

PET SHOP RULES, 2010

Preamble:

In the last decade, with the liberalization of the economy and the increase in purchasing power, several new trades have come into being. One of these is the mushrooming, and yet unregulated pet trade in live animals, that are capable of experiencing discomfiture, pain, hunger and thirst just as humans do. Live animals are exhibited and traded like commodities in pet and pet product shops. These Rules are intended to ensure their humane handling, and to regulate this trade. Since the mute cannot complain, the responsibility to ensure compassionate and empathetic handling is greater. Since pet shops are commercial establishments, they have to be regulated with licenses, and parameters of operational standards. Uniform practices and procedures have to be prescribed, and adhered to by those partaking in the profits derived from this brand of commercial activity. Consequently, the Pet Shop Rules have been formulated by virtue of the power conferred by Section 38 of the Prevention of Cruelty to Animals Act, 1960.

THE RULES

1. Short title and commencement:

- (1) These rules may be called the Pet Shop Rules, 2010.
- (2) They shall come into force on the date they are published in the Official Gazette.

2. Definitions:

(1) In these rules unless the context otherwise requires,

(a) “Act” means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);

(b) “Animal” means any living organism other than a plant or a human being, and shall include birds and fish;

(c) “Animal Welfare Organization” means a welfare organization for animals which is recognized by the Animal Welfare Board of India, and includes a Society for Prevention of Cruelty to Animals (also referred to as ‘S.P.C.A.’) established in any district under the Societies Registration Act, 1860, or any other corresponding law applicable in a State, as well as an existing SPCA functioning in any district ;

(d) “Board” means the Animal Welfare Board of India, established under section 4 of the Act and reconstituted from time to time under section 5A;

(e) “Breeder” shall include an individual or group of persons owning dogs of specific breeds, registered with the Kennel Club of India or any other Kennel Club, or unregistered, for breeding and sale of dogs and pups, or an individual or group of persons involved in the breeding and sale of other animals and birds;

(f) “Inspector” means a person appointed by the Board, or the local authority, or an Animal Welfare Organization recognized by the Board, and duly authorized in writing to inspect and supervise

implementation of these Rules, and ensure compliance with the same;

Provided however that any person who is or has been a pet shop owner or breeder, as defined in these or any other Rules or enactment for the time being in force, or is related to a pet shop owner or breeder, shall not be appointed as an Inspector under these Rules ;

(g) “Infirm animals” means those animals that are suffering from any functional or structural disorder, defect or disability, or any deficiency from birth, or acquired after birth;

(h) “License” means a license granted under these Rules ;

(i) “Local Authority” means a panchayat, nagar palika, municipal corporation, district board, cantonment board or any other authority for the time being invested by law with the control and administration of any matter within a specified local area;

(j) “Mutilating” means subjecting an animal to a surgery or procedure such as ear cropping, tail docking or branding, or performing a surgery or procedure to camouflage or hide any defect or infirmity;

(k) “Pet Shop” means and includes every shop, place or premises, including shops, places, and/or premises in weekly markets, where animals for use as pets are sold or housed, kept or exhibited for sale, or where any retail or whole-sale business involving the selling or trading of pet animals is carried out;

(l) “Pets” in the context of these Rules shall include animals, the ownership of and trade in which is not banned by any other law,

rules, regulations, or procedures, and includes dogs, cats, rabbits, guinea pigs, hamsters, rodents of the rat/mice category, and permitted birds;

(m) “Pet Shop keeper” or “Pet Shop owner” means any person or legal entity that is the lawful owner of the shop and is licensed to sell or trade animals;

(n) “Rules” means the Pet Shop Rules, 2010;

(o) “Schedule” means the schedule appended to these Rules ;

(p) “Veterinary doctor” or RVP means a Registered Veterinary Practitioner registered with the State Veterinary Council or Indian Veterinary Council and whose name for the time being is included in the Indian Veterinary Practitioners’ Register established under the Indian Veterinary Council Act, 1984 (52 of 1984);

(q) “Un-weaned animal” means the offspring of an animal that has not attained the age at which it normally acquires independent survival skills to meet its basic needs like food, warmth and safety. Mammals, especially kittens and pups below 8 weeks, and birds without mature flight feathers, shall invariably come under this definition.

(2) All other terms and expressions used in these Rules, shall have the meanings assigned to them in the Act.

3. Licensing of pet shops, and terms & conditions for grant of license to pet shops:

(1) No person or entity shall carry on or continue the business of sale or trade in animals, whether retail or wholesale, or establish, open, or operate, a

pet shop, or any other establishment by whatever name called, that comes within the definition of a pet shop, without first obtaining a license in accordance with the Rules hereinafter provided.

(2) A license for establishing, operating / continuing to operate a pet shop shall be granted only upon submission of an application to the local authority in the prescribed format, with a copy to Animal Welfare Board of India, containing all required information in the form and manner prescribed.

(3) Persons or entities already operating pet shops at the commencement of these Rules shall apply for licenses in the manner set out herein within 60 days after commencement of these Rules. Provided that if such an applicant is unsuccessful in obtaining a license for reasons spelt out in these Rules, the consequences specified in Rule 9(3) shall follow.

(4) An applicant for grant of pet shop license must be of the age of majority in the case of an individual, or must be a corporation, company, or other form of legal association, duly registered in accordance with the laws for the time being in force, that provide for registration of such entities.

(5) Every applicant shall have his/its facilities inspected by the local authority and a representative of the Board, to enable them to determine whether the said facilities are in compliance with these Rules prior to the license being granted. Provided that the license shall not be granted unless both certify that the facilities of the applicant are satisfactory. Certification by both, the local authority and the Board is essential in this sort of activity, because it involves trade and commerce in living creatures.

(6) A license shall not be granted if

(a) The requirements of these Rules, set out under the heads 'Accommodation, Infrastructure, and Housing', 'Minimum Space Requirements', and , 'General Care of Animals, Veterinary Care, and Other

Operational Requirements', are not fulfilled / not being fulfilled by the applicant; or

(b) The applicant is found to have submitted false information, or made material and deliberate misstatements in the application or provided falsified, fabricated records to the licensing authority; or

(c) The applicant has at any stage prior to submission of his application for grant of license been convicted of any offence under the Act, or the Wild Life Protection Act, 1972, and sentenced to fine, and/or imprisonment for the same; or

(d) The applicant has refused to allow the inspector designated by the licensing authority (including the representative/s of the Animal Welfare Board of India) free and unimpeded access to the premises; or

(e) The applicant was operating a pet shop without valid license, and failed to apply for the same in terms of Rule 9(3), resulting in sealing of his shop.

(7) For the avoidance of doubt it is clarified that license under these Rules shall not be required for the following :

(a) An animal shelter operated by or on behalf of a local authority, or an Animal Welfare Organization ;

(b) A veterinary hospital or clinic.

(c) Any other facility or establishment that operates for the welfare of animals, and that does not indulge in commercial activity such as sale and purchase of animals.

4. Grant and renewal of license:

(1) Submission of application : Every applicant for grant of a pet shop license or renewal thereof shall submit an application to the local authority

in the prescribed format, with a copy to Animal Welfare Board of India, providing all required information in the form and manner required. The format for application for grant of pet shop license is set out at Schedule I appended to and forming a part of these Rules.

- (2) Grant of license : If both, the local authority, and the representative of the Board certify that the facilities of the applicant for license are satisfactory, and that there is no other reason why the same ought not to be granted, a license for operating a pet shop shall be granted by the local authority to the applicant, for a two year duration, upon the payment of a fee of Rs. 5,000/- (Rupees Five thousand only), to the local authority. The report of the inspector, duly signed by him, shall be attached with the application for license, and the original kept by the local authority, and a true copy thereof sent to the Animal Welfare Board of India. Each license shall be granted for a specific location, i.e. a shop in a specific location, and for every additional pet shop sought to be operated by the pet shop owner, an additional, separate license shall have to be applied for.
- (3) Rejection and appeal : If the local authority and/or the representative of the Board is / are not satisfied with the facilities of the applicant, the application for grant of license shall be rejected by the local authority with the reasons for the same set out in writing. The applicant shall however have the right to appeal within 30 days of receipt of the letter of rejection, to the Commissioner of the local authority. If he wishes to be heard, he may also seek personal hearing from the appellate authority, i.e. the Commissioner of the local authority, not later than when he first submits his appeal. After due notice to the local authority, and/or the representative of the Board as the case may be, and after considering the appeal and the reasons urged by both parties during the course of the hearing, the appellate authority may either reject the appeal, or allow the same, with the

reasons for his decision set out in writing. Provided however that if the application for license had been rejected because the local authority and/or the representative of the Board who inspected the premises was / were of the view that some or all of the facilities of the applicant are such as shall be detrimental in any manner to the welfare of the animals proposed to be exhibited or housed for sale, it shall be incumbent upon the appellate authority, i.e. the Commissioner of the local authority, to seek and consider the opinion of the Chairperson of the Animal Welfare Board of India, regarding the issue involved, before deciding the appeal. Provided further that if the appellate authority differs with the opinion rendered by the Chairperson of the Animal Welfare Board of India, he shall set out the reasons for the same in writing when deciding the appeal.

- (4)Renewal of license : An application for renewal of a license shall be submitted by the pet shop owner to the licensing authority, i.e. the local authority, with a copy to Animal Welfare Board of India, in the same format, i.e. the format for grant of license, within 30 days after expiry of the license. A nominal fee of Rs. 1,000/- (Rupees One thousand only) for renewal of license shall be submitted along with the application, to the local authority. It shall be open to the local authority, and the Board through a duly authorized representative, to re-inspect the pet shop premises, facilities, and infrastructure, before renewing the license granted to the pet shop owner. If, however, the pet shop owner fails to renew the license within the period afore-mentioned, and is unable to show sufficient cause for the delay, if any, he shall have to apply afresh for a license to operate the facility in question. In such event the requirements of sub-rules (1) and (2) shall have to be complied with, by the pet shop owner. Every renewal of license shall remain valid for a period of 2 years, after which the license shall have to be renewed again.

5. Accommodation, Infrastructure & Housing:

- (1) A pet shop shall be located within a permanent structure or building, with adequate arrangement for basic amenities such as water and electricity, and not a shanty, shack, pavement shop, or other similar temporary or make shift construction.
- (2) Adequate size and space : The cages / enclosures / rooms / aquariums in which the animals for sale are displayed or housed shall be of adequate size and space, suitable for each animal, so as to permit:
 - i. The animal(s) housed therein to stand, sit, lie down, turn around, stretch and make other normal postural adjustments without obstruction, interference or impediment occasioned by paucity of space;
 - ii. The bird(s) within to fly, hop and otherwise move about, and individually spread their wings, and perch in normal position without obstruction, interference or impediment occasioned by paucity of space. Water birds stationed for more than two days shall be provided water troughs to wallow ; and
 - iii. The fish to swim freely.
- (3) Floor of enclosure : The floor of the cage / enclosure / room for displaying or housing animals for sale shall not be of wire mesh, and shall be constructed such that no injury to the animals' feet, or legs, or any other injury is caused to them.
- (4) Temperature : The temperature at the cages / enclosures / rooms in which animals are displayed or housed for sale shall be comfortable. This may vary from animal to

animal, and from breed to breed, and it shall be incumbent upon the pet shop owner to familiarize himself with the requirements of the breeds or species that he intends to deal in, and provide ambient and comfortable temperature for them.

- (5) Drainage : Suitable drainage or a way to quickly eliminate water when cleaning shall be available at the pet shop, and particularly, the cages / enclosures / rooms in which the animals are displayed or housed for sale.
- (6) Ventilation : Pet shops displaying or housing animals for sale shall be adequately ventilated. A low noise exhaust fan/system shall be installed.
- (7) Pet shops displaying or housing animals for sale shall be free from noise pollution, and shall not be adjacent to work-places where loud noises can be heard, or noxious fumes and odors emitted, such as (but not limited to) factories and other similar industrial establishments.
- (8) Pet shops displaying or housing animals for sale shall not be located in the vicinity of butcher shops, or butcheries, or abattoirs. Entry of other animals that may disturb or harm the animals housed or exhibited for sale in pet shops shall not be allowed.
- (9) Fire-fighting equipment shall be installed / available and ready for use at the premises.
- (10) Isolation area : All pet shops shall have an isolation area where animals who are infected with a contagious disease or are suspected of being infected can be segregated from the rest of the animals intended for sale.

6. Minimum Space Requirements:

(1) CAGE BIRDS

(a) The cage shall be large enough to provide full body extension without contact with the confines, and wide enough to accommodate completely stretched wings.

(b) A single well-placed perch may be adequate where the bird can stand completely upright without having head contact with the ceiling of the cage, and tail contact with the floor or grate. For species such as but not limited to Finches, and Canaries that prefer flying or jumping to climbing, two perches, one at each end of the cage, must be provided. Perches must be strategically placed to prevent droppings from contaminating food and water vessels.

(c) Birds that live in social groupings and are housed as such must have wooden nesting boxes constructed within the cage in order to afford them privacy. They must also have the ability to fly within the enclosed area.

(d) For the removal of doubts it is clarified that minimum space requirements for multiple birds housed temporarily depends on the overall length of the birds as measured from the tip of the tail to the top of the head. Cage measurements are based on, and shall correlate to actual living space.

FLOOR AREA

(sq cm)

	Length (cm)	Single	Each Additional
Canary	20-23	1300	500
Dove	up to 22 ^{1/2}	900	500
	over 22 ^{1/2}	2500	1250

Minimum cage size for a single bird or a pair of parrots					
Category	Type of Parrot	Length	Breadth	Height	Bar spacing
1	Budgerigar	75 cm	45 cm	60 cm	1.5 cm
2	Afr. Lovebirds/Cockatiel/Parrotlets	75 cm	60 cm	60 cm	1.5 cm
3	Conures	100 cm	60 cm	60 cm	2 cm
4	Rosellas/Lorikeets/Australian grass pa	120 cm	75 cm	75 cm	2 cm
5	Pionus Parrots/ Caiques	100 cm	75 cm	90 cm	2 cm
6	Amazon Parrots ,African Grey parrots	120 cm	75 cm	90 cm	2.5 cm
7	Small & Medium Macaws	120 cm	90 cm	90 cm	2.5 cm
8	Cockatoos	180 cm	90 cm	90 cm	3 cm
9	Large Macaws	180 cm	120 cm	120 cm	3 cm

(2) CATS

Number of Animals

Area(sq. ft.)	Number of Animals		
	Small (less than 2 lbs)	Medium (2-5 lbs)	Large (6-10 lbs)
12	3	2	1
24	6	3	2
48	10	4	3

(a) The floor of the open enclosure/pen must have a solid surface and should be large enough to enable all the occupants to exercise free movement and play. Elevated resting surfaces must be provided for cats. Matting must be provided. Soft and clean play toys must be provided within the enclosure.

(b) The space taken by the litter box shall not be included in the calculation of the total area.

(c) Cats/kittens shall be kept in a room which is not shared by other, inimical animal species such as dogs.

(3) DOGS

Number of Animals

Area(sq. ft.)	Number of Animals		
	Small (1-10 lbs)	Medium (11-20 lbs)	Large (21-30 lbs)
24	3	2	1
48	6	3	2
56	10	4	3

(a) The floor of the open enclosure/pen shall have a solid surface and shall be large enough to enable all occupants to exercise free movement and play.

(b) The height of the enclosure/pen shall be such that the dog/pup cannot escape.

(c) Minimum space requirements for dogs weighing over 30 pounds shall be determined on an individual basis.

(4) RABBITS

Number of Animals

Area(sq. ft.)	Number of Animals		
	Small (less than 2 lbs)	Medium (2-4 lbs)	Large (5-12 lbs)
2.5	4	2	0
4	8	4	1
6	12	6	2

(a) The minimum height of the primary enclosure shall be 48 inches.

(b) The floor of the rabbit's primary enclosure shall never be wire mesh, steel or shavings. It should be solid surface such as tile, board, good quality linoleum, untreated straw mats or acrylic non slip surface. Arrangement shall be made for digging, chewing and playing.

(c) Rabbits shall be kept in a room which is not

shared by other, inimical animal species such as cats and dogs.

(5) GUINEA PIGS

Number of Animals

Area(sq. in.)	Small (less than 350 gms)	Medium (351-700 gms)	Large (greater than 701 gms)
288	4	3	2
360	6	4	3
432	7	5	4
624	10	7	6

- (a) The minimum height of the primary enclosure shall be 36 inches.
- (b) The floor of the guinea pigs' primary enclosure shall never be wire mesh, steel or shavings. It should be solid surface such as tile, board, good quality linoleum, untreated straw mats or acrylic non slip surface.
- (c) Guinea pigs shall not be kept adjacent to other inimical animal species such as cats and dogs.

(6) HAMSTERS

Size	Weight (gms)
Small	less than 60
Medium	61-100
Large	greater than 100

- (a) The minimum height of the primary enclosure shall be 36 inches for dwarf species. For all other animals, the minimum height of the primary enclosure shall be 48 inches.
- (b) Hamsters and gerbils shall only be housed in primary enclosures with solid floor such as tile, board, good quality linoleum, untreated straw mats or acrylic non slip surface. The floor of the guinea pigs'

primary enclosure shall never be wire mesh, steel or shavings.

- (c) They shall not be kept adjacent to other inimical animal species such as cats and dogs.

(7) RATS

Area (sq. in.)	Number of Animals		
	Small (less than 100gms)	Medium (101-300gms)	Large (greater than 301 gms)
200	8	6	4
288	12	9	6
360	15	12	8
432	18	14	10
624	24	18	12

- (a) The minimum height of the primary enclosure shall be 36 inches.
- (b) Rats shall only be housed in primary enclosures with a solid floor such as tile, board, good quality linoleum, untreated straw mats or acrylic non slip surface. The floor of their enclosure shall never be wire mesh, steel or shavings.
- (c) Minimum space requirements for rats over 500 grams in weight will be determined on an individual basis.
- (d) Rats shall not be kept adjacent to other inimical animal species such as cats and dogs.

8) MICE

Area(sq. in.)	Number of Animals		
	Small (less than 15gms)	Medium (16-25gms)	Large (greater than 25gms)
200	25	20	14
288	30	38	24

360	50	44	34
432	70	55	40
624	100	70	60

(a) The minimum height of the primary enclosure shall be 24 inches.

(b) Mice shall only be housed in primary enclosures with a solid floor such as tile, board, good quality linoleum, untreated straw mats or acrylic non slip surface. The floor of their enclosure shall never be wire mesh, steel or shavings.

(c) Mice shall not be kept adjacent to other inimical animal species such as cats and dogs.

7. General Care of Animals, Veterinary Care, and Other Operational Requirements :

(1) Animals shall at all times be displayed or housed for sale in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness, and other similar standards. No animals / birds shall be on display, or displayed outside pet shops, or in show windows.

(2) Sufficient food of a type consistent with the dietary requirements and age of the animals intended for sale shall be provided to them.

(3) Sufficient drinking water shall be available to the animals intended for sale at all times.

(4) Vessels used for feeding and watering of animals shall be kept clean and free from contamination of excrement or urine.

(5) Cleanliness :The cages / enclosures / rooms /aquariums in which animals for sale are displayed or housed shall be cleaned daily, or more often, and disinfected frequently to preclude the possibility of outbreak of disease. Water in

aquariums in which fish for sale are housed shall be cleaned as constantly as may be required, to keep the oxygen levels adequate for them to breathe. Where accommodation is on a tiered system, water, food or other droppings shall not be allowed to enter the lower housing. Food wastes, animal excreta, used bedding, debris and any other organic wastes shall be removed daily, or more frequently, from the animal enclosures, including aquariums. Aviaries shall be cleaned daily, or more frequently, to prevent buildup of bird wastes and uneaten food.

(6) The cages / enclosures / rooms /aquariums in which animals for sale are displayed or housed shall be such as enable them to move about freely, or rest comfortably. Animals requiring bedding material shall be provided the same. No feed shall be mixed in the bedding, and if it does get mixed, the bedding shall be changed immediately.

(7) All animals displayed or housed in the same enclosure shall be of the same species and age group. They shall be grouped in a manner that precludes mating, or bullying and fighting. Animals that are inimical to each other shall not be displayed / housed in abutting cages. For instance, dogs and cats shall not be kept in abutting cages / enclosures, fish and birds, and rabbits, guinea pigs, hamsters, and rodents shall not be kept adjacent to dogs and cats, since the same can cause acute stress.

(8) Pet shops shall not display or house pregnant animals or mothers caring for un-weaned young for sale.

(9) Pet shops shall not breed animals.

(10) No pet shop shall sell any animal intended to be used for food, skin or accessories.

(11) Only healthy animals shall be displayed or housed for sale at pet shops.

(12) Animals for sale will not ordinarily be left in the shop at night. However, in case they do have to be so left, an attendant or more than one attendant as specified in the following sub-rule, shall remain with them, to attend to them if need be.

(13) Pet shop owners shall deploy sufficient number of employees at the pet shop to take care of, and attend to animals properly. A minimum of 2 employees per 50 animals shall be available at all times to take care of the animals intended for sale. For the removal of doubts it is clarified that animals includes birds (as specified in the definition of the term “animal”).

(14) Employees : It shall be mandatory for pet shop owners to employ only such persons for handling or taking care of animals, as are trained for the purpose. Persons who are not of the age of majority, or are of unsound mind or suffering from any mental or psychological disorder/s, or displaying signs of aggressive or abnormal behavior, or whose temperament does not seem suited for working with animals, shall not be employed.

(15) Veterinary care : Provision for veterinary care, including emergency medical care, shall be made by all pet shop owners. Emergency contact information for the veterinary practitioner shall be posted conspicuously in pet shops to allow both, the employees and customers, access to the doctor with concerns regarding the health of animals confined at the facility. The outbreak or suspected outbreak of any zoonotic / contagious disease or infection shall be reported immediately by the pet shop owner to local authority, the Animal Welfare Board of India and State Govt. Dept. of Animal Husbandry.

(16) Quarantine : At least one room / enclosure for quarantining sick or diseased animals, or animals suspected to be sick or diseased, or isolating newly acquired dogs and cats shall be provided. However, quarantined sick or diseased

animals shall not be kept together with isolated newly acquired dogs and cats. The quarantine / isolation facility shall be cleaned and disinfected thoroughly after quarantined or isolated animals have been removed from the same, and prior to the placement of additional animals into the room.

(17) The equipment and vessels used at the quarantine / isolation facility shall be kept separate and distinct.

(18) Incurably sick or terminally ill animals : Animals that become incurably sick or terminally ill shall be euthanized, at the instance of the pet shop owner, by a registered veterinary practitioner as defined in these Rules, in the manner prescribed by the Board. Provided that in addition to the maintenance of records in this regard, each such instance shall also be separately intimated to the local authority and the Board, through a communication in writing addressed to both and sent through registered post acknowledgment due or through courier, within a week after every such occurrence.

(19) Disposal of carcasses : Every pet shop shall have arrangement to dispose-off carcasses of animals that die at the facility, and dead animals shall be removed at the earliest from the sight of other animals.

(20) Every pet shop owner shall display prominently at the pet shop, the license granted to him for operating the facility.

(21) The species and numbers of animals displayed or housed for sale shall be prominently displayed at the facility, as shall the name of the breeder(s) with address(es) on the enclosures of all animals. The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available; and no animals other than those specified in the license shall be stocked.

(22) No pet shop shall sell pups/dogs with mutilated ears and/or tails, or fish that have been painted, or had dyes injected into them to enhance their visual appeal, or any other animal subjected to any similar alteration or mutilation.

(23) No pet shop shall sell un-weaned or underage animals or birds.

(24) Every pet shop owner shall have in place an exercise plan for pups over 16 weeks of age, and ensure that the same is strictly adhered to.

(25) Unsold animals : An animal shall not be housed or exhibited for sale in a pet shop for longer than 1(one) month. If any animal for sale is unable to find a buyer despite the 1 (one) month having elapsed, the pet shop owner shall, after informing the Animal Welfare Board of India, and recording the particulars of the unsold animal in records to be maintained for the purpose, make every possible effort to secure its adoption or re-homing. He shall publicize widely, in every manner and through all methods deemed appropriate, the factum of availability of animals for adoption / re-homing.

Provided that all relevant details and particulars of the adoption / re-homing, when they occur, of unsold animals in the pet shop, shall also be entered into the register of unsold animals referred to hereinabove.

Provided further that it shall be the responsibility of the pet shop owner to stock only as many animals as can reasonably be expected to find a ready market, and that under no circumstances shall unsold animals be abandoned or discarded, on to the streets or otherwise.

(26) If the pet shop owner intends to provide grooming services, the same shall be specifically mentioned by him while submitting the application for grant of license.

The grooming area shall be physically separated from primary animal enclosures and animal food storage areas.

(27) Pet care leaflets or other similar written instructions regarding the degree and manner of care, and regarding traits and behavioral patterns, shall be made available by pet shop owners to customers free of charge at the time of purchase.

(28) Animals displayed or housed for sale by pet shops shall only be sold to persons who are of the age of majority.

(29) All pet shop owners and other persons involved in the pet trade shall ensure that they provide the maximum care and caution in the housing, upkeep and maintenance of the animals under their care and in their custody, and take all necessary precautions to protect them against fire, accidents, attacks from other animals, and/or all other danger or dangerous occurrences.

8. Maintenance of Records:

(1) Record of breeders and suppliers : Each pet shop owner shall record particulars of breeders and suppliers of animals intended for sale, such as name, address, and other contact details, in a record book to be maintained for the purpose. Transaction date and number of animals received, animal breed or species, and bird band number, if applicable, shall all be recorded.

(2) Record of customers : The pet shop owner shall also maintain a record of customers buying animals from him in a record book to be maintained for the purpose, with names, addresses, other contact details, and nature and quantum of purchase/s.

(3) Record of deaths : A record shall be maintained of the animals intended for sale at pet shops that die at the facility. The day, date and time of

death/s, cause of death/s duly certified by a registered veterinary practitioner, medical attention and care, if any, provided to the deceased animal prior to its death, and details regarding disposal of carcasses shall be duly recorded.

(4) Record of euthanized animals : Separate record shall be maintained of incurably sick or terminally ill animals that are euthanized in terms of Rule 7 (xvii). The day, date and time of death/s, cause of death/s duly certified by a registered veterinary practitioner, medical attention and care, if any, provided to the animal that was euthanized prior to its death, and details regarding disposal of carcasses shall be duly recorded. Copies of every intimation sent to the local authority and the Board in terms of Rule 7 (xvii), of every such occurrence, shall also be filed along with the record maintained under this sub-rule.

(5) The records maintained by pet shop owners shall be available for inspection by the local authority, or a representative of the Animal Welfare Board of India, or any intending purchaser, or purchaser of animals.

(6) Copies of all communications/intimations/notices issued by the local authority, or the Board to the pet shop owner shall be issued as well to the other, i.e. by the local authority to the Board, and by the Board to the local authority.

9. Violations, offences, and penalties :

(1) Verification of violation of Rules : The local authority or the Animal Welfare Board of India, upon receipt of a written complaint or on the basis of its own inspection(s), shall verify violation of these Rules if any.

(2) Confiscation of animals and removal to shelter for treatment or care : If an animal is detected as having sickness or experiencing any manner of

distress, an inspector appointed by a local authority, or a member or duly authorized representative of the Board, or a member or duly authorized representative of an Animal Welfare Organization, may either demand that the animal receive medical attention forthwith, or the offending situation be remedied forthwith ; or may confiscate the animal, and remove it for treatment and care to a shelter run by an Animal Welfare Organization, after recording in writing, the reason/s why such a course is necessitated. A copy of the reasons so recorded shall be served on the pet shop owner, and on the Animal Welfare Organization to which the animal is removed for treatment and care. The expense incurred for treating and attending to the animal shall be borne by the pet shop owner, and the animal may be returned to the pet shop only after it has recovered fully, and after the expense for treating and attending to the animal has been reimbursed to the Animal Welfare Organization. It is also clarified that the pet shop owner shall not, in the event of removal of a sick or distressed animal under this sub-rule, be entitled to claim any compensation whatsoever, from the local authority, or the Board, or the Animal Welfare Organization concerned.

(3) Operating pet shop without valid license : If a pet shop owner is found to be operating a facility without valid license, by either the local authority or the Board, on the basis of a complaint received by it, or on the basis of an inspection conducted by the local authority or the Board, the pet shop owner shall, in the first instance, be called upon in writing to apply forthwith for a license, within a period of 60 days thereof. If the pet shop owner fails to do so, the local authority shall seal the shop, and confiscate the animals displayed / housed for sale. The confiscated animals shall be handed over to any one or more of the following :

- a) An Animal Welfare Organization ;
- b) A recognized zoo.

Applications shall also be invited from licensed pet shops that may purchase the confiscated animals, after demonstrating to the local authority, and to the Board in writing, that they possess the requisite space to comfortably house the animals at their facilities, pending their sale to pet owners.

(4) Revocation of license and appeal : If any violation/s of the requirements of these Rules is/are discovered during an inspection of a pet shop by an inspector authorized by the local authority and/or by the Animal Welfare Board of India at any time during the term of license, conducted either on the basis of a complaint or otherwise, a notice shall be issued to the pet shop owner by the authority that conducted the inspection, with a copy marked to the other, to show cause within 15 days after receipt of the same, as to why his license ought not to be revoked. If the response received from the pet shop owner is found to be dissatisfactory, or if no response is received, the license issued to the pet shop owner shall be revoked by the local authority, after communication of reasons for the same in writing. Provided however that if the pet shop owner removes or rectifies the violation/s within 30 days after receipt of notice, after communicating to the authority that issued the notice that he shall be doing so, and demonstrates the same to its satisfaction, the license shall not be revoked. If the license is revoked in terms of this sub-rule, the pet shop owner shall have the right to appeal within 30 days of receipt of the letter of revocation, to the Commissioner of the local authority. If he wishes to be heard, he may also seek personal hearing from the appellate authority, i.e. the Commissioner of the local authority, not later than when he first submits his appeal. After due notice to the local authority, and/or the representative of the Board as the case may be, and after considering the appeal and the reasons urged by both parties during the course of the hearing, the appellate authority may either reject the appeal, or allow the same, with the reasons for his decision set out in writing. Provided however

that if the license had been revoked because the local authority and/or the representative of the Board who inspected the premises was / were of the view that violations of the requirements of these Rules, tantamount to or resulting in cruel treatment of the animals exhibited or housed for sale, or likely to, or interfering with, or detrimental in any manner to their welfare, were being committed, it shall be incumbent upon the appellate authority, i.e. the Commissioner of the local authority, to seek and consider the opinion of the Chairperson of the Animal Welfare Board of India regarding the issue involved, before deciding the appeal. Provided further that if the appellate authority differs with the opinion rendered by the Chairperson of the Animal Welfare Board of India, he shall set out the reasons for the same in writing when deciding the appeal. ,

(5) The pet shop, the license to operate which has been revoked, shall not be sealed by the local authority until the period for appealing against such revocation, mentioned in sub-rule (4), has expired. If an appeal has been preferred by the pet shop owner, and is pending, sealing action shall not be taken by the local authority until the conclusion of the appeal. Once the appeal has been heard, and after it is decided, if the appeal of the pet shop owner is rejected, the local authority shall seal the shop, and confiscate the animals displayed / housed for sale. The confiscated animals shall then be dealt with in the manner set out in sub-rule (3) of this Rule.

(6) Failure to maintain records : Failure by the pet shop owner to maintain the records mentioned in Rule 8, or to allow inspection thereof in terms of sub-rule (3) of Rule 8, shall entail the following fines :

- a) Rs. 1,000/- payable to the local authority, for failure to maintain any one or more record/s in terms of Rule 8, verified by the local authority or the Animal Welfare Board of

India upon receipt of a written complaint or on the basis of its own inspection(s);

b) Rs. 1,000/- payable to the local authority, for failure to allow inspection of one or more record/s in terms of Rule 8 (3), verified by the local authority or the Animal Welfare Board of India upon receipt of a written complaint or on the basis of its own inspection(s).

(7) If the pet shop owner is found to be guilty of the violations set out in the previous sub-rule, he shall pay the fine within 7 days of being called upon to do so by the local authority or the Board; and within 30 days thereafter shall update and start maintaining the requisite record(s).

(8) If a pet shop owner fails to pay any fine in terms of sub-rule (6) of this Rule, his license shall not be renewed unless he does so. Any delay in payment of fine beyond the period set out in sub-rule (7) of this Rule shall attract interest on the amount to be paid at the rate of 6% per annum.

(9) If the license of the pet shop owner is not renewed for failure to pay any fine/s, he shall have to apply afresh for a license to operate the facility, in terms of Rule 4(4).

(10) Persons employed at pet shops shall be jointly and severally liable with pet shop owners for violations of the requirements of Rule 7.

10. Applicability of other laws and statutory provisions :

Violations of these Rules shall render pet shop owners liable to suffer the consequences /

repercussions provided for in other laws and statutory provisions as well, such as but not limited to the Prevention of Cruelty to Animals Act, 1960, and the Rules enacted thereunder, the Wild Life (Protection) Act, 1972, the Indian Penal Code, and municipal laws, bye-laws, rules and regulations, in addition to the consequences / repercussions provided for in these Rules. Nothing contained in these Rules shall be construed or interpreted as relaxing or altering or modifying the requirements specified for adherence in other laws and statutory provisions.

SCHEDULE I

To

The Local Authority (As defined in the Rules)

Copy to :

Animal Welfare Board of India

Subject : Application for grant of license for Pet Shop

Sir,

I/We _____, r/o / with office address _____, do hereby apply for a license to operate / continue operating a Pet Shop at _____ in accordance with the particulars set out below :

1. Name and address of the pet shop premises :
2. Full name and address of proposed pet shop owner :
3. Telephone number :
4. Details of accommodation / infrastructure available at proposed pet shop premises :
5. Working hours and rest day, i.e. day on which shop shall remain closed :
6. Ventilation arrangement :
7. Lighting arrangement :
8. Heating / cooling arrangement, and how comfortable

temperature will be maintained :

9. Arrangements for food storage :

10. Cleanliness, how proposed to be maintained, and arrangements for removal of animal excreta :

11. Arrangement for disposal of animals that die :

12. Arrangement for provision of medical and veterinary attention :

13. Details of pet animals proposed to be displayed or house in the Pet Shop for sale :

TYPES OF ANIMALS :

NUMBER OF EACH TYPE OF ANIMAL :

AGE/S OF EACH TYPE OF ANIMAL :

ACCOMODATION / NUMBER AND SIZE OF CAGES / ENCLOSURES :

14. Details of cheque /demand draft number for payment of fee :

I/We do hereby declare that the information provided by us is accurate and true.

Place :
Date :

Signature of Applicant