

ANIMAL WELFARE BOARD OF INDIA

Draft Minutes of the 48th General Meeting of the Animal Welfare Board of India held on 27.03.2021 through virtual mode

The following members attended the virtual meeting on 27.03.2021 at 3.00 p.m.:

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| 1. | Dr. O.P. Chaudhary, IFS
Joint Secretary, (AWD) MoFAH&D | - | Chairman |
| 2. | Shri S.P. Gupta, IAS (Retd.) | - | Member |
| 3. | Shri Rajeev Gupta, IAS (Retd.) | - | Member |
| 4. | Prof. R.S. Chauhan | - | Member |
| 5. | Shri Girish J. Shah | - | Member |
| 6. | Shri Sunil Mansinghka | - | Member |
| 7. | Shri Ram Krishan Raghuvanshi | - | Member |
| 8. | Shri Ajit Sharad Kelkar | - | Member |
| 9. | Dr. Hitesh Jani | - | Member |
| 10. | Shri Rakesh Gupta | - | Member |
| 11. | Shri Nabendu Chatterjee
(Representative of ICMR) | - | Member |
| 12. | Shri Sunil Sharma
(Representative of IGF) | - | Member |
| 13. | Dr. S.K. Dutta, Joint Commissioner (AWD)
MoFAH&D | - | Secretary In-charge, AWBI |
| 14. | Mrs. Prachi Jain | - | Assistant Secretary, AWBI |

The Secretary, AWBI started the meeting with greetings to all Members and requested the Chairman to give his introductory / welcome remarks to the Members.

The Chairman welcomed the Members present in the virtual meeting of 48th General Meeting. Thereafter, the Chairman requested the Secretary to start with the agenda items.

Item No.1: Confirmation of the Minutes of the 50th Annual General Meeting of the Board held on 03.09.2020.

The minutes of the 50th Annual General Meeting of the Board held on 03.09.2020 through virtual mode were confirmed and ratified by the Board which were circulated to the Hon'ble Members of the Board through email on 17.09.2020.

Item No.2: Report on follow up on the Minutes of the 50th Annual General Meeting of the Board held on 03.09.2020.

The Members noted the action taken on the minutes of the 50th Annual General Meeting of the Board held on 03.09.2020.

Prof. R. S. Chauhan stated that the committee for the selection of HAWOs has not been developed criteria for selection of HAWO. Shri S.P. Gupta added that the issue for extension of validity of the HAWO card and their nomination is to be controlled by the Board to control misutilization of the HAWO cards.

Accordingly, the Chairman suggested that the committee need to prepare the criteria and guidelines based on which the HAWO will be nominated. Also, the HAWO card tenure is to be fixed for 5 years and the evaluation of the activities of HAWO as well as further continuation of the cards will be taken by the committee only.

The Chairman also suggested that the HAWOs which are not responding to Board's communications should be cancelled.

The issue of release of funds to Blue Cross of Hyderabad was raised by Shri S. P. Gupta and the Chairman took note of it and clarified that the funds were released by the then Secretary based on the authority conferred by the MoEF. The Secretary clarified the detailed process followed for such release and also intimated no further fund has been released to Blue Cross, Hyderabad. Shri S.P. Gupta proposed that the release details of the Blue Cross of Hyderabad to be taken in the minutes.

Shri Sunil Mansinghka raised the issue pertaining to cow urine and cow dung which were highlighted by Late Justice Guman Mal Lodha, Ex-chairman of the Board. The Chairman clarified that the funds allocated to the Board are meagre. The Ministry is already having Gobar Dhan Scheme, Rashtriya Gokul Mission and Rashtriya Kamdhenu Aayog and the issues pertaining to cow urine and dung should be taken with these organizations. The Chairman informed that the funds are already allocated in the said Schemes.

The Chairman further stated that the Board to become self-sustainable and to earn some corpus to meet its expenses. The Board has very limited staff and resources.

Prof. R. S. Chauhan suggested that the Ministry may allocate funds to Rashtriya Kamadhenu Aayog / Rashtriya Gokul Mission / some oldest AWO like Gauvigyan Anusandhan

Kendra to carry out big projects on cow urine / cow dung and the amount allocated to the agency may be returned after a span of time to the Govt. on success of such projects or on become viable.

Shri Sunil Mansinghka requested the Chairman to constitute a committee to visit the remote rural areas of West Bengal where some projects on development of villages with the projects of cow and its progeny and providing employment etc. to replicate the same throughout the country.

Shri Girish J. Shah stated that the Board should focus on the capacity building, awareness creation, education, need promoting establishment of State Animal Welfare Boards / District SPCAs and other creative works of legislation as per its mandate. The funds allocated to the Board are meagre and we should not waste our time in discussing about the small amount of grants released to the AWOs such as Blue Cross of Hyderabad and others time and again. The funds to be utilized for creation of awareness, education on animal welfare.

The Chairman endorsed the issue raised by Shri Girish J. Shah and stated that the Board to work on 3 tier system for prevention of cruelty to animals.

Shri S. P. Gupta raised the issue pertaining to finalization of Animal Welfare Bill made by the Board to provide more teeth. **The Chairman clarified that there should be balanced approach while amending PCA Act.**

Shri Girish J Shah suggested that the Board should focus more on amending existing Rules and Guidelines to reduce cruelty and should focus on training across all states of India.

Further, he has stated that there are 18000 Animal shelters across India. We need to ask Rs. 1000 crore to upgrade all panjarpoles and Gaushala Across India. This will turn into miracle help by gobardhan leading organic farming. Also, his recent letter to His Highness Rashtrapati was recommended to Ministry of Fisheries, Animal Husbandry and Dairying.

Item No.3: Consideration of Budget Estimate allotted by the Ministry for the year 2021-2022

The budget allocated to the Board by the Ministry of Fisheries, Animal Husbandry and Dairying, Department of Animal Husbandry and Dairying under B.E. of Rs. 700.00 lakhs for the financial year 2021-2022 and the budget of NIAW of Rs.149.00 lakh has also been allotted to the Board was noted by the Board.

Item No.4: Information on details of grant-in-aid released to the AWOs by AWBI as per recommendations of Grants Committee during financial year 2020-21.

The details of grant-in-aid released to the AWO's during the financial year 2020-2021 were noted by the Board. However, Shri S.P. Gupta pointed out that the grants have been provided to many organizations which were not completed registration for one year. This is in violation of the Board's guidelines. The Secretary clarified that the registration was done before one year and funds were released in the next financial years. However, due to faulty management of the registration

ID which is given after one year was wrong but this was the practice since decade. This will be rectified.

Item No.5: Information about handing over of National Institute of Animal Welfare to AWBI by the Ministry of FAH&D.

The decision of Ministry for handing over the National Institute of Animal Welfare (NIAW) to AWBI for its better use and operations with the budget allocation of NIAW amounting Rs. 149.00 lakh was discussed and agreed by the Board.

Item No.6: Consideration of matter relating to constitution of Committee for functioning of NIAW.

The Chairman informed the members that NIAW is an institute spread in more than 8 acres of land and well established institute. The Govt. has now decided to run the institute through AWBI with the help of outsourced staff or by the help of some private University. He told that to run the institute properly, a committee to be constituted and if required, the competent persons may be co-opted in the committee.

Item No.7: Consideration of matter relating to providing Animal Ambulances to the AWOs out of the funds sought from the HUDCO CSR funding.

The AWBI is in the process of getting funds of Rs.62.00 lakhs from Housing and Urban Development Corporation Ltd. (HUDCO) under CSR funding for procuring 10 Ambulance vehicles (Mahindra Bolero Pick Up and Maruti Suzuki Eeco Cargo CNG/Petrol) for providing these to the Animal Welfare Organizations for ambulance services to the animals in distress on doing necessary modifications in the vehicles as per their requirements. The Grants Committee will be requested to finalize the names of the AWOs.

Item No.8: Consideration and approval of Annual Report and adoption of Audit Report and Annual Accounts of the Animal Welfare Board of India for the year 2018-19.

The final draft of the Annual Report 2018-19 was placed before the Board after incorporating the suggestions made by the Members during the 50th AGM held on 03.09.2020. The Board approved the Audit Report and adopted the Annual Accounts and Separate Audit Report of the AWBI received from C&AG, Chandigarh on 19.02.2021 for further necessary action. Shri S.P. Gupta suggested that the achievements of the board need to be included in the Annual Report and he will provide the information.

Item No.9: Consideration and approval of draft Annual Report of the Animal Welfare Board of India for the year 2019-20.

The draft Annual Report for the year 2019-20 was circulated to Board Members for their perusal and comments. The Audited Accounts and Separate Audit Report is awaited from the C&AG Audit. The final draft of the Annual Report 2019-20 will be circulated to the Board

Members on receipt of the Audited Accounts and Separate Audit Report from C&AG Audit incorporating the suggestions received from the Board Members.

Item No.10: Consideration of matter relating to Legal Committee.

Shri S.P. Gupta stated that he has made some suggestions regarding reconstitution of legal committee which need to be reconsidered. The Secretary informed that the legal committee has been reconstituted as some of the members of the previous legal committee was working against the mandate of the Board and terms and condition of the committee like issuing of Legal notices to the Secretary of the Board and even filing cases against the Secretary and Board.

The Chairman AWBI informed that all Board Members and committee members have to adhere to the Govt. norms. Shri Girish J Shah proposed that the Legal Committee meeting should be hold when the Board is fully prepared with the documents and drafts.

Item No.11: Consideration of matter relating to renovation and to operate Animal Hospital at NIAW campus.

The Chairman asked the Members of the Board to give their valuable suggestions for functioning of animal hospital at NIAW Campus. Shri S.P. Gupta suggested that the NIAW Committee may take appropriate decision on this issue.

Item No.12: Awareness program for – Honorary Animal Welfare Officer (HSAWO/HDAWO), Conduct of Animal Birth Control Program, Mitigating the cruelty to animals, State Animal Welfare Board (SAWB).

The matter pertaining to the awareness program for HAWOs, SAWBs and Gaushala Personnel etc. were discussed and considered. Further, it was decided that the Board shall release the amount of Rs. 3,96,000/- to G.B. Pant University, Pant Nagar, Uttrakhand as requested by Prof. R. S. Chauhan for preparing the modules for the training programs.

Shri Girish J. Shah suggested that the training and awareness program should be organized for Judicial Officers, Veterinarians, Police, Animal Husbandry Department etc.

Item No.13: Consideration of matter relating to nomination of HAWOs and their training.

The Committee amongst the Board Members comprising of Dr. R.S. Chauhan, Shri Ramakrishna Raguvanshi and Ms. Anjali Gopalan has been formed to review the details of the applicants and their activities done so far and the Board authorized the committee to take decisions relating to nomination of HAWOs.

Shri Girish J Shah stated that the ID cards may be issued without further delay to ease out the work of Animal Welfare.

Further, it was unanimously decided that the HAWO Card should be issued in place of nomination letter which was approved in the 50th Annual General meeting of the Board. Shri S.P.

Gupta raised the concerns that the present Board has power to issue HAWO card for 5 years because of the validity of the Board is for three years. It was suggested by the members that the validity of the HAWO card should not be linked with the validity of the Board. The card should remain valid even if the Board expires. It was decided that the HAWO card will be issued with 5 year validity.

Item No.14: Consideration of matter relating to GST Registration of AWBI.

The Board noted the matter pertaining to the GST Registration of AWBI and agreed upon.

Item No.15: Consideration of matter relating to online functioning & activities of AWBI as directed by NITI Aayog.

The matter relating to online functioning & activities of AWBI as per directions of NITI Aayog were discussed and decided that the Grants to be given only to the AWOs registered at NITI Aayog Portal and through PFMS mode only.

Item No.16: Consideration of matter relating to ABC Permission / Re-recognition of AWOs for carrying out ABC programme.

The matter relating to ABC permission / Re-recognition of AWOs for carrying out ABC programme was deliberated upon and it was decided that on receipt of the specific inspection report for conducting ABC program, the committee constituted for ABC program will take decision in regard to the ABC permission to the AWO for the particular District in which they are having sufficient infrastructure.

Item No.17: Brief on Utilisation Certificate pendency from AWOs for information of Board Members.

The detail of utilization certificates pending from the AWOs against the grant-in-aid released under various schemes are noted by the Board and it was decided that the legal notices will be issued to all such AWOs.

Item No.:18: Consideration of matter relating to Legal Notice sent to AWOs for pending UCs.

The Board discussed the issue pertaining to defaulter AWOs who are not submitting UCs, nor responding to the legal notice served upon them. Hence, it was decided that these AWOs should be considered for De-recognition after approval of the grants committee.

Item No.19: Consideration of matter relating to De-recognition of AWOs.

The Board discussed the issue pertaining to De-recognition of the defaulting AWOs and considered the same. Further, it was decided that in future the matter of De-recognition of the AWOs will be placed before the grant committee for their consideration.

Item No.20: Consideration of VIP reference of Dr. Amol Ramsing Kolhe, Hon'ble Member of Parliament regarding exclusion of 'Bull' from the list of protected animals.

Shri S.P. Gupta stated that it's a good suggestion and the Bull need to be removed from the restricted animals for exhibition and training purposes. Prof. R.S. Chauhan informed that the cow and its progeny is prohibited for slaughter and want to remove it from the list.

The Chairman briefed the members about the issue that the 'Khilari' Bulls are native breed of Maharashtra and is not used for agriculture but these bulls were used for bullock cart racing. However, due to the ban on racing, farmers cannot afford to keep Khilari bulls.

Shri Rajeev Gupta stated that the Bulls can be used for races and entertainment, the Board should not have any problem. It can be used as performing animal based on criteria / guidelines but should not be slaughtered.

The Secretary informed that the Bull was banned as Performing Animal by MoEF in exercise of powers conferred by Section 22 of the Prevention of Cruelty to Animals Act, 1960, by notification dated July 11, 2011. The Supreme Court vide its judgment of 2014 had made it clear that spectacles that harm bulls, such as bullock cart races, violate the Prevention of Cruelty to Animals (PCA) Act, 1960, and the provisions of the Constitution of India.

The Government of Maharashtra in 2017 the Prevention of Cruelty to Animals (Maharashtra Amendment) Act, 2017, received the President's approval, and in July, it was published in the Maharashtra Government Gazette. Thereafter, the Public Interest Litigation (PIL) filed by Ajay Marathe in High Court of Bombay in which PETA filed an intervention application, the High Court of Bombay bench including Chief Justice Dr Manjula Chellur and Justice NM Jamdar passed an order stating that it is bound by the observations and views of the 2014 Supreme Court judgment that banned bullock cart races across the country. The High Court also clarified that no bullock cart races are permitted in Maharashtra, even if the state government notifies the new rules. The Maharashtra Government has appealed before the Hon'ble Supreme Court of India requesting for allowing the conduct of the Bullock Cart races in Maharashtra. The matter regarding conduct of Jallikattu in Tamil Nadu and other matters are pending before the Constitutional Bench of the Supreme Court from 2017. The Hon'ble Apex Court in February 2018 has placed the matter before the Learned Chief Justice to constitute a bench of 5 Hon'ble Judges in terms of the signed reportable judgment.

Shri S.P. Gupta endorsed the view of the Secretary, AWBI. The Board to approach Hon'ble Supreme Court to expedite the Judgment.

Shri Girish J. Shah told that any Performing Animals to be utilized in our traditional activities like agricultural work and other routine works in favour of such animals. The guidelines to be made and submitted to Supreme Court.

Secretary informed that few NGOs had raised the issues of Bulls and brought it under the protected animals category.

Chairman also agreed that Board should approach Hon'ble Supreme Court in consultation with DAHD.

Additional Item No.1: Consideration of matter related to increase in the fees for the Preshoot permission and NOC received from the Ministry of Information and Broadcasting and other Film Producers Associations

The Board deliberated upon the issue and discussed the representations from Indian Film & TV Producers Council, Mumbai, Western India Film Producers' Association, Mumbai, Film Federation of India, Mumbai, Kannada film Chamber of Commerce etc. and decided unanimously that the increased fees is justified.

Additional Item No.2: Consideration of matter relating to cancellation of Master trainers nominated by the Board.

The Board discussed the issue pertaining to Master Trainers nominated by the Board and decided that the committee constituted for HAWO Cards will deliberate upon the issue and decide further course of action.

Additional Item No.3 Consideration of the matter pertaining to TA/DA paid to the Chairman, Members, various committee members and former Secretary, AWBI as per the Audit observations

The issue pertaining to the recovery of TA/DA paid to the Members of the Board, Members of the various committee of the Board and former Secretary of the Board during last three years was discussed and it was decided that the Audit and Ministry to be requested for dropping the para and granting the post facto permission for waiver of recoveries respectively as one-time resolution and in future prior approval / permission to be obtained for travelling by the private Airlines.

Shri Girish J Shah has stated that it has been seen that an amount of Rs. 49629 had been received by him as TA/DA. However, he mentioned that he has never applied to the Board for TA/DA. Accordingly, the Secretary ensures the detail of the same will be provided to him and if there is any rectification, the same will be done.