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Registered No. PY/44/2018-20  
WPP No. TN/PMG(CCR)/WPP-88/2018-20  
Dated : 28-10-2020  
Price : ₹ 6-00

# புதுச்சேரி மாநில அரசிதழ் La Gazette de L'État de Poudouchéry The Gazette of Puducherry

## PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற  
வெளியீடு

Publiée par  
Autorité

Published by  
Authority

விலை : ₹ 6-00

Prix : ₹ 6-00

Price : ₹ 6-00

எண் } No. } No. }	புதுச்சேரி Poudouchéry Puducherry	154	புதன்கிழமை Mercredi Wednesday	2020 ௨௮ 28 28th	அக்டோபர் மீ Octobre October	28 ௨ 2020 (6 Kartika 1942) 2020
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GOVERNMENT OF PUDUCHERRY  
CHIEF SECRETARIAT (ANIMAL HUSBANDRY)

(G.O. Ms. No. 06/AH., Puducherry, dated 26th August 2020)

### NOTIFICATION

Whereas, the Hon'ble Supreme Court of India by Order, dated 06-08-2008 in W.P. (Civil) No(s). 440 of 2000 in the matter of Geeta Seshamal Vs. Union of India and one other directed the States to constitute State Animal Welfare Board and to see that the Society for Prevention of Cruelty to Animals (SPCAs) be constituted in every District as contemplated under the rules;

And whereas, the Ministry of Home Affairs, Government of India, New Delhi vide letter, dated 25th March, 2011 directed to constitute State Animal Welfare Board and to establish Society in every District in the State, for Prevention of Cruelty to Animals;

Now, therefore, as per S.O. No. 1279 of Ministry of Home Affairs, New Delhi, dated the 1st April 1967 and in pursuance of clause(1) of Article 239 of the Constitution, the President subject to his control and until further orders has delegated the powers and functions of the State Government under the Prevention of Cruelty to Animals Act, 1960(59 of 1960) and the rules made thereunder to the Administrator of every Union Territory within his/her jurisdiction, the Lieutenant-Governor of Puducherry is hereby pleased to reconstitute a Society for Prevention of Cruelty to Animals (SPCAs) in Puducherry District in the name of "Puducherry Society for Prevention of Cruelty to Animals (PSPCAs), Puducherry" with the jurisdiction of entire Puducherry District and also with the coverage of Mahe and Yanam regions in the Union territory of Puducherry as follows:-

### **SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS**

#### **MEMORANDUM OF THE SOCIETY**

The Puducherry Society for Prevention of Cruelty to Animals Act (PSPCAs) is established in terms of the Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001 for the welfare and protection of animals and to implement the provision of the Prevention of Cruelty to Animals Act, 1960 and the rules made thereunder.

1. *Name of the Society* : Puducherry Society for Prevention of Cruelty to Animals (PSPCAs), Puducherry.
2. *Address of the Society* : The Address of the Society shall be decided by the Chairman-*cum*-District Collector, Puducherry.
3. *Jurisdiction* : The jurisdiction of the Society shall cover the entire Puducherry District including Mahe and Yanam regions.

4. *Objectives of the Society shall be as under:*

(a) Promotion of animal welfare generally for the purpose of prevention of cruelty and for protecting animals from being subjected to unnecessary pain or suffering, in particular to maximum possible extent;

(b) establishing or encouraging the establishment of animal shelters, water trough, pinjarapoles and the like for providing shelters and amenities to animals incapacities for work, *etc.*, by reason of old age, sickness or injure;

(c) rendering of veterinary assistance to sick and injured animals by establishing Veterinary Dispensaries, Veterinary Hospitals, animal clinics and animal ambulance and such other means;

(d) imparting education in relation to the humane treatment of animal, build empathy towards animals, encouraging the formation of public opinion against the infliction of pain and suffering to animals, and for the promotion of animal welfare by means of lectures, books, posters, film shows, exhibitions and the like;

(e) coordinating its work with the State and District Departments concerned with animal welfare and with the Animal Welfare Board of India (AWBI) and with the registered Animal Welfare Organizations (AWO's) of the District;

(f) Animal Birth Control (ABC) for dogs, cats and any other animals as may be required;

(g) employing of paid staff to watch, warn or prosecute, as required, all persons guilty of cruelty to animals; and

(h) to take all measures and steps as may be required for the above objects.

5. *Constitution of Management Committee in Puducherry District including Mahe and Yanam regions:*

(a) The Management Committee of the Society for Puducherry District shall consist of the following persons:

- (i) District Collector, Puducherry. . . Chairperson
- (ii) Senior Superintendent of Police (L&O), Puducherry . . Vice-Chairperson (1)
- (iii) Non-Official Member to be nominated by the Management Committee among its Members. . . Vice-Chairperson (2)
- (iv) Regional Administrator, Mahe.
- (v) Regional Administrator, Yanam.
- (vi) Additional District Magistrate, Puducherry.
- (vii) One representative of Animal Husbandry Department. . . Director, (Animal Husbandry).
- (viii) Commissioner of Municipality, Puducherry.
- (ix) One person from concerned Gauseva Aayog, if any. . . Nil
- (x) District Veterinary Officer . . Veterinary Medical Officer (Pondicherry Municipality)
- (xi) District Panchayat Officer . . Nil
- (xii) District Education Officer . . Chief Educational Officer, Puducherry.
- (xiii) District Transport Officer . . Transport Commissioner, Puducherry.
- (xiv) District Public Relation Officer . . Director of Information and Publicity, Puducherry.
- (xv) Two persons of the District from recognized Gaushalas/ Pinjarapoles/Animal Welfare Organizations from Gauseva Aayog nominated by the Management Committee (to be nominated after elections).
- (xvi) One representative of the State Animal Welfare Board from the District to be nominated by State Animal Welfare Board (after reconstitution of State Animal Welfare Board).
- (xvii) Two prominent persons concerned with animal welfare from the District to be nominated by the Management Committee (to be nominated after constitution of Management Committee).

(xviii) Two persons from the District representing the Animal Welfare Board of India, to be nominated by the Board. And

(xix) Two persons among its Members each from its ordinary and life Members to be nominated by the General Body in the Annual General Meeting of the Society each year.

(b) The Management Committee may nominate its Member-Secretary, Joint Secretary, Treasurer, *etc.*, as per its requirement.

(c) Joint Director of Animal Husbandry and Animal Welfare, Puducherry and Veterinary Assistant Surgeon, Puducherry, may be given the responsibilities of the Secretary and Joint Secretary, respectively.

#### BYE-LAWS OF THE SOCIETY

1. *Name of the Society* : Puducherry Society for Prevention of Cruelty to Animals (PSPCA), Puducherry.

2. *Address of the Society* : The Address of the Society shall be decided by the Chairman-*cum*-District Collector, Puducherry.

3. The Society will not interfere/participate in the activities of any political party. The function of the Society will be independent and self-autonomous.

4. The Society will not enter into any communicable activities and will develop the unity among all the members.

5. The Society will create awareness among the public to protect the nature and to improve it by planting trees, *etc.*, and surrounding to be made comfortable for nourishment for animals in vicinity.

6. *Admission of Member:*

##### **A. Their Qualifications and other Conditions thereto:**

(a) Men and women, who are animal lover and above the age of 18 would be eligible to be enrolled as member of the Society in the Puducherry District.

(b) All the members shall abide by the Bye-laws of the Society for achieving its objectives as specified in the Memorandum. Members shall be admitted on written application in the prescribed Form.

(c) Members of the Society shall not be involved in any political party or in its activities.

(d) Members of the Society shall not be involved in any criminal activities.

(e) During Society Meetings, the members shall not participate in drunken state or under the influence of any other narcotic or psychedelic substance.

***B. Details of Entrance Fees/Subscriptions******Classes of Members:***

The Society shall consist of two classes of members:

(a) **Ordinary Members:** All persons who pay an admission fees of ₹ 100 and an Annual Membership fees of ₹ 200 (Rupees two hundred only) to the Society shall be ordinary member thereof and shall have a right to vote at the meetings of the Society provided they have been its member for not less than one year on the date of such meeting. Annual Membership fees shall become due on 01st April of each year.

(b) **Life Members:** A person may become Life Member of the Society by paying a sum of ₹ 10,000. Distinguished persons who have done extensive notable work and shown compassion towards animals may be chosen as Life Members without donating any amount as decided in the Management Committee of the Society.

***C. Procedure for Removal and Circumstances under which a Member shall be Removed***

The Management Committee of the Society reserves full powers for removing any member who are working against the objectives and by-laws of the Society. Members shall be removed who are not paying their annual membership fees on or before 30th June of every year.

***D. Re-admission of Removed Members***

Members who have not paid their annual subscription before 30th June when removed shall be re-admitted on their written application and payment of admission fees and all previous dues of annual membership fees as decided by the Management Committee.

***E. Rights and Benefits of the Members***

Every member has the right to participate in the Annual General Meeting and other Extraordinary Meeting of the Society.

***7. Management Committee:***

(a) The Members of the Management Committee shall be nominated on a purely honorary basis and will not draw any salary from the fund of the Society, and the Office of the Members of the Management Committee of the Society shall not an office of profit.

(b) The term of Office of the Management Committee shall be 3 years or till the period of New Management Committee is elected/constituted/established.

(c) The nominated Member of the Management Committee may be continuing maximum for a period of six years (2 times) in the post. He cannot contest for the third time unless a gap of a period of one term of the Management Committee lapses.

(d) The Management Committee shall review the activities of the Society in its meeting.

(e) The Management Committee shall meet at least once in six months. Notice of the meeting specifying date, time and place shall be sent to the members along with agenda before seven days of the meeting by the Secretary. The meeting shall be held normally at its registered office unless otherwise directed by the Chairperson, but, within the District.

(f) Special Meetings of the Management Committee may be convened by the Secretary when so directed by the Chairperson or on the requisition of at least five Members of the Management Committee specifying the objectives of the meeting at least 14 days prior to the meeting.

(g) The quorum of the meeting shall be one-third of the Members of the Management Committee.

(h) A Member of the Management Committee of the Society shall be removed from the Management Committee in the following situations if, he/she—

- (i) absent from the three consecutive meetings of the Board without the leave of the Board; or
- (ii) has been adjudged an insolvent; or
- (iii) has been convicted of an offense involving moral turpitude; or
- (iv) has become physically or mentally incapable of acting as such Member.

Provided no person shall be removed from office as a Member except after being given an opportunity of showing cause against such removal.

(i) If, the Chairperson absent from a meeting of the Management Committee of the Society, the Vice-Chairperson (official) shall be the Chairperson and in his/her absence, the Vice-Chairpersons (non-official) shall be the Chairperson of that meeting. In the absence of the Chairperson and Vice-Chairpersons, the Members themselves may nominate a Chairperson among themselves for that meeting.

#### 8. *Annual General Meeting:*

(a) The Society shall in each year hold in addition to any other meeting, a general meeting as its Annual General Meeting and not more than fifteen months shall elapse between the rate of one Annual General Meeting of the Society and that of the next.

Provided that in case of the Annual General Meeting, it shall be held within a period of six months, from the date of closing of the financial year.

(b) In the Annual General Meeting, the Secretary shall submit the annual report and the yearly accounts of the Society of the preceding financial year and the budget for the next financial year for the approval of the General Body of the Society.

(c) All the members of the Society shall have the right to speak and vote on any items of the Agenda in the Annual General Meeting.

(d) The Society shall have a General Body which shall consist of Members of the Management Committee, Annual members and Life members. Each member shall have one vote.

(e) Notice of the Annual General Meeting and Extraordinary meeting specifying date, time and place shall be sent to the members along with agenda before fourteen days of the Meeting by the Secretary. The meeting shall be held normally at its registered office unless otherwise directed by the Chairperson, but, within the District.

(f) The quorum of the Meeting shall be minimum one-third of the members of the General Body or minimum 10 members whichever is less.

9. *Extraordinary General Meeting.*

The Society may call its Extraordinary General Meeting of its General Body as and when ordered by the Chairperson or on the requisition of minimum ten members of the General Body in writing. The rule of the Annual General Meeting shall apply to this meeting *mutatis mutandis*.

10. *Allowances and remuneration:*

(a) No remuneration shall be paid to any Member of the Management Committee of the Society on account of his/her services as such.

(b) A Member of the Management Committee of the Society who is not an official shall be entitled to draw reimbursement in respect of any journey performed for the purpose of attending a meeting of the Society or of a Committee or Sub-committee thereof to which he/she is nominated as a representative of the Society or any other journey in connection with the work of the Society undertaken under the direction of the Chairperson.

(c) A Member of the Management Committee of the Society who is an official shall be entitled to draw, in the circumstances mentioned under sub-rule(b), travelling and daily allowance in accordance with the rules applicable.

(d) where a person who is not official or a member is asked by the Chairperson of the Society to perform any journey for the purpose of attending a meeting of the Society or of a Committee or Sub-committee thereof or any other journey in connection with the work of the Board he/she shall in respect of such journey be entitled to the payment of travelling, conveyance, boarding, lodging allowance or daily allowance at the rates specified.

11. In all the meetings of the Society, the Chairperson shall have a casting vote in case of equality of numbers.

12. *Powers and duties of the Chairperson:*

(a) The Chairperson shall preside over all the Management Committee, Annual General Meeting, Extraordinary General Meeting, Special Meeting, Executive Committee Meetings.

(b) The Chairperson shall be unbiased and let the process of decision making take its own course and final ruling shall be given by him/her in accordance with vote's casted.

(c) The Chairperson shall approve the minutes of the meeting after the meeting is over.

(d) The Chairperson shall ascertain the sense of the meeting by giving equal opportunity to all concerned who wish to express their views.

13. *Powers and duties for the Vice-Chairperson:*

The Vice-Chairperson shall act as the Chairperson, in the absence of the Chairperson whenever such contingency arises. On such occasions, he/she can exercise all the powers of the Chairperson.

14. *Powers and duties of the Secretary:*

The Secretary shall work under the general control and supervision of the Chairperson and shall be responsible for:

- (a) convening the meetings as per the directions of the Chairperson;
- (b) drafting the notice, agenda, resolution, *etc.*;
- (c) preparing the minutes of the meeting;

- (d) preparing and filing all statutory returns, documents;
- (e) conducting all correspondence of the Society and to ensure safe custody of all the books, documents and other records;
- (f) maintain all records as required under the bye-laws;
- (g) sign and authenticate the annual and audited accounts of the Society;
- (h) make payments as authorized by the Executive Committee;
- (i) may represent the Society in any Court proceedings; and
- (j) follow all the directions of the Management Committee given from time to time.

15. *Funds of the Society:*

The funds of the Society shall consist of grants made to it by the State Government which shall commensurate with the functions that it is required to perform. Any other grants, contributions, bequests, donations, gifts and the like made to the Society, shall also constitute its funds. The Society shall have discretion to utilize its funds for the performance of its functions as decided by the Management Committee.

16. *Committees of the Society:*

The Managing Committee of the Society may establish such Committees including Executive Committee for taking emergency decisions on urgent basis as it may deem necessary from time to time for the achievement of its objectives. The Members of such Committees shall be selected from the General Body of the Society.

17. The Society shall submit its yearly and other periodical activity report to the concerned State Animal Welfare Board and Animal Welfare Board of India incorporation therein the activities undertaken by it for the welfare of animals and the steps or measures taken by it to implement various provisions of the Prevention of Cruelty to Animals Act and the Rules made thereunder within thirty days from the date of its Annual General Meeting.

18. The accounts of the receipt and expenditure of the Society with respect to each financial year along with Auditor's report shall be laid at the Annual General Meeting of the Society.

19. The Management Committee of the Society may appoint such staff *e.g.*, administrative, secretarial and legal as may be deemed necessary for the efficient and smooth functioning of the Society.

20. Advisories for the Animal Welfare Board of India shall be followed by the Society in the best interest of animal welfare.

(II) This issues with the concurrence of the Finance Department *vide* their I.D.No. 295/FC/FD/F4/F3/2020-21, dated 14-07-2020.

(By order of the Lieutenant-Governor)

**M. GANESAN,**

Under Secretary to Government (Animal Husbandry).