

Bhubaneswar Municipal Corporation (Registration and Proper Control of Dogs) Bye-Laws 2023.

Whereas, in view of increasing numbers of dog bite incidents Bhubaneswar Municipal Corporation urges citizens to get their pet dogs registrations under section 409(b) & 543(b) of Municipal Corporation Act 2003 And Rule-3(2) of Animal Birth Control (DOG) Rule-2001 the owner of the pet dogs shall be responsible for controlled Breeding, Immunization, Sterilization and licensing in accordance with these rules and the law for the time being in force within a specified local area for which this bye-law may be called **Bhubaneswar Municipal Corporation (Registration & Proper Control of Dogs).**

1. Short Title and Commencement.

- i. These Bye-Laws may be called the **Bhubaneswar Municipal Corporation (Registration and proper control of Dogs) Bye-Laws 2023.**
- ii. They shall apply within Municipal limits of Bhubaneswar Municipal Corporation.
- iii. They shall come in to force on the date of their approval by the General Body Meeting of Bhubaneswar Municipal Corporation duly confirmed by the Govt. and published in Gazette.

2. Definitions:

In these Bye-Laws unless the context otherwise requires: -

- i. "**Act**" means the Odisha Municipal Corporation Act, 2003. {Section 409(b) & 543(b)}
- ii. "**Animal Welfare Organizations**" means and includes the Society for prevention of cruelty to animals and any 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 animal 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. "**Pet Dog**" means a male or female dog kept by a person with in the area of Bhubaneswar Municipal Corporation.

vii. "**Form**" means a form appended to these Bye-Laws.

viii. "**Registration authority**" means any officer so appointed or authorized by the commissioner, BMC.

ix. "**Owner**" means the owner of a dog and includes any other person in whose possession or custody is such a dog whether with or without the consent of the owner.

x. "**Token/Tag**" means, a metal of a chip identification tag attached to a dog's collar.

xi. "**Veterinary doctor**" means, a person" that holds a degree of a recognized veterinary college and is registered with the Indian Veterinary Council.

xii. "**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

ii. Being in a market/park/crowded market area /in a playground or\in the water of swimming pool whether under the immediate charge and control of a responsible person or not.

xiii. **“Family”** means the owner, his/her parents, spouse, sons, daughter, brothers and sisters etc. living on one premises.

xiv. **“Breeder”** shall include an individual or group of persons owning dogs of specific breeds registered with the kennel club of India or any other club or unregistered animal whether of specific breeds or not, for breeding and sale of dogs and pups

xv. Local authority means a Panchayat, a Nagarpalika, Municipal corporation district board, cantonment board or any authority for the time being invested by law with control and administration of any matter within a specified local area.

xvi. The words & expression not defined in these byelaws shall have the same meaning as assigned to them in the Orissa Municipal Corporation Act 2003 (And further amendments).

3. Applying for Registration and Registration of Dogs:

i. A person must not keep a dog that is older than four months unless such person acquired an annual registration for the dog and has paid the annual registration fee.

ii. The owner of a dog kept or brought within the area of Bhubaneswar Municipal Corporation shall, 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 with the office of the Bhubaneswar Municipal Corporation in **Form A**.

iii. The form of registration shall be provided on application at the office of the Bhubaneswar Municipal Corporation.

iv. The owner shall along with the application for registration or renewal, produce before the registering authority

a) A certificate from a veterinary doctor that the dog has been inoculated for rabies and shall undertake to get the dog inoculated from time to time to safe guard against rabies

b) A sterilization certificate from the veterinary doctor shall be furnished by the owner to the Bhubaneswar Municipal Corporation before the dog has been registered.

c) A certificate of Insurance to dog covering Third Party.

v. On registration, the owner shall be supplied by the Bhubaneswar Municipal Corporation with a metal token/tag/chip having name and address of the owner engraved on it and the owner shall cause the dog to wear it at all times a collar with the metal token/tag/chip.

vii. Person keeping stray dogs will be exempted for paying registration fee.

4. Fee Criteria for registration:

The owner of the dog is required to pay of Rs. 500/- for registration of his dog with the Bhubaneswar Municipal Corporation.

a. For renewal of a registration, if the application for renewal is made within one month of the expiry of the period of registration is Rs.250/-

b. For renewal of the registration, if an application for renewal fee is made, after one month of the expiry of the period of Registration is Rs. 350/-

c. The registration and the metal token/tag/chip is supplied to the owner shall hold good for a period of twelve months reckoned from the 1st of April of the year of registration of dog to the 31st March of the next year.

d. A **dog registration register** shall be kept by the **registering Authority** of the Bhubaneswar Municipal Corporation, specifying the name and place of the adobe of every registration 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 Bhubaneswar Municipal Corporation.

5. Removing of dog without token/ collar:

Any dog without collar or other marks distinguishing it as private property and not wearing the metal token/tag/chip of registration in accordance with clause (3). if found straying on the streets or beyond the enclose of the house of the owner of such dog, may be detained at the direction of the registering authority by the Bhubaneswar Municipal Corporation to carry out these duties may be detained or otherwise disposed of if not claimed within one week (Fee of Rs. 50 per day & maximum up to 250/- or part thereof will be livable on) and

recoverable from, the owner for such period of detention in the place named by the Bhubaneswar Municipal Corporation.

6. The owner of registered dog shall be required:

(a) To keep the dog protected by getting it vaccinated against rabies from a Government Veterinary Practitioner or Veterinary Practitioner duly registered with Indian Veterinary Council (IVC) or State Veterinary Council (SVC). The vaccination certificate shall be furnished on demand during inspection by Registration Authority or any officer/ official of the Bhubaneswar Municipal Corporation duly authorized by the Registration Authority or within a period of 10 days from such inspection, by the owner of the dog failing which registration of the dog shall be cancelled.

(b) To keep the dog chained/leashed while taking it outside. All ferocious dogs shall be duly muzzled and a stick shall be carried by the Escort accompanying the dog while taking it out.

(c) To ensure that the dog to wear a collar affixed with the metal token issued by the Registration Authority, at all the times.

(d) To compensate the person if a dog bites or causes any other harm to any person or to the property of any person.

(e) The owner of the dog shall not take the dog to the area other public places/gardens as specified by the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar, from time to time.

(f) The owner of the registered dog shall keep the dog under his/her control at all times so that it does not intimidate, annoy, hurt or bite any person. The Bhubaneswar Municipal Corporation shall not be held responsible for any loss, damage or injury caused by a registered dog to any person or to his/her property and sole liability to compensate the victim/ livestock etc. will remain with the owner of the registered dog.

(g) If the owner fails to comply with the order of registering authority and fails to keep his dangerous dog in proper control then Registering Authority may ,in consultation with the Veterinary Department and local Animal Welfare

Organization , may order for taking to custody and subsequent action as per Animal Birth Control (Dog) Rule-2001.

(h) The breeding of dogs for commercial purposes and trading of dogs within the area of Bhubaneswar Municipal Corporation, Bhubaneswar shall not be allowed unless permitted by competent authority and licensed from local authority. In case it is found that dog is being kept for breeding or trading/commercial purposes by a person, the Registration Authority shall impound such dog besides imposing the fine as fixed by the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar.

(i) Every owner of a registered dog, before he uses that dog for game shall take a game registration in form B from the Municipal Corporation against payment of Rs. 100/- per day per dog.

(j) The owner of the dog shall not allow the dog to defecate in public places such as residential areas, green belts, parks, streets, roads, road berms and other common places etc. in case the dog defecate at the above specified places, the owner shall arrange to get the excreta of the dog removed from the said place at his own level. The owner of the dog shall take his dog to defecate in the isolated areas which are not visited by the residents and other members of the public. No owner shall allow the dog to defecate near the residences of other persons, his/her neighbors to his/her/their annoyance.

(k) No pet Dog Shall be Abandoned. If do so, it will be treated as cruelty to animal and attract penal provision. The owner of the registered dog shall ensure proper space, accommodation, food and medical treatment to the dog.

(l) The Registration Authority or an officer/official authorized by him shall keep the details of all the seized dogs duly entered in a register with a brief description of the dog, date of seizure, reasons of seizure and the manner in which it is disposed of.

(m) The dog after its death shall not be thrown in the open or in the garbage bins of Municipal Corporation. Dead dog shall be buried at notified/earmarked places up to a depth of at least 3 feet in a hygienic manner. The Municipal Corporation, Bhubaneswar may provide a van for the disposal burial of dead dogs in the earmarked dog burial grounds on a request so received by it. The owner shall pay charges for availing the services of the van at the rates

prescribed by the Commissioner, Municipal Corporation and so revised from time to time.

(n) The Registration Authority or a Veterinarian, Health Supervisor, Chief Health Officer, Sanitary Inspector or any other officer of the Municipal Corporation, Bhubaneswar Municipal Corporation authorized by the Registration Authority, may inspect the premises of the owner of any dog and such owner shall allow that person to enter and inspect his/her premises at all reasonable times. Such officer/official shall also be authorized to search the places where dogs are kept without registration and to seize them.

7. Games Registrations:

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

8. Registration for Commercial Purpose:

The breeding of dogs, selling there off shall not be allowed unless permitted by competent authority and licensed from BMC. In case, it is found that dog is being kept for breeding or/trading/commercial purposes by a person, without any authority the Registering authority may impound such dogs besides imposing fine as fixed by commissioner.

9.Show Registration:

Any dog which is brought to the area of Bhubaneswar Municipal Corporation even for a bona fide show purposes, this bye-law will apply for the dog and shall be charged with a Rs.100/- per day.

10. Disqualifying from keeping dog:

i. On conviction under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), of an offence of cruelty to the dog, court may order the owner of the dog to be disqualified them keeping the dog and for holding or getting dog registered for any period as it thinks fit. In such an eventuality the registration of the dog shall be deemed to have been suspended and shall remain so long as the disqualification continues.

ii. The owner may apply to the Municipal Corporation, after the expiry of disqualification period imposed by court, for restoring the registration of the requisite dog.

iii. On the hearing of the application, the Municipal Corporation may have regard to the applicant's character, his conduct subsequent to the order, the nature of the offense and any other circumstances, either restore the registration or refuse the application.

iv. After the suspension of the registration 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 the rate of Rs. 100/- per day & maximum up to Rs. 500/-

11. Seizure detention and sterilization of stray dogs:

- a) An official duly authorized by registering authority may seize any stray dog found in highway or public place, which he has reason to believe to be private dog and detain it for a week or until the owner has claimed it and paid all expenses incurred by the municipal corporation for its detention.
- b) 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, a 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.
- c) The requirements of stray dogs in the impounding campus shall be met out by the Animal Welfare Organization(s) Non-Governmental Organizations/ Municipal Corporation.
- d) Any violation of the provisions of the Prevention of Cruelty to Animals Act, 1960, shall be dealt with and violator liable to punishment under those provisions.

12. Penalty:

An owner of a dog who violates these bye laws shall be liable to be punished by Registration Authority with a fine, which may extend to Rs. 10,000 and if the

violation is of a continuing nature, then with an additional fine which may extend to Rs. 200 per day, for a maximum of 7 days for the breach continues. Also, if the dog is seized/detained under these bye laws, the owner shall have to pay maintenance charges @ Rs. 200 per day to claim the dog. However, if the breach continues beyond 7 days or the dog is not claimed within 7 days, the registration shall be liable to be cancelled by the Registration Authority and the seized dog shall be disposed of through open sale. If an owner of dog violates any of the conditions of these byelaws at least three times in a calendar year, the registration of the dog shall be cancelled.

13. Appeal:

Any owner aggrieved of the order issued by the Registration Authority may prefer an appeal to the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar within a period of 30 days from the date of issue of order. The orders of the Commissioner, Municipal Corporation shall be final.



**A Draft Bye-Law on
Bhubaneswar
Municipal Corporation
(Registration and
Proper Control of Dogs)
2023**