

Objections are Invited from the General Public on notifying Phagwara Municipal Corporation (Registration and proper control of Dogs) By- Law 2015 under Punjab Municipal Corporation Act, 1976 (Act No. 42 of 1976) till 21st of August, 2015. Objection in writing may be sent to Commissioner, Municipal Corporation, Phagawra. The draft Notification is as under:-

GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(I.C.- 1 BRANCH)
DRAFT NOTIFICATION

No.

Dated, Chandigarh, the:-

PHAGWARA MUNICIPAL CORPORATION
(REGISTRATION & PROPER CONTROL OF DOGS) BY-LAWS-2015

1. Short Title and Commencement

- i. These by-laws may be called the Phagwara Municipal Corporation (Registration and proper control of Dogs) By- Law 2015.
- ii. They shall apply to the Municipal Corporations, Phagwara
- iii. They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:

In these by-laws unless the context otherwise requires:-

- i. **“Act”** means the Punjab Municipal Corporation Act, 1976 (Act No. 42 of 1976)
- ii. **“Animal Welfare Organizations”** means and includes the Society for prevention of cruelty to animals and my other welfare organization for animals which is registered under the Societies Registration Act, 1860 (21 of 1860), or any other corresponding law for the time being in force and which is recognized by the Animal Welfare Board of India, constituted under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960)
- iii. **“Aggressive dog”** means, a dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or human beings. **Or**

a dog which has bitten another domestic animals or human being without provocation.
- iv. **“Court”** means the civil court having jurisdiction over the area;
- v. **“Dog”** means a dog and includes a bitch
- vi. **“Form”** means a form appended to these By-laws.
- vii. **“Licensing authority”** means the Medical Officer of Health of a Municipal Corporation, as the case may be.

- viii. **“Owner”** means the owner of a dog and includes any other person in possession or custody of such dog whether with or without the consent of the owner.
- ix. **“Token/tag/Tag”** means, a metal identification tag attached to a dog’s collar.
- x. **“Veterinary doctor”** means, a person who holds a degree of a recognized veterinary college and is registered with the Indian Veterinary Council.
- xi. **“run at large”** with reference to a dog, means
 - i. Being elsewhere than on the property of the person who keeps the dog, or of a person who has care, custody or control of the dog, and not being under the immediate charge and control of a responsible person, **or**
 - i. Being on a bathing beach or in the water adjacent to a beach whether under the immediate charge and control of a responsible person or not.

3. Applying for license and registration of dogs:

- i. *A person must not keep a dog that is older than three months unless such person acquired an annual registration for the dog and has paid the annual license fees.*
- ii. *The owner of every dog kept or brought within the Municipal Corporation shall, or on or before the 1st day of April in each year or within seven days of its arrival in the municipal area, get the dog registered at the office of the Municipal Corporation in Form A.*
- iii. *The form of registration shall be provided on application at the office of the Municipal Corporation.*
- iv. *The owner shall along with the application for registration or renewal, produce before the licensing authority a certificate from a veterinary doctor that the dogs have been inoculated for rabies and shall get the dog inoculated from time to time to safe guard against rabies and shall get the dog sterilized as and when it gets four years old, and sterilization certificate from the veterinary doctor shall be furnished by the owner to the Municipal Corporation after the dog has been registered.*
- v. *On registration the owner shall be supplied by the Municipal Corporation with a metal token/tag having name and address of owner engraved on it an owner shall cause the dog to wear at all times a collar with the metal token/tag supplied by the Municipal Corporation.*

4. Fee Criteria for license:

The fee for such registration has to be deposited with the Municipal Corporation and the fee for such registration per dog shall be as under:-

- a. For the original registration or for renewal of a registration, if an application for renewal accompanied by fee is made within one month of the expiry of the period of registration Rs.250/-
- b. For renewal of registration, if an application for renewal accompanied by fee is made after one month of the expiry of the period of registration Rs. 350/-
- c. The registration and the metal token/tag/tag shall hold good for a period of twelve months reckoned from 1st of April from the date of registration of dog to 31st March in each year.
- d. A register of dog license shall be kept by the license clerk of the Municipal Corporation, in which they are issued, specifying the name and place of abode of every license holder and the number of dogs registered in his name. Such register of the town shall at all reasonable times be kept open for inspection, on payment of Rs. 50/- with the Municipal Corporation.

5. Wearing dog token/tag:

A person who keeps the dogs must ensure that the dog at all times wear a collar to which a metal tag is attached issued by the Municipal Corporation office.

6. No removing of dog token/tag:

- (a) Any dog without collar or other marks distinguishing them as private property and not wearing the metal token/tag of registration in accordance with clause (5), if found straying on the streets or beyond the enclosure of the house of the owner of such dog, may be detained at the direction of the person authorized by the Municipal Corporation to carry out these duties or destroyed or otherwise disposed off if not claimed within one week .Fee of Rs. 50 per day & maximum up to 250/- or part thereof will be leviable on, and recoverable from, the owner for such period of detention in the place named by the Municipal Corporation.

7. Confining dogs with communicable diseases:

- a. It shall be the duty of the owner of the dog who has been suffering from or is suspected of communicable diseases (rabies, etc.) to report the matter without delay to the licensing authority.
- b. The licensing authority may, after reasonable notice, require the owner or person in charge of a dog suffering or reasonably suspected to be suffering from communicable diseases (rabies, etc.) to deliver the same to any specified official of the Municipal Corporation. The licensing authority may either cause the animals to be destroyed forthwith or send it to the veterinary hospital and any Government Medical Health Officer officials

who have authority to issue such orders for observation for a period of not more than fourteen days. The expenses of such observation and detention will be paid by the owner.

c. No damages shall be payable in respect of dog destroyed for humane reasons or otherwise disposed of under sub- clause 6(a) or 7 (b),(c).

8. Application of By-laws to dogs brought to show purposes:

These by-laws shall also to dogs, which are brought into the Municipal Corporation even for bonafide show purposes and shall be charged & fee of Rs. 50/-per day.

9. Games Licenses:

Every registered owner of dog, before he uses any dog for game shall take a game license in form B from Municipal Corporation against payment of Rs. 100/- per day per dog.

10. Disqualifying from keeping dog:

- i. On conviction of the owner of the dog, under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), of an offence of cruelty to a dog, the court may order him to be disqualified for keeping a dog and for holding or obtaining a dog license for any period as it thinks fit then the license issued to the owner shall be deemed to have been suspended and of no effect so long as the disqualification continues. He may appeal against the order in the manner as against a conviction. **The penalty for failing to comply, with such order shall be Rs. 200/-**
- ii. The owner may apply to the Municipal Corporation within six months after the date of the order and from time to time for removal of the disqualification but three months must elapse after a refusal before a further application can be made.
- iii. On the hearing of the application, the Municipal Corporation may having regard to the applicants character, his conduct subsequent to the order, the nature of the offense and any other circumstances, either remove the disqualification or refuse the application.
- iv. After the suspension of the license on offence of cruelty to a dog, the dog shall be kept in the enclosure fixed by Municipal Corporation at the expense of the owner at Rs. 100/- per day & maximum up to Rs. 500/-

11. CONTROL OF DOGS

➤ Trespass by Dog:

- i. *The owner of a dog shall not allow the dog to run at large or trespass his dog for its unauthorized entry into the land of others and the owner of the dog shall be liable for the same.*

ii. *Where a roaming or trespassing dog causes damage by killing or injuring livestock, owner of the dog shall be liable for the damage so cause.*

➤ Dangerous Dogs:

- i. On complaint made to the licensing authority that a dog which appears to it to be dangerous and not kept under proper control, the licensing authority may order the owner of the dog to keep the dog under proper control. The penalty for failing to comply with such order shall be Rs. 200/- or Rs. 10/- per day.
- ii. Notice of penalty shall be given to the owner during the period of non-compliance. *If the owner fails to comply with the order of licensing authority and fails to keep his dangerous dog in proper control then the Medical Officer of Health, Municipal Corporation, Ludhiana, in consultation with the Veterinary Department, may order its destruction.*
- iii. *Appeal may be filed within 15 days against a destruction order of the Municipal Corporation to Govt. The concerned Principal Secretary to Govt. Punjab, Department of Local Government, is an appellate authority.*

➤ Mad Dog:

- i. If a mad dog or a dog suspected of being mad is found under the custody of the owner of the dog, the licensing authority may issue notice to the owner directing dog to be confined on account of suspicious of canine madness or may suffering pet dog to be at large, during the time specified, in any street within Municipal limits so as not to cause any harm to anybody.
- ii. A dog of a person contravening of the order is liable to pay penalty of Rs. 200/- & dog found at large in contravention of the order may be treated as stray dog.

➤ Injury to livestock:

Any person who keeps a dog, which causes damage by killing or injuring livestock, is liable for the damage if it causes to livestock. The owner of a dog shall not be liable for any damage if such damage is wholly due to the fault of the person whose livestock it is.

15. Seizure detention and sterilization of stray dogs:

- i. An official duly authorized by licensing authority may seize any dog found in highway or public place, which he has reason *to believe to be stray dog and detain it for a week or until the owner has claimed for it and paid all expenses incurred by the corporation for its detention.*

- ii. *If the dog wears a collar with an address on or attached to it, or the owner of the dog is known, the Municipal Corporation may serve on the person whose address is given, or on the owner, written notice stating that the dog has been seized and is liable to be sold or culled if not claimed within seven clear days after the service.*
- iii. The stray dogs found moving in streets/ roads/ any public places within the Municipal limits by the private individual. Animal Welfare Organization (s) shall be caught and handed over to the official incharge of the Municipal Corporation for impounding the stray dogs in the enclosure fixed for the purpose by the Municipal Corporation
- iv. . The above said enclosure shall have a boundary wall of such height, as the dog inside the enclosure is not able to cross/jump the boundary wall. The enclosure shall have the provision of pond of the size of 20'x20' means size of the depth of 2 in Trapezoidal shape with side slope of 1x4.
- v. The stray dogs shall be sterilized and immunized by the veterinary doctor in the enclosure fixed impounding the stray dogs with the help of Animal Welfare Organizations. The requirements of stray dogs in the impounding campus shall be met out by the Animal Welfare Organization(s) Non Governmental Organizations/ Committee.

16. Repeal:

Any bye-law relating to registration and control of dogs in force in the Municipal Corporation immediately before the commencement of these by-laws are hereby repealed.

Provided that any order made or action taken under the by-laws so repealed shall be deemed to have been made or taken under the corresponding provision of these by-laws.

Dated, Chandigarh, the:-
Dated:

Ashok Kumar Gupta ,IAS
Secretary to Government of Punjab
Department of Local Government.

Endst. No.

Dated, Chandigarh, the:-

A copy of above is forwarded to the following for information and necessary action:-

1. Commissioner, Municipal Corporation, SAS Nagar with reference to their letter No.
2. Deputy Commissioner, SAS Nagar.
3. City Police Commissioner, SAS Nagar.
4. Chief Town Planner, Department of Local Government, Punjab, Chandigarh.

Additional Secretary, Local Government.