THE PREVENTION OF CRUELTY TO ANIMALS

(APPLICATION OF FINES) RULES, 1978.

In exercise of the powers conferred by clause (K) o f sub-section (2) of Section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, the some having been previously published as required by the said Section, namely

Prevention of Cruelty to Animals (Application of Fines)

Rules, 1978

1. Short Title:

These rules may be called the Prevention of Cruelty to Animals (Application of Fines) Rules, 1978.

2. Definitions:

In these rules, unless the context otherwise requires

(a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960)

(b) "Board" means the Animal Welfare Board of India established under the Act

(c) "Fines" means fines levied under the Act.

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3. Fines, after deducting cost of collection, to be made over to- Board

(1) . Fines levied and realised under the Act shall, subject to any deductions relating to the cost of collection, be made over by the State Government to the Board as soon as may be after due appropriation by law (State Legislature) in this behalf.

4. Application of fines made over to Board:

(1) Fines made over by any State Government to the Board shall be applied exclusively for the following purposes, namely:-

(i) the grant of financial assistance to societies dealing with the Prevention of Cruelty to Animals or organisation actively interested in animal welfare work which are for the time being recognised by the Board.

(ii) the maintenance of infirmaries, pinjrapoles and veterinary hospitals.

(2) Fines realised in one State and made over to the Board shall be utilised only for the benefit of such societies or other organisations within the jurisdiction of the State and not otherwise.

5. Principles to govern application of fines:

In applying the fines for the benefit of societies or other organisations in any State, the Board shall have due regard to the following principles, namely:-

(i) Financial assistance shall first be given to societies dealing with the prevention of cruelty to animals within the jurisdication of the state which are for the time being recognized by the Board.

(ii) In granting fiancial assistance to such societies, due regard shall be had to the amounts they had been receiving from the State Government prior fo the coming into force of these rules, and consistently with the amount of fines at its disposal and having regard to the revenues of the Societies concerned, the objects for which assistance is to be given and other relevant matters, the Board shall make every endeavour to

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ensure that there is no diminution in the amounts such societies had been receiving earlier.

(iii) If after the grant of financial assistance to the societies earlier referred to in this rule, there is any unspent balance, it may be applied by the Board at its discretion for the benefit of any other organisation actively interested in animal welfare work including infirmaries, pinjrapoles and veterninary hospitals.

* Notified in the Gazette of India, Part 1, Section 2 (ii) vide Government of India, Ministry of Agriculture & Irrigation (Department of Agriculture), Notification No. 14-21/76-LDI dated 15th February, 1978.)

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