

Bill No. 34 of 2024

THE RABIES CONTROL BILL, 2024

By

ADV. DEAN KURIAKOSE, M.P.

A

BILL

*to regulate and control the rabid animals for the prevention and control of rabies in the
interest of the public health and for matters connected thereto.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as
follows:—

1. (1) This Act may be called the Rabies Control Act, 2024.

(2) It extends to Union territories only.

5 (3) It shall come into force on such date as the Central Government may, by notification
in the Official Gazette, appoint.

Short title, extent and
commencement.

Definitions.

2. In this Act, unless the context otherwise requires;

- (a) 'animal' means any mammal of species naturally susceptible to rabies, except man;
- (b) 'authority' means the Licensing and Registering Authority constituted under section 7;
- (c) 'authorised officer' means an officer appointed by the Department to issue licence under this Act or to carry out any function under this Act as required; 5
- (d) 'department' means the Department of Animal Husbandry and Dairying under Union Ministry of Fisheries, Animal Husbandry and Dairying;
- (e) 'dog' means an animal belonging to the species (Mammals) *Canis familiaris* of the order of mammals *Carnivora*;
- (f) 'exposed to rabies' means a person or an animal being bitten, scratched or licked by or having being other direct physical contact with a rabid dog or a dog or other animals suspected of being affected with rabies; 10
- (g) 'infected area' means an area which is declared to be an infected area for the purpose connected with the control and elimination of rabies by an order of the Department;
- (h) 'licence' means a licence granted under this Act and includes any permit, approval or other form of authorization; 15
- (i) 'local authority' means the members of the public authorized by the Department or the local Panchayat or local urban bodies of the area concerned;
- (j) 'notification' means a notification published in the Official Gazette;
- (k) 'owner' means every person who is the sole or part owner of any animal and includes any person who is in-charge of an animal, and the occupier of the premises on which any animal is found shall be deemed to be the owner of such animals until the contrary is proved; 20
- (l) 'prescribed' means prescribed by rules made under this Act;
- (m) 'stray dog' means any dog not kept in compliance with the regulations of rabies control; 25
- (n) 'vaccination' means the administration of all approved anti-rabies vaccine to an animal;
- (o) 'veterinary hospital' means an institution or centre by whatever name called where such animals are admitted for treatment; 30
- (p) 'veterinary officer' means an registered Veterinary Practitioner appointed by the Central Government to receive information about animals and car cases affected or suspected of being affected with specified diseases for the area in which the animal or carcass exists.

Notice of Rabies or suspected rabies.

3. (1) A person who know or suspect that an animal is exposed to rabies or was at the time of its death so affected, shall with all practicable speed, give notice to an officer of the local authority, a health worker or to an officer-in-charge of the respective Police Station in such manner as may be prescribed. 35

(2) The officers of the local authority, healthcare worker or officer-in-charge of the Police Station as the case may be, upon receipt of information, he shall immediately transmit the information received by him in the most expeditious manner in all cases to the Veterinary Officer. 40

4. Where the department believes or suspects that rabies exists in an area, may by order declare that area together with any adjoining area in to which he considers that there may be a possibility of rabies spreading to be an infected area for the purposes connected with the control and eradication of that disease.

Declaration of infected area.

5 5. (1) The Veterinary Officer shall cause any dog or other animals bearing proof of valid vaccination having registration taken or certificate which has been exposed to rabies, to be re-vaccinated or to be detained at home, muzzle and leash confinement for ninety days under veterinary surveillance.

Determination or destruction of any dog or exposed to rabies.

(2) The dog or other animals shall be presented twice a month before the Veterinary Officer.

10 (3) A Veterinary Officer shall cause any stray dog or any other animal which has been exposed to,—

(a) a dog or any other animals of suspected or unknown rabies status to be destroyed without payment or any compensation to the owner;

15 (b) a known rabid dog or any other rabid animals to be destroyed for with under the powers conferred under sub-section (3).

6. (1) The department may require that all dogs and other animals over the age of three months shall be vaccinated against rabies and that the vaccination shall be repeated every twelve months.

Vaccination of dogs and other animals in an infected area.

20 (2) The vaccination shall be carried out by the Department at such place and as such time with the collaboration of the local authority.

(3) Every owner shall present his dog or a pet animal for vaccination and the veterinary officer of the area concerned shall provide the owner with a certificate of vaccination in such manner as may be prescribed.

25 (4) Any owner not presenting his dog or dogs for vaccination shall be guilty of an offence punishable under this Act.

(5) If a dog is not vaccinated and is suspected to be exposed to rabies, it may be seized and kept under observation and if it starts to show symptoms, it could be destroyed for with under the powers conferred by sub-section (3) of section 5.

30 **7. (1) There shall be constituted an authority to be called the Licensing and registering authority consisting of such number of Veterinary Officers to cause registration of dogs over the age of three months and thereafter annually in such manner as may be prescribed.**

Registration and licencing of dogs.

(2) Every dog owner shall—

35 (a) present the dog on its attaining the age of three months at such time and place as determined by the Department for registration and licensing of dogs;

(b) produce a certificate that the dog had been vaccinated at the period of not more than twelve months; and

(c) pay such registration and licensing fee as may be determined by the department by notification.

40 (3) The Licensing and Registering Authority shall,—

(a) provide the owner with a certificate of registration of the dog; and

(b) provide distinguishing token collar as proof of registration.

(4) Every adult dog shall be registered and licensed in every twelve months in such manner as may be prescribed.

(5) Any owner not presenting their dog or dogs for annual registration or licensing shall be guilty of an offence under this Act and shall be liable to a fine or rupees one hundred which may extend to rupees five hundred.

5

(6) The license and the certificate of registration shall be renewed in such manner as may be prescribed.

(7) The Central Government may, by notification in the Official Gazette—

(a) ascertain first vaccination age of dogs;

(b) declare time for providing booster dose;

10

(c) prepare annual schedule of registration;

(d) postpone registration schedules for want of vaccine stock for unavoidable circumstances.

Seizure, detention
and disposal of
animals not under
control.

8. (1) A Veterinary Officer, an Officer of the local authority or Officer-in-charge of the respective Police Station may, after due notice has been given to the members of the public in the area, seize and detain or destroy any stray dog in the area duly applying the provisions namely:—

15

(a) the local authority shall take all reasonable steps to draw the attention of members of the public in their area in the address or location of any place at which dogs seized under sub-section (1) to a period for three days unless claimed by or on behalf of its owner within that period;

20

(b) an owner claiming his dog from a place of detention under the provisions of sub-section (1) shall be liable to appropriate penalties and fines if it is established that he has committed offences under sub-section (5) of section 7 of this Act;

(c) where a dog seized under this section is not claimed by or on behalf of its owner within the period specified under clause (a) of sub-section (1) of section 8, the local authority may order it to be destroyed and disposed of its carcass;

25

(d) where circumstances prevents a dog which is liable to be seized under this section from being so seized, it shall be lawful for a Veterinary Officer or an Officer of the local authority or Officer-in-charge of the respective Police Station to destroy the dog without seizing it;

30

(e) the Department shall issue guidelines on the methods to be applied for destruction of stray dogs;

(f) a Veterinary Officer of the local authority or Officer-in-charge of the respective Police Station may enter any land for the purpose of seizing and destroying a dog which is liable to be seized under this Act; and

35

(g) the local authority shall be responsible for the collection and safe disposal of the carcasses of any dog destroyed under this Act.

Offences.

9. Any person who contravenes any provisions of this Act shall be punishable with a fine of rupees five thousand or an imprisonment for a period of one month or with both.

40

Power to remove
difficulties.

10. If any difficulty arises in giving effect to the provision of this Act, the Government may, by general or special order published in the Official Gazette, make such provisions not

inconsistent with the provisions of this Act as may appear to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made after the expiration of two years from the commencement of this Act.

5 **11. (1)** The Central Government may be, by notification, make rules to carry out all or any of the purposes of this Act.

Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) charges to be levied for registration and vaccination.

10 (b) manner of disposal of carcass and charge of its disposal. Cost of destruction of stray animals affected with rabies.

15 (3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of thirty days as aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be made without prejudice to the validity of anything previously done under the rule.

STATEMENT OF OBJECTS AND REASONS

Dogs have been the companions of humans for a long time. They deserve just and humane treatment. At the same time, they also deserve to be cared for at a place under good human supervision. If such a supervision is not available, they could turn into a menace.

While individual dogs actually help humans and live in a symbiotic relationship, uncontrolled expansion of canine population could lead to their packs turning into more and more territorial and aggressive behaviour. There has been many documented cases in which dogs from such packs attacking humans without any provocation. In many States like Kerala and Jammu and Kashmir, stray dog menace has reached epic proportions. There are legislations on force in States like Sikkim where there are measures available to control the stray dog menace. Such a legislation also helps to control the population and ensure quality care to existing dog population. Instituting a mechanism to ensure control of canine population and also control spread of rabies is in the best interest of people and dogs living with them.

The Bill, therefore, seeks to regulate the destruction of rabid animals and for the prevention and control of the disease in the interest of the public health.

Hence this Bill.

NEW DELHI;
June 21, 2024.

DEAN KURIAKOSE

FINANCIAL MEMORANDUM

Clause 7 of the Bill provides for the constitution of the Licensing and Registering Authority for the purpose of registration of dogs over the age of three months and thereafter annually. The Bill, therefore if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of rupees ten crores will be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees two crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

A

BILL

to regulate and control the rabid animals for the prevention and control of rabies in the
interest of the public health and for matters connected thereto.

(Adv. Dean Kuriakose, M.P.)