

| Whether age and educational qualification prescribed for direct recruits will apply in case of promotees                                                                                                                                                                                                                            | Period of probation, if any | Method of recruitment, whether by direct recruitment by promotion or by deputation/absorption and percentage of vacancies to be filled by various methods                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (8)                                                                                                                                                                                                                                                                                                                                 | (9)                         | (10)                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Not applicable                                                                                                                                                                                                                                                                                                                      | Two years                   | By direct recruitment.<br><b>Note:</b> Vacancies caused by the incumbent being away on deputation or long leave or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of the Central Government,-<br><br>(a) holding analogous posts on regular basis; and<br>(b) possessing the educational qualifications and experience prescribed for direct recruits under the rules. |
| If Departmental Promotion Committee exists, what is its composition                                                                                                                                                                                                                                                                 |                             | Circumstances in which Union Government Service Commission is to be consulted in making recruitment                                                                                                                                                                                                                                                                                                                                                 |
| (12)                                                                                                                                                                                                                                                                                                                                |                             | (13)                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Group 'C' Departmental Confirmation Committee (for considering confirmation) consisting of:-</b><br><br>5. Director, National Museum of Natural History – Chairman;<br>6. Scientist 'C' or 'D', National Museum of Natural History – Member;<br>7. Under Secretary, Ministry of Environment, Forest and Climate Change – Member; |                             | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                     |

[F. No. 4(21)/2016-17/NMNH/Admn.]

N. THYAGARAJAN, Under Secy.

1960 (1960 का 59) कड धारा 38 कड उपधारा (1) और उपधारा (2) ारा द शिष्य% का योग करते (ए और पशु के ित ;रूताका िनवारण (पशुधन बाजार विनियमन) िनयम, 2017 का अधि;ांत करते (ए, उ# अधिनियम कड धारा 38 कड उपधारा (1) कड अपेानुसार उन सभी िष्य% कड जानकारी के िलए, िजनके उससे भावित होने कड संभावना है, कािशत कड जाती है और यह सूचना दी जाती है क उ# ाप िनयम उस तारीख से, िजसको इस अधिसूचना से यु# राजप3 कड ितयां जनता को उपलब्ध करा दी जाती है, तीस दन कड अविध को या उसके प्ात् विचार कया जाएगा ; 89.—कितपय िनयम% का िनलिखत ाप, िजसे के=वीय सरकार, पशु के ित ;रूता का िनवारण अधिनियम, नई दली, 22 माच, 2018

[Hkkx II—[k.M 3(i)]

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सरकार ारा विचार कया जाएगा ; इंदरा पयावरण भवन, जोर बाग रोड, नई दली को भेजा जा सकेगा ।

3.

1. 2.

(2) उन शकद% और पद% के, जो इन िनयम% म> यु# हG और पोरभाषित नहU हG ' कंतु अधिनियम म> पोरभाषित हG, वही अथ ह%गे जो ;मश: उस अधिनियम म> उनके हG ।

प#रभाषाएं.- (1) इन िनयम% म>, जब तक क संदभ से अ=यथा अपेित न हो,-

पशुN के ित ोरूता का िनवारण समित का गठन.- (1) इन िनयम% के अधीन शिष्य% का योग करने के योजन के िलए /येक िजले म> संबE राय सरकार ारा एक पशु के ित ;रूता का िनवारण समित गठत या अभिहत कड जाएगी ।

कोई आपे या सुझाव, जो पूव्य# विनिरदर अविध से पूव उ# ाप िनयम% कड बाबत कसी िष से ाक होता है, के=वीय ऐसे आपे या सुझाव, यद कोई ह%, उप सिचव (पशु कयाण), भारत सरकार, पयावरण, वन और जलवायु पोरवतन मंालय,

(2) ये राजप3 म> उनके काशन कड तारीख को वृ! ह%गे ।(क) “अधिनियम” से पशु के ित ;रूता का िनवारण अधिनियम, 1960 (1960 का 59) अभेत है ; (ख) “पशु बाजारा” से कोई बाजार -थल या विव;य बाड़ा या कोई अ=य पोरसर या -थान अभेत है जहां पर पशु को अ=य -थान% से लाया जाता है तथा इसके अंतगत पशु मेला और पशुकांजी हौज भी है,

कसी राय अधिनयम या त/समय वृ! कसी अ=य िविध या तःनीन बनाए गए क=हU िनयम% या िविनयम% के अधीन, जो स=यक् zप से अनुWK या मा=यता ाK हो, जहां पर पशु को िव:य या नीलामी के िलए -तावित या द=शत कया जाता है ; (ग) “सिमित” से /येक िजले के िलए पशु के ित ;रूता का िनवारण के िलए िनयम 3 के अधीन गOठत या अभिहत सिमित अभे त है ; (घ) “ zप” से इन िनयम% से उपाबE zप अभे त है ; (ङ) “ ितिषE Sवसाय” से ऐसे Sवसाय अभे त है, जो पशु के िलए अपहािनकर है और जो अनावZयक पीड़ा और यातना कारक है ; (च) “पशु के ित ;रूता के िनवारण के िलए सोसाइटी (एसपीसीए)” से पशु के ित ;रूता का िनवारण (पशु के ित ;रूता के िनवारण के िलए सोसाइOटय% कD -थापना और िविनयमन) िनयम, 2001 के अधीन -थापित एसपीसीए अभे त है ; (छ) “राय बोड” से राय सरकार ारा राय म> गOठत राय पशु कयाण बोड अभे त है ; (ज) “अयोय पशु” के अंतगत ऐसे पशु, जो अपवय, पहले ही से गभाव-था म>, दुबल, अ-व-थ, zण, ितिा-त या थके-मांदे भी हG ; (झ) “पशु िचक/सा िनरीजक” से कसी -थानीय ाधिकरण ारा ाधिकृत कोई रिज-,ीकृत पशु िचक/सक अभे त है ; (ञ) “अपवय पशु” से छह मास कD आयु से कम का कोई पशु अभे त है ।

(2) सिमित िनलिखत सद-य% से िमलकर बनेगी :- (क) िजला मिज-,ेट ; (ख) राय पशु कयाण बोड का एक ितिनिध ; (ग) िजला पुलिस अधीक ; (घ) पशु कयाण से संबंधितगैर सरकारी संगठन के एक ितिनिध ;

नाम और ारंभ- (1) इन िनयम% का संिK नाम पशु बाजार% म> पशु के ित ;रूता का िनवारण िनयम, 2018 है ।

### अMयाय – 2 पशुN के ित Oरूता का िनवारण सिमित

#### अध्याय 1 : ारंभिकाKप िनयम

अधिकाOरता म> पशु बाजार% म> पशु को कोई अनावZयक पीड़ा और यातना न हो ।

5. सूची तैयार करेगा और ऐसे ारंभ के दो सKाह के भीतर सिमित को इसकD सूचना देगा ।4.

(2) इन िनयम% के ारंभ से पूव /येक योजन मूलक पशु बाजार सिमित ारा िनयत समय अविध के भीतर सिमित से इन िनयम% सहित zप 1 म> पूण अनुपालन का माणप3 मांगा जाएगा ।(3) सिमित ऐसी शत के अयधीन रहते (ए, जो वह ठीक समझे, अनंितम माणप3 दान करेगी िजसके अंतगत सिमित के, उन कारण% के िलए, जो लेखबE कए जाएं, ऐसी शत म> इन िनयम% के पूण अनुपालन को सुनि त करना भी है, िविनय करेगी । सिमित के कृय- (1) /येक सिमित, यथावZयक, सभी उपाय करेगी िजससे क ऐसे Sि#य% से ऐसे िनदेश% के माथ्यम से उसकD

िव

मान पशु बाजारA म% िनयमA का वतन- (1) िजला मिज-,ेट इन िनयम% के ारंभ से पहले योजन मूलक पशु बाजार कD (ङ) एसपीसीए का एक ितिनिध ; (च) िजला पशु िचक/सा अधिकारी, जो सद-य सिचव होगा ; (छ) यथा-थित, िजला पOरषद् या -वाय! पOरषद् का अय्य ; (ज) नगरपालिका या िजला -तर म> पंचायत अय्य ; (झ) सिमित म> ऐसे तीन से अनिधक अ=य Sि# ह% िजनके पास पशु कयाण, पशु िचक/सा िवWान, शासन और िविध वतन म> िविशेषWता हो ।परंतु यह क राय सरकार, इन िनयम% के वतन के िलए पशु के ित ;रूता का िनवारण सिमित के zप म> पशु बाजार% को चालू रखने के िलए राय अधिनयम या तःनीन बनाए गए िनयम% या िविनयम% या उसके अधीन िजला शासन या उसके ारा -थापित कसी सिमित को अभिहत कर सकेगी ।परंतु यह और क खंड (क) से खंड (झ) के उपबंध थम परंतुक म> िनQदR सिमित के मामले म> लागू नहU ह%गे ।(3) ऐसा कोई Sि#, िजसे इस अधिनयम के अधीन िसEदोष ठहराया गया हो, सिमित का सद-य बनने म> ितिषE होगा ।

(2) उप िनयम (1) के अधीन उसकD शि# कD Sापकता पर ितकूल भाव डाले िबना सिमित – (क) िनयम 5 के अधीन, इन िनयम% के अनुपालनकता से, क=हU अ=य शत के अयधीन रहते (ए, पूण zप से या अनंितम zप से, जो वह ठीक समझे, उसकD अधिकाOरता म> /येक िवमान पशु बाजार का स/यापन कराएगी ; (ख) िनयम 6 के अधीन, इन िनयम% के अनुपालनकता से, क=हU अ=य शत के अयधीन रहते (ए, पूण zप से या अनंितम zप से, जो वह ठीक समझे, उसकD अधिकाOरता म> -थापित कए जाने के िलए -तावित /येक नए पशु बाजार का स/यापन कराएगी ; (ग) िनयम 7 के अधीन, उसकD अधिकाOरता म> ि-थत सभी पशु बाजार% कD सुविधा संबंधी िविनदश%, िजसके अंतगत अधिकतम धाOरता िमता भी है, का अवधारण कराएगी ; (घ) यह सुनि त करने के िलए सभी आवZयक उपाय कराएगी क उसकD अधिकाOरता म> कोई पशु बाजार, यद ऐसी अधिकाOरता के अंतगत अंतरीय सीमा भी है, िनयम 8 के अधीन यथा उपबंधित के िसवाय, कसी अंतरीय सीमा से पार पशु के पOरवहन का िोत नहU है ; (ङ) िनयम 12 के अधीन उसकD अधिकाOरता म> ि-थत पशु बाजार% पर पशु िव:य के रिज-टर के रखरखाव करने के सभी आवZयक उपाय कराएगी ; (च) िनयम 13 के अधीन उसकD अधिकाOरता म> पशु के िव:य के अनुzप होने के माणप3 देने के िलए आवZयक इंतजाम कराएगी ; (छ) पशु िचक/सक, िनरीजक कD ऐसी शत और िनबंधन% पर, जो िनयम 15 के अधीन उसकD अधिकाOरता म> पशु बाजार% का िनरीजण करने म> उसकD सहायता करने के िलए अवधाOरत कर>, कD सेवा को लगा सकेगी या उसका उपयोग कर सकेगी ; (ज) िनयम 16 के अधीन इन िनयम% के अनुपालन के िलए समुचित कारवाई कराएगी ।





Objections or suggestions, if any, may be addressed to the Deputy Secretary (Animal Welfare) to the Government of India in the Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi.

## DRAFT RULES

### CHAPTER I: PRELIMINARY

**1. Short title and commencement.**—(1) These rules may be called the Prevention of Cruelty to Animals in Animal Markets Rules, 2018.

**2. Definitions.**— (1) In these rules, unless the context otherwise requires,-

- (a)“Act” means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- (b)“animal market” means a marketplace or sale-yard or any other premises or place to which animals are brought from other places and exposed for sale or auction and includes animal fairs and cattle pounds where animals are offered or displayed for sale or auction, as duly licensed or recognised under a State Act or any other law for the time being in force or any rules or regulations made thereunder;
- (c)“Committee” means the Prevention of Cruelty to Animals Committee constituted or designated under rule 3, for each district;
- (d)“Form” means form appended to these rules;
- (e)“prohibited practices” means practices that are harmful to animals and cause unnecessary pain and suffering;
- (f)“Society for Prevention of Cruelty to Animals (SPCA)” means a SPCA established under the Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001;
- (g)“State Board” means the State Animal Welfare Board constituted in a State by the State Government;
- (h)“unfit animal” includes animals which are young, in advanced pregnancy, infirm, diseased, ill, injured or fatigued;
- (i)“veterinary inspector” means a registered veterinarian authorised by the local authority;
- (j)“young animal” means any animal below the age of six months.

(2) Words and expressions used in these rules and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

### CHAPTER II: PREVENTION OF CRUELTY TO ANIMALS COMMITTEE

**3. Constitution of Prevention of Cruelty to Animals Committee.**— (1) There shall be a Prevention of Cruelty to Animals Committee in each district for the purpose of exercising the powers under these rules, to be constituted or designated by the concerned State Government.

(2) The Committee shall comprise of the following members: —

- (a) the District Magistrate;
- (b) one representative of the State Animal Welfare Board;
- (c) the Superintendent of Police of the district;

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- (d) one representative of a local Non Governmental Organisation dealing with animal welfare;
- (e) one representative of the SPCA;
- (f) district veterinary officer, who shall be the Member Secretary;
- (g) chairperson of the Zilla Parishad or Autonomous Council, as the case may be;
- (h) chairman of the Municipality; or Panchayat at the district level;
- (i) the Committee may co-opt such other persons, not exceeding three, with expertise in animal welfare, veterinary sciences, governance, and law enforcement.

*Provided that* the State Government may designate any Committee set up by it or a district administration under it or a State Act or the rules or regulations made thereunder for the upkeep of animal markets, as the Prevention of Cruelty to Animals Committee for the enforcement of these rules.

*Provided further* that the provisions of clauses (a) to (i) shall not apply in the case a Committee referred to in the first proviso.

(3) A person who has been convicted under the Act shall be prohibited from being a member of the Committee. 4.

**Functions of Committee.**— (1) Every Committee shall take all necessary steps to ensure that no unnecessary pain and suffering is caused to animals in animal markets in its jurisdiction through such directions to such persons as may be necessary.

(2) Without prejudice to the generality of its power under sub-rule (1), every Committee shall-

(a) certify every existing animal market in its jurisdiction as fully or provisionally compliant with these rules subject to any conditions as it may deem fit, under rule 5;

(b) certify every new animal market proposed to be established in its jurisdiction as fully or provisionally compliant with these rules subject to any conditions as it may deem fit, under rule 6;

(c) determine specifications regarding facilities at all animal markets in its jurisdiction including maximum holding capacity under rule 7;

(d) take all necessary steps to ensure that no animal market in its jurisdiction, if such jurisdiction includes an international border, is the source of transport of animals across any international border, except as provided under rule 8;

(e) take all necessary steps to maintain a register of animal sales at animal markets in its jurisdiction under rule 12;

(f) make necessary arrangements to provide a certificate of compliance for purchaser of an animal at an animal market in its jurisdiction under rule 13;

(g) engage or utilise the services of veterinary inspector on such terms and conditions as it may determine to assist it in inspecting animal markets in its jurisdiction under rule 15;

(h) recommend appropriate action for non-compliance with these rules under rule 16.

**5. Enforcement of rules in existing animal markets.**— (1) The District Magistrate shall make a list of animal markets functional prior to the commencement of these rules and intimate the same to the Committee within two weeks of such commencement.



- (2) Every animal market functional prior to the commencement of these rules, shall within a time period fixed by the Committee, seek certification of full compliance, as per



Form I, with these rules from the Committee.

(3) The Committee may grant provisional certification subject to such conditions as it may deem fit, including ensuring full compliance with these rules in such period as the Committee may, for reasons to be recorded in writing, decide.



6. **Enforcement of rules in new animal markets.**— (1) Any new animal market sought to be established in a State or Union territory shall require prior certification from the Committee, as per



Form I, regarding compliance with these rules.

(2) The Committee may grant provisional certification subject to such conditions as it may deem fit, including ensuring full compliance with these rules in such period as the Committee may decide.

### CHAPTER III: FACILITIES AND PROVISIONS AT ANIMAL MARKETS TO PREVENT CRUELTY TO ANIMALS

**7. Facilities at animal markets to prevent cruelty to animals.**— (1) Every animal market shall ensure that the following facilities are available:—

- (i) water supply;
- (ii) lighting in areas where the markets function after sunset;
- (iii) feed storage area and feed supply;
- (iv) provisions for proper disposal of dead animals from the site;
- (v) provisions to ensure hygiene, proper disposal of manure and bio-waste.

(2) The Committee shall, for reasons to be recorded in writing, determine the maximum holding capacity of every animal market.

(3) Specifications regarding the facilities mentioned in sub-rule (1) and the maximum holding capacity determined as per sub-rule (2), shall be intimated to each animal market by the Committee and prominently displayed at the animal market in such manner as the Committee may direct.

**8. Animal markets near international borders.**— Any Committee which has an international border in its jurisdictional area shall ensure that no animal market in its jurisdiction is the source of transport of animals across any international border except in accordance with the Transport of Animals Rules, 1978 and the Prevention of Cruelty to Animals (Transport of Animals on Foot) Rules, 2001.

**9. Prohibited practices.**— The following cruel and harmful practices shall be prohibited at animal markets, namely:—

- (a) animal identification methods such as hot branding and cold branding;
- (b) shearing of horns, bishoping in horses and ear cutting in buffaloes;
- (c) casting animals on hard ground without adequate bedding during farriery;
- (d) use of any hazardous chemicals on body parts of animals;
- (e) sealing teats of the udder using any material such as adhesive tapes to prevent suckling;
- (f) forcefully drenching any fluids or liquids or using steroids or diuretics or antibiotics, other than prescribed by a veterinarian for the purpose of treatment;
- (g) use of any type of muzzle, that hurts, to prevent young animals from suckling or eating food;
- (h) injecting oxytocin into milch animals;
- (i) castration of animals by quacks or traditional healers;
- (j) nose-cutting or ear-slitting or cutting by knife or hot iron marking for identification purposes other than by a veterinarian;
- (k) tying rope around the penis of animals; or
- (l) any other prohibited practice as determined by the Committee, for reasons to be recorded in writing: *Provided that* the Committee may, for reasons to be recorded in writing, relax any of the above practices as per local conditions.

**10. Feeding and watering of animals.**— It shall be the duty of the person in charge of an animal to ensure that the animal in an animal market is provided—

- (a) with an adequate quantity of wholesome water as often as is necessary to prevent it suffering from thirst;
- (b) with adequate quantity of wholesome food as is necessary to prevent it suffering from starvation.

### CHAPTER IV: PREVENTING CRUELTY IN ANIMAL SALES

**11. Prohibition relating to unfit animals.**— (1) No unfit animal or young animal shall be sold in an animal market.

(2) No person shall permit an animal to be offered or displayed for sale in an animal market if it is likely to give birth while it is there or during its transportation to or from such animal market.

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**12. Register of animal sales.**— (1) The Committee shall cause the maintenance of a register containing—

- (a) name and address of the purchaser and seller of an animal at an animal market;
- (b) details of the animal sold at the animal market.

(2) The register shall be retained by the Committee for such period as the Committee may, for reasons to be recorded in writing, determine.

**13. Certificate of compliance for purchaser.**— The Committee shall, in



Form II, provide to the purchaser of any animal at an animal market a certificate upon demand as proof of purchase of an animal in accordance with these rules after taking a declaration that the purchaser shall abide by the rules relating to transport of animals made under the Act or any other law for the time being in force.

#### CHAPTER V: INSPECTION OF ANIMAL MARKET

**14. Powers of State Board to authorise inspection.**—For the purpose of ensuring compliance with these rules, the State Board, may authorise any of its officers in writing to inspect any animal market and submit a report to the State Board and the Committee for further action and any officer so authorised may-

- (a) enter at reasonable times to inspect the animal market;
- (b) require any person to produce any record kept by him with respect to the said market;
- (c) take photographic and video proof of cruelty to animals.

**15. Inspection of animal markets.**— (1) The Committee shall cause regular inspections of animal markets in its jurisdiction to be made by authorised officials, as may be required.

(2) Every such inspection shall be followed by an inspection report, to be scrutinised by the Committee to recommend future action.

(3) The Committee may remove from the animal market, any animal, if it has reason to believe that the animal is being treated cruelly at an animal market, and the animal so seized shall be kept in the custody of the local SPCA or an animal welfare organisation recognised by the Board.

**16. Action for non-compliance.**-- If any animal market fails to comply with these rules, the Committee may recommend to the authority invested by law to licence or register an animal market in a State or Union territory--

- (a) for cancellation of licence or registration of such animal market;
- (b) for imposition of a bar on any person from entering an animal market, if non-compliance is owing to any act or omission by him for such time period as may, for reasons to be recorded in writing, be determined by the Committee.

*Provided that* no such recommendation shall be made without giving the animal market, in respect of which, or person, in respect of whom, such recommendation is being made, an opportunity of being heard.

**FORM I**

**[See rules 5 and 6]**

**Certificate of Compliance**

This is to certify that \_\_\_\_\_ animal market has met all the requirements under the Prevention of Cruelty to Animal in Animal Market Rules, 2017 as required under rules 5(2) /6 (1) of the said rules.

Signature \_\_\_\_\_  
(Authorised Official  
Prevention of Cruelty to  
Animal Committee)



**FORM II**

**[See rule 13]**

**CERTIFICATE OF PURCHASE OF ANIMALS**

Date and time of purchase of animal:

Species and Breed:

Number:

Sex and Age:

Identification Marks (if any):

Any specific characteristic:

Health Status –

I hereby certify that I have read the Prevention of Cruelty to Animals in Animal Market Rules, 2017, and hereby state that

–

1. I will abide by the said rules pertaining to treatment of animals in the animal market.

2. I will abide by the said rules pertaining to the Transport of Animals Rules, 1978 and Transport of Animals on Foot Rules, 2001.

\_\_\_\_\_  
Signature of the Purchaser

Counter Signed \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Authorised Signatory

Address \_\_\_\_\_

\_\_\_\_\_  
Qualification

This Certificate should be counter signed by the Authorised Representative of the Prevention of Cruelty to Animals Committee.

[F. No. 1/1/2016-AWD]

MANJU PANDEY, Jt. Secy.

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