paying the expenses incurred by the corporation by reason of dog's detention.
- (iii) No person shall be allowed to treat the stray dogs cruelly in a manner in contravention of Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 so far as it relates to stray dogs.
- (iv) Dog Pound to be created to keep the old and torn dogs.

By order of the Corporation

GYANA RANJAN DAS

Municipal Commissioner
Cuttack Municipal Corporation