



ANIMAL WELFARE BOARD OF INDIA

Ministry of Fisheries, Animal Husbandry and Dairying, Govt. of India
(Department of Animal Husbandry and Dairying)
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To,

1. The Chief Secretary of all States/UT's.
2. The Director General of Police of all States/UT's.
3. State Animal Welfare Board of all States/UT's.
4. The District Magistrate of all States/UT's.
5. The Municipal Commissioner of all States/UT's.
6. Resident Welfare Societies of all the States/UT's.
7. Registrar of Societies of all the States/UT's.

Subject: Guidelines for and use of Muzzle on Dogs and care of community dogs-regarding.

Sir/Madam,

The Animal Welfare Board of India (AWBI) is a Statutory Body established under the Prevention of Cruelty to Animals Act, 1960 and is an apex body for the protection and safeguarding of the rights of animals as well as to ensure that the five freedoms of animals are upheld, and no animals are subject to any unnecessary pain and suffering.

2. In this regard, the Supreme Court has in the case of AWBI Vs. Nagaraja&Ors. inter alia held that "We declare that the five freedoms [viz. (i) freedom from hunger, thirst and malnutrition, (ii) freedom from fear and distress, (iii) freedom from physical and thermal discomfort, (iv) freedom from pain, injury and disease; and (v) freedom to express normal patterns of behaviour], referred to earlier be read into Sections 3 and 11 of Prevention of Cruelty to Animals Act, 1960, be protected and safeguarded by the State and Central Government, Union Territories (in short "Governments"), Ministry of Environment, Forest and Climate Change and AWBI".

3. Amidst the growing concern in society pertaining to the welfare of both companion animals and community animals, AWBI has received several queries from concerned citizens regarding use of muzzles, which are worn over the snouts of dogs to reduce the potential of injury in risky situations.


4. Muzzles are intended to be used only and solely as contingency measures - which are to be put in place under exceptional circumstances. The indiscriminate usage of muzzles can severely compromise the welfare of dogs and can exacerbate behavioural issues. Further, precautions must be taken while introducing dogs to muzzles, and it must be ensured that barring these exceptional circumstances the usage of muzzles is refrained from.

5. To protect street animals from inclement weather conditions such as heat, rain and harsh winter, temporary shelters may be created for community dogs. Concerned citizens by undertaking such acts of compassion are fulfilling their fundamental duty enshrined under Article 51A (g) of the Indian Constitution - which vests all citizens of India with the duty to ensure they show compassion for all living creatures. However, it is advised that the creation and usage of shelters for community animals or providing them with care does not obstruct any public passage, or damage public property.

6. To clarify and detail what are the exceptional circumstances in which muzzles may be employed, and provide criteria to be kept in mind while constructing/providing temporary shelters for community animals as well as ensuring their care is attended to, AWBI has prepared "Guidelines for the usage of muzzles and care of community animals".

7. All the authorities may bring these advisory/Guidelines to all local bodies, NGOs and SPCAs for necessary action.

Yours sincerely,



(Dr. S.K Dutta)

Secretary

Guidelines for the usage of muzzles and care of community animals

A. Guidelines for the usage of muzzle on dogs

1. It is advised that muzzles are not used as a means to prevent dogs from barking, as their indiscriminate and irresponsible usage carries the possibility of exacerbating the existent issues and only places a temporary restriction on these behaviours while the muzzle is placed on the snout. Muzzles are not to be used other than for exceptional circumstances elaborated in the subsequent points, and in such circumstances, they shall not be used for long durations of time and without the requisite supervision in place. Any unsupervised or prolonged usage is in violation of Section 3 and Section 11 (1) (a) of the Prevention of Cruelty to Animals Act, 1960.

2. Muzzles may only be used under exceptional circumstances, and the given circumstances should be deemed exceptional based on the professional opinion of a qualified veterinarian, registered with the Veterinary Council of India or the State Veterinary Council. These exceptional circumstances may include –

- a) During the administration of treatment for community or companion animals to avoid biting/mouthing in pain and/or fear.
- b) During grooming and while being handled by strangers in new and unfamiliar environments such as grooming centers/Vans.
- c) Muzzle used during walks or in public spaces on dogs with medical conditions, such as sensitive gastrointestinal systems, which need to be prevented from consuming garbage or other objects on the road which may be extremely hazardous for their health.

3. Barring these exceptional circumstances, it is advised muzzles not to be used for community/companion animals unless prescribed for usage by a veterinary professional registered with the Veterinary Council of India or the State Veterinary Council.

4. It is advised that all owners of dogs and caretakers of the community animals, as well as any individuals who have dogs in their care, refrain from leaving muzzles on the dogs in the absence of constant and careful supervision.

5. The owners/caretakers/individuals having dogs in their care must ensure that the muzzles when in use, are of the appropriate size in relation to the dog's snout and be made of a material which is free from protrusions which may injure the dog or cause it harm. Unfitting muzzles may lead to abrasions or a host of injuries. Therefore, it is incumbent upon those who have dogs in their care to ensure that when they are using muzzles in exceptional circumstances these are fitted correctly and of appropriate sizing, to ensure compliance with Section 3 of the Prevention of Cruelty to Animals Act, 1960.

6. There are two types of muzzles predominantly in usage, namely, - Basket Muzzles and Flat Muzzles. While Basket Muzzles enable the dog to continue to pant and drink water, flat muzzles place a restriction on these activities. Therefore, the usage of Flat Muzzles for prolonged periods shall be a violation of Section 11 of the Prevention of Cruelty to Animals Act 1960 since it would hamper the dog from cooling

off by panting and can cause breathlessness, overheating and pose a fatal risk to the dog.

7. Residential societies, apartment associations and housing colonies shall not mandate the use of muzzles for all dogs on walks or impose their usage on community animals.

8. The provision of shelter, food & water to community animals cannot be curtailed as this would be in contravention with various Orders/Judgements passed by the Courts across the country, including the Hon'ble Supreme Court of India. Further, in the matter of Dr. Maya D. Chablani Vs. Radha Mittal and Ors. it was directed by the High Court of Delhi vide Judgment dated 24th June 2021 that, "... 146. It shall be the duty and responsibility of the RWA or Municipal Corporation and all Government authorities including enforcement authorities like the Police to provide all assistance and ensure that no hindrance is caused to the caregivers or feeders of community dogs. It shall be the duty and responsibility of the jurisdictional SHO to ensure that peace and harmony are maintained amongst the residents, caregivers and community dog feeders and there is no harassment to any caregiver or community dog feeder from feeding community dogs in the manner specified... 147. It is the duty and obligation of every Resident Welfare Association or Municipal Corporation (in case RWA is not available), to ensure that every community dog in every area has access to food and water in the absence of caregivers or community dog feeders in the said area."

9. All citizens have a duty to show compassion towards street animals they are encouraged to providing the community animals with blankets, coats and protective materials, especially in the winter.