THE PREVENTION OF CRUELTY TO ANIMALS (APPLICATION OF FINES) RULES, 1978

In exercise of the powers conferred by clause (K) of 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 same 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:

1. "Act" means the Prevention of Cruelty to Animals Act, 1960(59 of 1960)
2. "Board" means the Animal Welfare Board of India established under the act
3. "Fines" means fines levied under the Act.

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

1. Fines levied and realized 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 organization actively interested in animals welfare work which are for the time being recognized by the board.

II. The maintenance of infirmaries, pinjrapoles and veterinary hospitals.

(2) Fines realized in one state and made over to the Board shall be utilized only for the benefit of such societies or other organizations 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 organizations 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 jurisdiction of the state which are for the time being recognized by the Board.

ii. In granting financial assistance to such societies, due regard shall be had to the amounts they had been receiving from the State Government prior to 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 endeavor to 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 organization actively interested in animal welfare work including infirmaries, pinjrapoles and veterinary hospital.

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