



Government of Bengal

Police Department

Report of the  
Pearson Enquiry Committee  
on the working of the  
Cruelty to Animals Act, 1920

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# GOVERNMENT OF BENGAL.

## Police Department.

CALCUTTA, THE 17TH NOVEMBER 1932.

### RESOLUTION—No. 5610Pl.

It will be recalled that, subsequent to the serious rioting which took place on 1st April, 1930, as a protest by the carters against certain orders passed by Government under the Bengal Cruelty to Animals Act, 1920, the Government of Bengal appointed Mr. W. S. Hopkyns, C.I.E., O.B.E., I.C.S., to make an enquiry into the grievances of the carters. On receipt of his report, Government published resolution No. 2082Pl., dated the 31st May 1930, which contained their decision on his main recommendations. It was also stated therein that Mr. Hopkyns had recommended the appointment of a committee to investigate certain subsidiary points, but the Government had decided to postpone the appointment of this committee to a later date. Owing to the general depression in trade and the undesirability of doing anything which might lead to demands for new expenditure, Government so far have not proceeded with the appointment of this committee.

2. While there have been no serious outward manifestations of trouble, it has been apparent for some time past that there is a considerable amount of dissatisfaction both among those immediately concerned and among the general public in connection with the working of the Bengal Cruelty to Animals Act, 1920, in Calcutta. Representations have been made by the carters to the effect that the administration of the Act, which touches their trade more than any other, is found to be particularly irksome at a time when owing to general trade depression their earnings have greatly fallen, that the orders of the Courts often operate harshly and that their animals are not always properly treated in the hospitals.

Government are closely interested in the matter in two ways. First, the existence of dissatisfaction among the elements concerned involves, as experience has shown a danger to the public peace. Secondly, they make a considerable annual grant to the Society and, regard being had to the pressing need for economy, they wish to have authoritative advice as to the strength of the staff and the amount of expenditure which are necessary to carry out properly the purposes of the Act.

3. In these circumstances, Government have decided to appoint a committee to inquire into the working of the Act, with special reference to the undermentioned points—

(1) Whether the present arrangements for the working of the Act on the streets are suitable and satisfactory and, if not, in what respects they can be improved.

(2) Whether the methods adopted in the Courts are suitable or can be improved, and whether the carters are justified in their complaints as to the treatment they receive in connection with prosecutions.

(3) Whether the complaints as to improper treatment of animals in the veterinary hospitals are well-founded and, if so, how matters can be improved.

(4) Whether the law relating to prevention of cruelty to animals requires any amendment in the light of experience.

(5) Government also wish to have the considered opinion of the committee on the question whether the working of the Act in Calcutta should continue to be entrusted to the Calcutta Society for the Prevention of Cruelty to Animals, and in the event of their recommendation being in favour of the present system, their opinion regarding

the staff and expenditure which are required in order to enable the Society properly to carry out the purposes of the Act. If a change is recommended, it is hoped that the committee will submit an estimate of the cost of their alternative scheme.

(6) It will lastly be open to the committee to make investigations into the questions which were raised by Mr. Hopkyns in paragraph 23 of his report, viz., resting and parking-places for buffaloes, accommodation at loading-places, and the question of earlier delivery of goods. But if the committee consider that trade conditions make investigation into all or any of these points undesirable at the present time, it will be open to them to submit a report to that effect.

4. The committee will consist of a President and eight members, three official and five non-official. The Governor in Council is glad to announce that the Hon'ble Mr. Justice H. G. Pearson, Kt., has consented to lend his services as President of the committee. The official members will be—

Mr. P. J. Kerr, Director of the Civil Veterinary Department.

Hon'ble S. K. Sinha, I.C.S., Chief Presidency Magistrate.

Mr. F. D. Bartley, C.B.E., I.P., Deputy Commissioner of Police, Headquarters.

The non-official members will include—

A nominee of the Calcutta Society for the Prevention of Cruelty to Animals,

A nominee of the Advisory Committee of carters, and

A nominee of the Calcutta Corporation and two others nominated by Government, and their names will be announced as soon as the names of the nominee have been received by Government.

Mr. B. R. Sen, I.C.S., Deputy Secretary to Government in the Police Department, will act as Secretary of the committee.

ORDER.—Ordered that the resolution be published in the *Calcutta Gazette* for general information. Ordered also that a copy of the resolution be forwarded to the President and each of the members of the committee for information.

Also ordered that a copy be forwarded to Mr. B. R. Sen, I.C.S., the Secretary to the committee, with the request that he will make all necessary arrangements, in consultation with the President and the members, for the holding of meetings and conduct correspondence on behalf of the committee until the submission of the report.

By order of the Governor in Council,

R. N. REID,

*Chief Secretary to the Government of Bengal.*

# GOVERNMENT OF BENGAL.

## Police Department.

### Police.

#### PRESS COMMUNIQUE.

*Calcutta, the 9th December 1932.*

In their resolution No. 5610Pl., dated the 17th November 1932, Government announced their decision to appoint a Committee consisting of a President and eight members to enquire into the working of the Bengal Cruelty to Animals Act, 1920, with specific reference to the points therein referred to. It was stated in the resolution that the Hon'ble Mr. Justice H. G. Pearson, Kt., had consented to lend his services as President of the Committee, that the non-official members of the Committee would include a nominee of the Calcutta Society for the Prevention of Cruelty to Animals, a nominee of the Calcutta Corporation and a nominee of the Advisory Committee of Carters and that two other members would be nominated by Government as soon as the names of the nominees of the above bodies had been received by Government. The names of the nominees of the Calcutta Society for the Prevention of Cruelty to Animals, Calcutta Corporation and the Advisory Committee of Carters have since been received. In accordance with the terms of the resolution, the Governor in Council is glad to announce that the Committee will be constituted as follows:—

#### *President.*

The Hon'ble Mr. Justice H. G. Pearson, Kt.

#### *Official Members.*

- (1) Mr. P. J. Kerr, Director of Civil Veterinary Department.
- (2) Hon'ble S. K. Sinha, I.C.S., Chief Presidency Magistrate, Calcutta.
- (3) Mr. F. D. Bartley, C.B.E., I.P., Deputy Commissioner of Police, Headquarters.

#### *Non-official Members.*

- (4) Mr. W. W. K. Page, Representative of the Calcutta Society for the Prevention of Cruelty to Animals.
  - (5) Mr. Durga Prosad Khaitan, M.A., B.L., Representative of the Calcutta Corporation.
  - (6) Babu Ram Nagina Singh, Representative of the Advisory Committee of Carters.
  - (7) Mr. Razaur Rahman Khan, M.L.C.
  - (8) Mr. Narendra Kumar Basu, M.L.C.
- Mr. B. R. Sen, I.C.S., will act as Secretary to the Committee.

R. N. REID,

*Chief Secretary to the Government of Bengal.*

# Report of the Pearson Enquiry Committee on the working of the Cruelty to Animals Act, 1920.

To

THE CHIEF SECRETARY TO THE GOVERNMENT OF BENGAL.

*Calcutta, the 26th April 1933.*

SIR,

The Government of Bengal by Resolution No. 5610 Pl., dated the 17th November 1932, appointed us as a Committee to enquire into the working of the Cruelty to Animals Act, 1920, with special reference to the undermentioned points:—

“(1) Whether the present arrangements for the working of the Act on the streets are suitable and satisfactory and, if not, in what respects they can be improved.

(2) Whether the methods adopted in the Courts are suitable or can be improved, and whether the carters are justified in their complaints as to the treatment they receive in connection with prosecutions.

(3) Whether the complaints as to improper treatment of animals in the veterinary hospitals are well founded and, if so, how matters can be improved.

(4) Whether the law relating to prevention of cruelty to animals requires any amendment in the light of experience.

(5) Government also wish to have the considered opinion of the Committee on the question whether the working of the Act in Calcutta should continue to be entrusted to the Calcutta Society for the Prevention of Cruelty to Animals, and in the event of their recommendation being in favour of the present system, their opinion regarding the staff and expenditure which are required in order to enable the Society properly to carry out the purposes of the Act. If a change is recommended, it is hoped that the Committee will submit an estimate of the cost of their alternative scheme.

(6) It will lastly be open to the Committee to make investigations into the questions which were raised by Mr. Hopkyns in paragraph 23 of his Report, *viz.*, resting and parking places for buffaloes, accommodation at loading-places, and the question of earlier delivery of goods. But if the Committee consider that trade conditions make investigation into all or any of these points undesirable at the present time, it will be open to them to submit a report to that effect.”

2. The reasons which led to the appointment of the Committee were thus stated in the Resolution:

“It will be recalled that, subsequent to the serious rioting which took place on the 1st April 1930, as a protest by the carters against certain orders passed by Government under the Bengal Cruelty to Animals Act, 1920, the Government of Bengal appointed Mr. W. S. Hopkyns, C.I.E., O.B.E., I.C.S., to make an enquiry into the grievances of the carters. On receipt of his report, Government published Resolution No. 2082 Pl., dated the 31st May 1930, which contained their decision on his main recommendations. It was also stated therein that Mr. Hopkyns had recommended the appointment of a Committee to investigate certain subsidiary points, but the Government had decided to postpone the appointment of this Committee to a later date. Owing to the general depression in trade and the undesirability of doing anything

which might lead to demands for new expenditure, Government so far have not proceeded with the appointment of this Committee.

While there have been no serious outward manifestations of trouble, it has been apparent for some time past that there is a considerable amount of dissatisfaction both among those immediately concerned and among the general public in connection with the working of the Bengal Cruelty to Animals Act, 1920, in Calcutta. Representations have been made by the carters to the effect that the administration of the Act, which touches their trade more than any other, is found to be particularly irksome at a time when owing to general trade depression their earnings have greatly fallen, that the orders of the Courts often operate harshly and that their animals are not always properly treated in the hospitals.

Government are closely interested in the matter in two ways: First, the existence of dissatisfaction among the elements concerned involves, as experience has shown, a danger to the public peace. Secondly, they make a considerable annual grant to the Society and, regard being had to the pressing need for economy, they wish to have authoritative advice as to the strength of the staff and the amount of expenditure which are necessary to carry out properly the purposes of the Act."

The grievances of the carters and the general public in regard to the administration of the Act thus constitute the main motive of the enquiry.

3. The pivotal grievance of the carters so far as the administration of the Act on the streets is concerned is the stoppage of use of buffaloes for draught purposes between the hours 12 and 3 from the 1st April till the break of the rains in June (section 12A). They argue (a) that buffaloes do not suffer more from heat than other draught animals like bullocks and horses, (b) that there are no adequate arrangements for providing shelter and water to the buffaloes stopped on the streets, and exposure to midday sun for three hours on the tar-macadamed streets, and then working late into night to make up for lost time is a greater cruelty to them.

(a) The first point formed the subject matter of Mr. Hopkyns' enquiry who set forth the opinions of the veterinary experts in paragraph 7 of his report. We find no reason to disregard the opinion of the experts that it is cruelty to work buffaloes in the midday heat of summer months. It is represented on behalf of the carters that buffaloes are worked in tropical countries without any restrictions. But as pointed out by Mr. P. J. Kerr to Mr. Hopkyns: "Conditions in the mufassal differ considerably. Men and women rest in the middle of the day, and there are no buildings and tarred roads to increase the heat. There is a free passage of air when there is any breeze and where buffaloes are used, there is generally water available in the shape of tanks, khals, or rivers for bathing." As to the use of buffaloes in other cities, an enquiry was made of the Cruelty to Animals Societies of Bombay, Madras, Delhi and Karachi, tabulated results of which will be found in Appendix I. It will be seen that of these cities only Madras and Delhi use buffaloes for draught purposes: Madras in very small numbers without any midday restrictions in summer months, and Delhi in larger numbers but mostly in the early hours of the day, the subject of midday restrictions being under consideration. In any case, the use of buffaloes in summer months in the mufassal or in other cities is no argument against midday stoppage in Calcutta when it is the definite opinion of the veterinary experts that in the conditions of the city it amounts to cruelty.

(b) The second point is one on which the carters are on surer ground. In his reply to Mr. Hopkyns' questions, Mr. A. D. MacGregor, Principal, Bengal Veterinary College, said: "The fact that no adequate arrangements for the midday halt exist, so far as I know, is to be regretted, as the first duty of the Society for the Prevention of Cruelty to Animals, when such a sensible idea was propounded and sanctioned by Government, was to see that some benefit or rather the full benefit of such a rest to the beasts was in operation. Resting shelters with hose-pipe water connection should be erected throughout the city and in addition, water connections made at recognised tree-shade areas where animals surplus to such shed accommodation could be rested and bathed. I fail to see a trace of sense in the present system or want of such." The conclusion of Mr. Hopkyns was "that the buffalo is not unsuitable as a draught animal in Calcutta, provided he is supplied, especially in the hot weather, with an ample supply



of water for drinking and watering. If these conditions cannot be fulfilled, then the use of the buffalo as a draught animal should be gradually brought to an end."

The conditions contemplated by Mr. Hopkyns are yet unfulfilled. Previously the carts used to be stopped and the buffaloes unyoked at any place where they happened to be at the commencement of the prohibited hour. Since 1931 "cart stand notices" are put up at certain points (a list of which will be found in Appendix II), where the carts are detained. At most of these stands there is no natural or put up shade, nor any provision for water except by an unauthorised use of street hydrants, which without hose-pipes or cisterns are of little use to the buffaloes. "The present arrangements," says the Secretary of the Society, "are unsatisfactory. These were never intended to be permanent, and it was anticipated that in view of the Corporation recommendations, it would be only a question of a few years when the use of the water buffalo as a draught animal would be discontinued. In the original scheme for stopping the animals, space was provided in each area for parking and watering large numbers in one spot. The Corporation offered the use of two of the *gowkhanas* with buffalo water for some 60 or more animals and space for carts in each, the Commissioner of Police sanctioned one space on the maidan and the Society erected a large shed at another site, while suitable parking places were arranged at all other areas. But in practice it had been found impossible to carry out these arrangements, and it could only be done by police regulation. The carters will not move their carts away from the spot at which they are stopped, and it led to a series of minor disturbances to get them to the sites arranged, and the attempt abandoned. Buffaloes must have water, and shade without water is useless for them. The carters like to remain by the roadside with a supply of water from the street hydrants in which they wash their clothes while the buffaloes are resting. Carters (as distinct from owners) used to welcome the rest hours. They are paid by the day and lose nothing. For the last two or three years (and even during the disturbances of 1930), it is a common thing for carters to stop without being told to do so and turn on the hydrants themselves, using the iron pins from their carts for the purpose. They cannot turn off the water in the same way and, consequently, the Society's officers are blamed by the Corporation for leaving hydrants open all over the city."

The questions now are:—

- (i) Is it practicable to make satisfactory sheltering and watering arrangements at the cart stands?
- (ii) If not, should midday stoppage be given up? Or
- (iii) Should the use of the buffalo as a draught animal be gradually brought to an end in the way suggested by Mr. Hopkyns?

The reply to (i) is clearly in the negative. Traffic conditions will not permit such arrangements at some of the stands and the cost of providing them will in all cases be prohibitive. It is reported by the Society that the watering shed erected by the East Indian Railway in the goods shed at Howrah to accommodate 60 buffaloes cost Rs. 10,000 and the "buffalo wallows" in the Corporation *gowkhanas* in Districts II and III Rs. 12,000 each.

(ii) It may now be considered if without adequate arrangements for shelter and watering the midday stoppage as it stands is necessary or requires modification in any respect.

In paragraph 19 of his report, Mr. Hopkyns has pointed out that the veterinary opinion is that it is heat more than load from which the buffalo suffers. In the absence of adequate provisions for relief from heat, it seems to us a question of fact, to be determined in each particular case, whether under certain conditions relaxation of the rule of stoppage would not result in lesser cruelty than exposure to midday sun on tar-macadamed roads for three hours and then work late into night to make up for lost time. We are of opinion that the rule of midday stoppage should not be enforced mechanically and automatically, but that the officers responsible for the working of the Act should be allowed discretion to relax the rule, taking into consideration the actual condition of the animals, the load carried by them and the distance to be

completed. The weather conditions should also be taken into account, as on some days the sky is cloudy or there is rain—factors which may render the enforcement of the rule quite unnecessary. For the same reasons we think that unloaded carts should not be detained but allowed to proceed to their destination.

(iii) With what materials we have before us we are unable definitely to commit ourselves to the view that because adequate provisions cannot be made for sheltering and watering the buffalo during the midday hours, the use of the buffalo as a draught animal should gradually be brought to an end. We are of opinion that stoppage during the midday does give the buffalo some relief, and to some extent equates its physical disadvantages to those of other animals used for transport in Calcutta. The modifications of the rule of midday stoppage proposed by us under (ii) above will, to our mind, improve his lot to some extent. We would further recommend that carts found plying between two cart stands should be allowed to proceed to the nearest cart stand—at least some of the stands provide shelter of trees, etc., and water from the hydrants—instead of being unyoked on the spot. A suggestion was made by one of the members that to popularise bullocks as draught animals in Calcutta the question of enhancement of the load permissible for big bullock-carts should be further investigated in consultation with the interests concerned. We invite the attention of Government to this suggestion.

In this connection we went into the points raised by Mr. Hopkyns in paragraph 23 (4) of his report. So far as convenience of traffic with regard to midday stoppage goes, the cart stand notices at suitable places fixed up by the Commissioner of Police, in consultation with the Society and the carters, have to some extent been an improvement, and we do not see what else can be done in the matter. As to securing early delivery of goods at the jetties, railway goods sheds and similar places to facilitate flow of business, it will be clear from the letters of the Commissioners for the Port of Calcutta and the Calcutta Import Trade Association [Appendix III (1) and (2)] that so long as the habits and customs of the people remain what they are, no real improvement can be effected in this direction. We, however, think that the modification proposed by us to the rule of midday stoppage will to some extent facilitate the flow of business. As to accommodation in principal loading places, we did not go into the matter in detail, as we thought that in the present depressed state of trade it was futile to ask or to expect anybody to undertake any considerable expenditure on this account. We are given to understand by the Port Commissioners that they provide both covered and uncovered space for the resting of the buffaloes with unfiltered water hydrants close by. The carters represented that they should be allowed to park their carts on one side of the street in certain congested areas for loading and unloading. We thought that it was a matter which could be taken up more profitably with the Police. We received no representation from the carters that there was any cause for complaint so far as accommodation provided by the carrying companies (Railways and Steamer Companies) at the loading places was concerned.

4. The grievances which come next are those relating to arrest and prosecution of carters. The complaint of the carters is that the activities of the Society are almost wholly directed to prosecutions of carters and owners of animals. They observe that the high percentage of convictions is no indication of the truth of the cases, as they find it more economical to plead guilty than to defend themselves in Court. They represent that the harassment caused by incessant prosecutions is bearing extremely hard on them. In a note submitted to us [Appendix X (1)], Rai Bahadur N. N. Banarji, once a member of the Executive Committee of the Society, says: "Unfortunately, the fines realised in cruelty cases in Court were allotted to the Society after a few years of its existence, and the Society have since become more a department of the Police to arrest and prosecute cruelty cases than a Society ministering unto the ills the dumb animals of Calcutta are heir to. A large number of agents had to be appointed with a highly paid supervising staff, and the very existence of the Society depended on the number of prosecutions and the amount of fines realised. The bread of the keepers of animals, carters, cart-owners and cabmen were to be interfered with in order to keep the Society going. Naturally, there grew up an attitude of hostility towards the Society on the part of those very men whom the Society stood to educate, and they have come to look upon the Society not as an angel of mercy but as an engine of oppression. No doubt,

the Government realised the awkward position and voted a fixed grant of Rs. 1,20,000 a year to the Society in lieu of fine for running the 1920 Act, but that was based upon an average of 3 years' fine and everybody felt that the Government contribution would in future depend on the amount of fine realised and, in fact, it was reduced when the amount of fine fell off" [Appendix IV (1) and (2)]. The view that the Society is pursuing a punitive policy finds support in Mr. MacGregor who comments on "the policy of the Society in pursuing its punitive application of the Act to the extreme limits of endurance." The Barrackpore Society writes that it "abstains from prosecutions and relies on education to prevent cruelty, and this procedure has been found to be eminently satisfactory," and suggests that the administration of the Act "might be made less punitive and more preventive" in Calcutta. In his very full reply to Rai Bahadur N. N. Banarji's note referred to above, Lt.-Col. Leslie, who attended our meetings in the absence of Mr. Page as the representative of the Society, thus expressed himself: "In criticising the methods of the Society, the Rai Bahadur is apparently not aware that in all countries where Societies for Prevention of Cruelty to Animals exist, punishment by law of offenders is recognised as the surest means of preventing cruelty. The Rai Bahadur of all people should know that if the Penal Code does not promote righteousness, it certainly restrains vice. In Great Britain Police officers everywhere are instructed to arrest offenders and *in addition*, the Royal Society for the Prevention of Cruelty to Animals employs paid officers to report cases that have escaped the notice of the Police, or themselves to institute prosecutions by means of summons. Lantern lectures and similar popular means of propaganda do little if any good, as the persons who need instructing can rarely be reached by these methods" [Appendix X (3)]. We addressed the Society to submit their remarks on the allegation that their activities were almost wholly directed to prosecutions. The reply we received will be found in Appendix V.

We have examined the figures of prosecutions for different kinds of cruelty to buffaloes and bullocks and of their treatment in the hospital of the Society since 1925 [Appendix VI (A) (B)]. We find that the prosecutions were maintained at a very high level up to 1929. In 1930 the figure tumbled down to half. In 1931 it was even less. It remained stationary in 1932. We understand that the fall in 1930 was due to the unsettlement of the work of the Society consequent on the riots of the 1st April 1930 and its persistence in 1931 and 1932, to disaffection among the subordinate staff of the Society, the curtailment of the staff and the depressed condition of the trade, and not to any waning of faith on the part of the Society in the efficacy of prosecution. The impression that we get from these figures is that it is prosecution of carters and owners and not treatment or First Aid which constitutes the main activity of the Society. If Lt.-Col. Leslie expresses the present policy of the Society correctly, it seems to us that it falls short of the objects of the Society as set forth in its First Annual Report (quoted by Lt.-Col. Leslie in his note). Prosecution is undoubtedly an effective method of preventing cruelty, but education in kindness by various methods of propaganda (the Barrackpore Society has conceived the happy idea of using a First Aid motor vehicle to patrol the streets) and alleviation of the sufferings of animals by treatment and First Aid should be regarded as no less important. In our view prosecution should be resorted to only in flagrant cases of cruelty. We find a mention in the Society's Annual Report of 1932 that 1,973 animals were discharged after being given First Aid without prosecution of the owners. This appears to us to be a step in the right direction. We understand that there used to be a practice of granting Sunday leave only to those officers who showed a certain minimum number of prosecutions during the week, but that the practice has since been abandoned. This also is a step in the right direction.

We notice the observation of Rai Bahadur N. N. Banarji that "everybody felt that the Government contribution would in future depend on the amount of fine realised." We are not sure that any such feeling is justified. In 1926 Government deliberately introduced the policy of a fixed annual grant, irrespective of the amount of fines that might be realised and, in fact, the amount of fines has borne no relation to the grant ever since it was introduced [Appendix IV (1) (2)]. We learn from the Madras Society that since 1929 their Government are giving them a fixed grant of Rs. 8,000 in lieu of fines, "but Government reserve the right to reduce the amount

of grant if there should be a fall in the number of prosecutions instituted by the Society" (see Appendix I). So far as this Society is concerned, however, the terms of reference of the enquiry make it clear that the grant is to be determined not by any such considerations but only with reference to proper carrying out of the purposes of the Act.

In this connection we make the following recommendations:—

(i) **Qualification of officers on street duties.**—It is desirable that they should have certain minimum veterinary qualifications. They should possess sufficient veterinary knowledge to enable them to render First Aid on the streets when necessary, to exercise their discretion properly with regard to the midday stoppage, to be better able to judge cases of unfitness, etc. (section 10), on the spot. The present incumbents should be given an opportunity to qualify themselves.

(ii) **Liability of owners (sections 5 and 10).**—It is urged that under the existing provisions of the law, the owners of animals are doubly penalised; they have to pay the fines imposed on the carters (sections 5 and 10), for the carters are unable to pay, and, in addition, they are themselves fined for "permitting" cases [sections 5 (1) and (2), 10 (1) and (2)]. The explanation to these sections, however, clearly lays down that "permitting" is to be presumed only "if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom." The onus of proving that the owner failed to exercise reasonable care and supervision is thus laid on the prosecution. So long as the law is applied with due discrimination—as we expect it is—and not in the "penny in the slot" manner, we think the provision of penalty for owners for "permitting" cruelty will serve a very useful purpose. We notice that the Delhi Society has warned the firms who contract for removal of heavy loads that they would be prosecuted if they permitted overloading.

(iii) **Arrest of carters (section 26).**—Under the existing law the carter is "taken" first to the weigh-bridge and then, if a criminal case is to be instituted, to the police-station. Only a police officer has under section 26 the power to arrest an offender and to take a bond for appearance before a Magistrate. It is clear that this procedure must result in a good deal of harassment and loss to the carters. (We notice that not all the weigh-bridges are located in the thana compound, vide Appendix VII.) We suggest that when it is decided to institute a case, the cart number should be taken and the owner given notice to produce the offending carter before the Magistrate. If the owner fails to produce the carter in Court, it should be presumed that he permitted the offence and be proceeded against according to law. The recommendations will involve the following amendments:—

*Section 5 (Explanation).*—"For the purposes of this section an owner or other person referred to in clauses (1) and (2) above shall be deemed to have permitted overloading if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom, or if he shall have failed to produce an offender in Court when required to do so under section 26 (2)."

*Section 10 (Explanation).*—"For the purpose of this section an owner or other person referred to in clauses (1) and (2) above shall be deemed to have permitted such employment if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom, or if he shall have failed to produce an offender in Court when required to do so under section 26 (2)."

*Section 26.*—Any police officer or any person duly authorised by the local Government in this behalf may, etc.—

(iv) **Institution of cases between sunset and sunrise.**—This should be discouraged, as the opportunities for institution of false cases are greater at night time. Cases should be instituted at night only when flagrant cruelty is detected.

(v) **Removal of excess goods (section 19).**—Under the existing law, any excess load removed from an animal is kept by the weigh-bridge officer at the weigh-bridge or at a godown of the Society until removed by the owner, who has to be served with a written notice to that effect. This means loss to the owner. Often he is not found in time for the service of notice or is unable to remove the load within the period specified under section 19 (1), and is penalised with charges for removal of goods to

the godown and rent therefor. We see no reason why the carter who has been entrusted by the *chaudhury* or the owner with the goods should not also be allowed to remove them himself or arrange for their removal by any other person. We suggest the following amendments of the section:—

*Section 19 (1).*—“Any excess load removed from an animal under section 17, subsection (2), and any load which was being carried by an animal seized under section 18, and taken to the weigh-bridge, shall be kept by the weigh-bridge officer, *if not removed forthwith by the carter or the owner of the load*, at the risk of the owner of such load at the weigh-bridge or at any other place appointed by the local Government for this purpose, and the weigh-bridge officer shall, by written notice, direct the owner of the load to remove it from the weigh-bridge within a period to be specified in such notice.”

*Section 19 (1a).*—“At any time before the expiration of period referred to in subsection (1) *the carter or the owner of the load may remove it free of charge from the weigh-bridge.*”

(vi) **Extension of time to 9 p.m. for release of cattle from the pounds.**—This has been urged by the carters, as they suffer the loss of a whole morning’s work under the present arrangements. We have been given to understand by the police that there will be no difficulty in extending the time to 9 p.m. instead of 6 p.m. as at present.

5. With regard to treatment of animals in the Belgachia Hospital and the Hospital of the Society, we received some vague complaints and recommendations from the carters. When we asked them to be more definite, we were told that they did not wish to press them. In the absence of any definite complaints and evidence in support of them, we are not in a position to say that the treatment of animals in the Veterinary Hospitals calls for improvement in any particular direction.

6. The grievances of the carters with regard to the Courts mainly relate to excessive number of prosecutions and the manner of their disposal. We are told by the representative of the carters that prosecutions are often instituted for flimsy cases, and it is not seldom that they are called upon to answer charges which are exaggerated or even false. They allege that the percentage of conviction is no indication of the truth of the case, as they generally prefer pleading guilty in Court to the expense and loss in time and work that they must undergo in defending themselves.

We think there may be something in what they say about the high percentage of convictions being due to their inability and reluctance to defend themselves. We have dealt with the question of excessive prosecutions already. If, according to our recommendations, proceedings in future are instituted only in flagrant cases of cruelty, we expect that the abuses in this direction, if any, will be greatly minimised.

We would make the following recommendations in this connection:—

(i) **Courts.**—At present cases are tried in Sealdah, Alipore and Bankshall Courts. We do not see why cases should not be taken up in Jorabagan Police Court also. It will save the carters of North Calcutta much unnecessary trouble.

(ii) **Amendment of section 22 (2).**—This section deals with the procedure with regard to unfit animals. When the employment of such an animal is detected, the Veterinary Inspector can do one of two things: *either* send it to an infirmary for treatment and care, *or* (if he considers a prosecution necessary, or if the owner of the animal so elects) direct the prosecution of the offender *and detain the animal for production* before the Magistrate. Under section 23 the Magistrate can send an unfit animal to an infirmary for treatment and care.

It will be seen that “unfitness” under section 22 (2) refers to unfitness “at the time of seizure.” There were complaints that detention of animals in the infirmary of the Society for production before the Magistrate was a hardship to the owners, as in many cases the animals were later on found not sufficiently unfit to be sent to an infirmary under section 23, but the owners had to pay the charges for detention in the Society’s infirmary all the same.

Since March last, the Society have, we understand, relaxed the operation of this section at the instance of the Commissioner of Police and have allowed the animals

to be taken away by the owners to be produced in Court. The complaint of the Society now is that this unauthorised relaxation of the section has not had satisfactory results. Out of 4,681 cases sent up last year, only 130 animals were produced in Court by the owners. The non-production of unfit animals restricted the exercise of the discretion of the Magistrate under section 23. The same men were in some instances "arrested day after day with the same animal, until their condition became such as to necessitate their detention in hospital without any question."

It seems necessary to amend section 22 (2) in the light of these difficulties. We can contemplate cases in which neither immediate removal to an infirmary for treatment and care nor prosecution and detention for production before the Magistrate is necessary. Also there may be cases when prosecution is called for, but not detention in the Society's infirmary for production before the Magistrate. We suggest the following amendment of the section:—

"If on such examination the Veterinary Inspector is of opinion that the animal is unfit to be employed on the work, or labour on which it was employed at the time of its seizure, he *may* either send the animal for treatment and care to an infirmary appointed under section 14, and inform the owner of the animal of his having done so, or (if he considers that a prosecution is necessary or if the owner of the animal so elects) direct the prosecution of the offender. *In the latter case, he may detain the animal in an infirmary for production before the Magistrate or direct its production before the Magistrate by the owner, if necessary.*"

The following may be inserted after section 22 as section 22 A:—

"*Any person directed to produce an animal before the Magistrate under section 22(2) shall be bound to produce the same or cause it to be produced. Failure to do so will be punishable with a fine which may extend to one hundred rupees.*"

(iii) **Responsibility of the Magistrate (section 23).**—We are not sure that all Magistrates realise the responsibility imposed upon them under section 23. We hope that Government will issue necessary instructions to all concerned for due compliance with the provisions of this section.

(iv) **Punishment and relief to animals (section 24).**—The cost of treatment, feeding and watering of an animal in the infirmary is payable by the owner under section 24. Enforced detention of animals under section 24 is often likely to be of more real benefit to the animals than the use of the penal sections. It should be impressed on the Magistrates dealing with cases under the Act that benefit to the animals should be one of the main considerations in the award of punishments. Fines should be inflicted only in cases of repeated offence or flagrant cruelty.

Along with greater use of section 24 we would also recommend that the officer in charge of the infirmary should in each case estimate the probable duration of detention necessary, and give the owner an opportunity to send the animal to the pinjrapole or have it destroyed.

(v) **Court Veterinary Inspector.**—At present a Government Veterinary Inspector is attached only to the Bankshall Court. The carters urge that a Government Veterinary Inspector should be attached to each of the other trying Courts as he is the only independent officer that the Magistrate has for checking the work of the street agents when necessary.

We see no objection to this recommendation except one of finance which is a matter for Government. We have recommended above that in future the non-production of unfit animals when required to be produced under section 22(e) should be made a penal offence. If our recommendation is given effect to, the Veterinary Inspector of Bankshall Court will have plenty to do. But so long as there is not sufficient work for him in this Court, his services may perhaps be utilized in other Courts by fixed hours on fixed days of the week.

We now come to the question whether the working of the Act in Calcutta should continue to be entrusted with the Calcutta Society for the Prevention of Cruelty to Animals. A short historical note was prepared by the Secretary on the

administration of laws and rules relating to prevention of cruelty to animals in Calcutta. We have included the note in Appendix VIII, as it supplies the necessary perspective to this question.

We find that the 1929 Act was originally intended to be administered by the Corporation of Calcutta, but as the City Veterinary Department through which it was to be administered did not materialise, the Act was amended in 1926, and its administration made over to the Society. The Society is an unregistered body with a constitution (Appendix IX) framed by itself (most of the societies in other parts of India appear to be registered, —Appendix I). The constitution can be altered in any manner its members desire at an Annual General Meeting or an Extraordinary General Meeting called for the purpose (rule 32, Appendix IX). In examining the question whether the constitution had worked well, we received a volume of complaint from different quarters. After considering the notes of Rai Bahadur N. N. Banarji and Lt.-Col. F. M. Leslie and verbal representations of Mr. D. P. Khaitan, who also submitted a list of persons whose applications for membership of the Society had not been accepted [Appendix X, (1), (2), (3) and (4)], we had the feeling that for some time past the Society had been looked upon by a large section of the Indian public of Calcutta as a close corporation from which Indians even of eminent positions in public life had been excluded without any adequate reasons. It was also represented to us that the Executive Committee of the Society by their very composition were unable to keep in intimate touch with the conditions existing in Calcutta from day to day—a factor which was important for a proper administration of the Act. It was pointed out that the work of the Society lay mainly among the carters and *chaudhuries*, but there was no representative of the carters or *chaudhuries* on the Executive Committee to keep them in touch with the carting trade and the state of feeling among them with regard to the administration of the Society. Again the activities of the Society among the large community of carters and *chaudhuries* involved the peace and order of the city (as evidenced by the April riots of 1930 and *hartals* observed on the 1st April of every year since), but there was no representative of the Police on the Executive Committee to keep them alive to the situation. Further, the Corporation of Calcutta was closely connected with some important aspects of the administration of the Act, and it was essential to have a representative of the Corporation on the Executive Committee in the interests both of the Society and the Corporation. The fact that Government made a large annual grant to the Society which formed 90 per cent. of the income of the Society [Appendix IV(2)] further required that the public had some voice in the administration of the Society.

We felt that there was a good deal of force in these representations. Apart from the composition of the Executive Committee, we found that the following rules of the Society were inconsistent with the constitution of a public body administering an Act of Government with a considerable money grant from provincial revenues:—

*Rule 6.*—“The Election Committee may postpone the time of consideration of the application of any candidate for election for the purpose of making further enquiries or for any other purpose, and they may refuse to elect a candidate without giving any reason therefor.

The General Committee shall have power (*save as regards persons who were members on the 26th February 1932*) to remove the name of any member from the list of members without giving any reason therefor, provided that the current year's subscription if paid shall be returned to him and thereupon he shall cease to be a member.”

We inquired of the Society if they were agreeable—

- (i) to alter the constitution by deleting the clauses in rule 6 mentioned above;
- (ii) to alter the constitution of the Executive Committee to the extent of including at least five members consisting of one from the Police, one from the Veterinary Department, one from the carters and *chaudhuries*, one

from the Corporation, and one non-official member of the Bengal Legislative Council; and

- (iii) to amend rule 20 of the Rules of the Society to empower the Executive Committee instead of the General Committee, as at present, to appoint the Election Committee (to remove the suspicion of a "packed" Election Committee).

The Society replied to this enquiry by stating that "the Rules of the Society can only be altered by a General Meeting of the members of the Society, and the Committee see no reason for calling such a meeting (Appendix V)."

In the absence of any reasonable justification for the present character of the constitution and the attitude adopted by the Society, and in view of our decided opinion that the amendments to the constitution proposed by us are desirable for the satisfactory administration of the Act, we see no other alternative than to recommend taking over of the administration of the Act from the Society to be worked either by a department under Government or by a branch of the Calcutta Police. In this connection, we invite the attention of Government to the letter of the Corporation (Appendix XI) forwarding the proceedings of its Estates and General Purposes Standing Committee who have recommended that the Corporation should take over the administration of the Act under certain conditions. Lt.-Col. F. M. Leslie in his note has observed that "in the event of Government deciding not to entrust the Society with the administration of the Act in future, it would make little difference in the nature of the work, though the amount of work done on behalf of suffering animals may have to be curtailed to meet reduced income." We agree that the administration of the Act is not the *raison d'être* of the Society. We think that relieved of the all too absorbing and exacting duty of institution of prosecutions, the Society can still continue to do very useful work in the direction of educating public opinion and alleviating the suffering of animals.

As regards the staff necessary for the proper administration of the Act, we have not examined the question in detail in view of our recommendation to relieve the Society of the work. But we are of opinion that whoever administers the Act, the staff that would be necessary would not in all probability be less than that employed by the Society. The Society at present is working some of the weigh-bridges on alternate days. That does not seem to us to be any cause for complaint. We think that it is only right that the administration of the Act should be intensified or relaxed according to the conditions of the trades which employ animals. We would observe here that the status and qualifications of the officer in immediate charge of the administration of the Act should be those of an officer of the Bengal Provincial Veterinary Service.

8. We sum up our recommendations below:—

(i) **Midday stoppage.**—The stoppage may be retained, except in the case of unloaded carts. But the officers responsible for its working may be given discretion to relax it in individual cases, taking into consideration the condition of the animals, their load, the distance they have to complete and the weather conditions generally. The buffalo-carts caught plying between the stands during the prohibited hours should be allowed to proceed to the nearest cart stand and not be unyoked on the spot. Cisterns should be provided, as far as possible, at the cart stands, and pipes for sprinkling the buffaloes with water.

(ii) **Prosecutions.**—Prosecutions should be undertaken only in flagrant cases of cruelty. First place should be given to efforts in the direction of First Aid to Animals.

(iii) **Qualifications of street agents.**—The street agents should eventually be persons with minimum veterinary qualifications to be prescribed by Government.

(iv) **Arrest of carters.**—There is no necessity of taking an offending carter to the thana for the institution of a case. The number of the cart should be taken down, and the owner should be asked to produce the carter. If the owner fails to do so, it



should be presumed that he permitted the offence, and be proceeded against according to law (amendment of sections 5, 10 and 26).

(v) **Institution of cases between sunset and sunrise.**—Cases should be instituted at night only when flagrant cruelty is detected.

(vi) **Removal of excess goods.**—The carter or any person authorised by him should also be allowed to remove or make arrangements for removal of the excess goods forthwith [amendment of section 19(1) and (1a)].

(vii) **Extension of time for release of cattle from the pounds.**—The time should be extended to 9 p.m.

(viii) **Courts.**—Cases should also be taken up at Jorabagan Police Court.

(ix) **Court Veterinary Inspector.**—Each Court trying cases under the Act should have the services of a Veterinary Inspector appointed by Government. The services of the Veterinary Inspector attached to the Bankshall Court may be made available for other Courts by fixed hours on fixed days.

(x) **Procedure with regard to unfit animals.**—The Veterinary Inspector should have the discretion to allow carters or owners to take away the animals when they need neither be sent to an infirmary nor be produced before Court. He should also have the power to detain the animals when necessary in an infirmary prior to production before the Magistrate. In cases of prosecution where the animals do not require immediate treatment and care in an infirmary, the Veterinary Inspector should have the discretion to make it over to the owner for production before the Magistrate [amendment of section 22(2)].

(xi) **Magistrate's discretion to direct the removal of unfit animals to infirmaries (section 23).**—Instructions should be issued by Government to all concerned for due compliance with the provisions of this section.

(xii) **Punishment and relief to animals (section 24).**—Greater use should be made of section 24 with a view to give relief to animals. Penal clauses should be used only in cases of repeated offence or of flagrant cruelty. Instructions should be issued by Government accordingly to Magistrates.

(xiii) **Administration of the Act.**—The administration should be taken over by Government to be worked either under a department of Government or as a branch of the Calcutta Police.

(xiv) **Staff and expenditure.**—Whoever is entrusted with the administration of the Act, the staff and expenditure required would in all probability be the same as that of the Society. The status and qualifications of the officer in immediate charge of the administration of the Act should be those of an officer of the Bengal Provincial Veterinary Service.

9. Finally, we desire to express our acknowledgments to the Secretary for the admirable way in which he has assisted our labours in every respect, particularly in the collection and summarising of materials and in preparing the draft report, in all of which matters he has taken the burden off our shoulders.

\*H. G. PEARSON.

N. K. BASU.

L. H. COLSON.

\*P. J. KERR.

\*S. K. SINHA.

K. C. GUPTA.

DURGA PRASAD KHAITAN.

\*W. W. K. PAGE.

R. R. KHAN.

B. R. SEN—*Secretary.*

### **Minute of Dissent (1).**

While we agree that it is desirable for the purposes of the administration of the Act to have the constitution of the Society amended in the manner, and for reasons, stated in paragraph 7 of the Report, we are unable to agree with the majority that the administration of the Act should forthwith be recommended to be taken over by Government. We are of opinion that before any such action is taken, Government should give the Society an opportunity to reconsider their attitude in the matter and to introduce the changes in the constitution proposed by us.

H. G. PEARSON.

S. K. SINHA.

P. J. KERR.

W. W. K. PAGE.

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### **Minute of Dissent (2).**

**Should the use of the buffalo as a draught animal be gradually brought to an end in the way suggested by Mr. Hopkyns.**

With reference to the Committee's finding on this matter, the more one enquires into it the more apparent it becomes that buffaloes are not suitable for work under modern conditions in Calcutta. In order to allow some 8,000 such carts to ply, without permitting cruelty to animals, much public money needs to be spent on stopping places and shelters, the transport of goods hindered, the traffic of the city seriously impeded, and the public peace may be endangered.

It seems obvious that the view put forward by Mr. Hopkyns is the right one, that draught buffaloes should be gradually eliminated by licensing buffalo-drawn carts and reducing annually the number of licences. The loads which it is essential to move on such carts could be carried on big bull-carts. There seems to be no reason why big bulls or bullocks of the same body-weight as buffaloes should not draw the same load.

P. J. KERR.

S. K. SINHA.

W. W. K. PAGE.

APPENDICES

## Summary of replies from other Societies

(Reference to Secretary's letter Nos. 19-23 Pl.—C.,

Question.	Answer in regard	
	Calcutta.	Bombay.
1. Is the Society a registered one?	No.	Yes.
2(i) What staff is maintained by the Society and what pay is given to the staff?	<p><i>Number of staff</i>—101 (including 3 temporary).</p> <p><i>Pay and Allowance</i>—</p> <p><i>Executive staff</i>—(72).</p> <p>1 Secretary and Superintendent—Rs. 720. (Car allowance—Rs. 150).</p> <p>1 Assistant Superintendent—Rs. 150. (House Allowance—Rs. 25.)</p> <p>6 Inspectors—Rs. 85 and Rs. 100. (Conveyance allowance—Rs. 10.)</p> <p>64 Agents—Rs. 45, Rs. 55 and Rs. 65. (Cycle allowance—Rs. 5). (Additional allowance—to 3 Veterinary Officers at Rs. 20 and 7 Weighbridge officers at Rs. 20).</p> <p><i>Hospital staff</i> (5).</p> <p>2 Veterinary Surgeons—Rs. 80 (Free quarters. One is given charge allowance of Rs. 25.)</p> <p>1 Staff Medical Officer—Rs. 75.</p> <p>1 Ambulance driver—Rs. 60.</p> <p>1 Ambulance cleaner—Rs. 16.</p> <p><i>Office staff and menials</i> (24).</p> <p>1 Cashier and Head Clerk—Rs. 155.</p> <p>1 Assistant Steno-typist—Rs. 100.</p> <p>6 Weighbridge Coolies (3 temporary)—Rs. 10. and Rs. 16.</p> <p>5 Peons—Rs. 15.</p> <p>2 Durwans—Rs. 18 and Rs. 20.</p> <p>1 Bearer—Rs. 20.</p> <p>8 Sweepers—Rs. 16 and Rs. 17.</p>	<p><i>Number of staff</i>—50.</p> <p><i>Pay and Allowance</i>—</p> <p>1 Chief Veterinary Inspector—Rs. 155—10/2—200. (Conveyance allowance—Rs. 15.)</p> <p>4 Veterinary Inspectors—Rs. 70—10/2—150. (Conveyance allowance—Rs. 10.)</p> <p>45 Agents—Rs. 25. (Rs. 50 given in particular cases).</p>

## DIX I.

## for the Prevention of Cruelty to Animals.

dated the 22nd December 1932.)

to the S. P. C. A. at—

Madras.	Delhi.	Karachi.
<p data-bbox="118 465 162 487">Yes.</p> <p data-bbox="118 529 326 551"><i>Number of staff—22.</i></p> <p data-bbox="118 593 346 615"><i>Pay and Allowance—</i></p> <p data-bbox="118 638 423 729">1 Superintendent—Rs. 175. (Conveyance allowance Rs. 35 and lecture allowance Rs. 15.)</p> <p data-bbox="118 729 400 751">1 Chief Inspector—Rs. 65 (Cycle allowance—Rs. 5).</p> <p data-bbox="118 751 326 773">1 Inspector—Rs. 55.</p> <p data-bbox="118 773 326 795">1 Inspector—Rs. 45.</p> <p data-bbox="118 795 326 817">2 Inspectors—Rs. 40.</p> <p data-bbox="118 817 413 839">5 Sub-Inspectors—Rs. 35.</p> <p data-bbox="118 839 387 860">7 Sub-Inspectors—Rs. 30. (The Sub-Inspectors get a reward of As. 4 for each case of conviction when the number of cases exceed 12 a month).</p> <p data-bbox="176 1033 283 1055"><i>Office staff.</i></p> <p data-bbox="118 1079 292 1101">1 Clerk—Rs. 50. (Shorthand and typewriting allowance—Rs. 15).</p> <p data-bbox="118 1101 400 1122">3 Peons—Rs. 16. (House allowance—Rs. 1).</p>	<p data-bbox="446 465 490 487">Yes.</p> <p data-bbox="446 529 655 551"><i>Number of staff—15.</i></p> <p data-bbox="446 593 682 615"><i>Pay and Allowance—</i></p> <p data-bbox="446 638 780 687">1 Chief Inspector—Present pay Rs. 170 (Basic pay—Rs. 150).</p> <p data-bbox="446 687 763 729">1 Veterinary Superintendent—Rs. 75.</p> <p data-bbox="446 729 673 751">1 Inspector—Rs. 130.</p> <p data-bbox="446 751 776 773">1 Assistant Inspector—Rs. 40.</p> <p data-bbox="446 773 716 795">6 Sub-Inspectors—Rs. 30.</p> <p data-bbox="446 795 615 817">1 Syce—Rs. 18.</p> <p data-bbox="446 817 615 839">1 Syce—Rs. 14.</p> <p data-bbox="446 839 655 860">2 Sweepers—Rs. 12.</p> <p data-bbox="446 860 635 882">1 Farrier—Rs. 40.</p>	<p data-bbox="817 465 861 487">No.</p> <p data-bbox="817 529 1026 551"><i>Number of staff—11.</i></p> <p data-bbox="817 593 1052 615"><i>Pay and Allowance—</i></p> <p data-bbox="817 638 1220 687">1 Superintendent and Veterinary Surgeon—Rs. 150—10—200. (Cycle allowance—Rs. 15.)</p> <p data-bbox="817 687 1220 773">6 Inspectors—Rs. 30—3—51 (10 per cent. commission on fines realised on cases instituted by them).</p> <p data-bbox="817 773 971 795">1 Syce—Rs. 20.</p> <p data-bbox="817 795 991 817">1 Typist—Rs. 25.</p> <p data-bbox="817 817 964 839">1 Peon—Rs. 27.</p> <p data-bbox="817 839 978 860">1 Peon—Rs. 23.</p>

Question.	Answer in regard to	
	Calcutta.	Bombay.
2(ii) What other expenditure is incurred by the Society for carrying out its object?	<p>Maintenance of a hospital.  Motor Ambulance.  Uniform of staff.  Animal Day and Dog show expenses.  Contribution to Provident Fund.  Advertisement charges.  Printing and Stationery charges.  Maintenance of weigh-bridges.  Telephone charges.  Auditors' fees.  Insurance premiums.</p>	<p>Bhistees' wages for filling water trough.  Office rent.  Printing and advertisement.  Stationery.  Postage.  General charges.  Telephone charges.  Auditor's fees.  Bank and Law charges.  Meeting expenses.  Fire insurance.  Repairs to weigh-bridges.  Uniform of Agents and of peons.  Motor Ambulance.  Medicine and Dispensary requisites.  Fees paid to Bombay Municipal Infectious Hospital for animals sent there from the Society's Hospital.  Fees paid to Bombay Pinjrapole for unfit and incurable animals sent from Society's hospital.</p>
3(i) What kinds of animals are generally employed for draught purposes?	<p>Horses.  Buffaloes.  Bullocks.</p>	<p>Horses and bullocks generally</p>
3(ii) Is there any mid-day stoppage of buffalo carts during the summer?	<p>Yes.</p>	<p>No. (The question does not arise.)</p>
If so, for how long and during what months the restriction is imposed; and	<p>From 1st April till June when monsoon breaks between 12 noon and 3 p.m.</p>	<p>Does not arise.</p>
What arrangements are made for resting and parking places for buffaloes and carts during such period?	<p>Resting points have been selected in consultation with the Commissioner of Police by the C. S. P. C. A. Water is also given to the buffaloes from the Corporation hydrants. These arrangements are not considered to be satisfactory by the carters as also by the C. S. P. C. A.</p>	<p>Ditto.</p>

the S. P. C. A. at—

Madras.	Delhi.	Karachi.
<p>Uniform of staff—            Gratuity to staff—            Printing and stationery.—            Propaganda, e.g., medals and prizes, lantern lecture expenses, animal show expenses, etc.</p>	<p>Motor Ambulance.            Hospital (small fee which is imposed does not cover cost of treatment and feeding of animals).            Shoeing-forge and employment of trained farrier.            Construction of water trough.            Purchase of portable wheel-load scales for controlling overloading of animals.            Employment of humane killer and purchase of Captive Bolt Pistol for humane slaughter of cattle for human consumption.            Licence and insurance for Ambulance, Motor cycle, etc.            Telephone charges.</p>	<p>Maintenance of Society's Out-patient Dispensaries.            Gharry sheds for public conveyance of horses.            Water troughs for all animals for drinking purposes.            Award of medals and cups in cases of conspicuous bravery in saving life of animals and for dog shows.</p>
<p>Horses.            Ponies.            Bullocks.            Buffaloes (in very small number).</p>	<p>Horses.            Bullocks.            Buffaloes.            Camels.</p>	<p>Camels.            Bullocks.            Donkeys.</p>
<p>No mid-day stoppage during the summer.</p>	<p>No. (The subject is under consideration. Most of the work is done in the early hours of the day.)</p>	<p>The question does not arise as there are no buffalo carts.</p>
<p>Does not arise.</p>	<p>No ordered stoppage during the hot weather. The subject is under consideration. Most of the work is done in the early hours of the day.</p>	<p>Ditto.</p>
<p>Ditto.</p>	<p>Ditto.</p>	<p>Ditto.</p>

Question.	Answer in regard to	
	Calcutta.	Bombay.
3(iii) What is the normal temperature and humidity of the place during the summer?	Temperature 95 to 100 degrees. Humidity—about 79 per cent. in April and 89 per cent. in June.	Not stated.
4 (a) (i) What rules if any, are there for dealing with over loading of animals, and	The maximum weights (including the weight of the cart) of the loads carried by carts drawn by animals are as follows :— For each lorry or 4-wheeled wagon drawn by 2 buffaloes or 2 horses—70 Mds. For each 2-wheeled cart drawn by— 2 buffaloes—60 Mds. 1 buffalo—25 Mds. 2 Punjab, Bombay or Madras bullocks, each measuring 52 to 60 inches in height—45 Mds. 2 Bihar or U. P. bullocks each measuring 46 to 52 inches in height—30 Mds. 2 local bulls or bullocks each measuring 40 to 46 inches in height—25 Mds. 1 horse—20 Mds. 1 pony—15 Mds 1 bull or bullock—15 Mds. (Notification No. 926-Pl.—D., dated the 18th June 1930.	No definite rules but when the load exceeds 16 cwts., the Society is generally able to procure convictions.
(ii) whether the excess loads are removed from the animals and kept in any place, e.g., Society's godown, and	Yes. ( <i>Vide</i> notification No. 5049Pl., dated the 17th November 1927.	No.
(iii) whether any charges are made for their transport and storage from their owners?	Charges are made on the following scale :— Coolie hire for removal of loads from vehicle—1 anna per maund. Bullock cart hire per load of 15 Mds. at Re. 1-4 for 1st mile and 8 annas for every additional mile. Heavy loads removed by motor traction at current local rates. For goods detained in the store-house appointed for the area—Re. 1 per diem for each 10 Mds. or less. (Notification No. 5058Pl., dated the 17th November 1927.)	Does not arise.



the S. P. C. A. at—

Madras.	Delhi.	Karachi.
<p>100 to 105 degrees. Humidity—not stated</p> <p>There is no bye-law or rule framed by Government prescribing the maximum scale of loads for different kinds of draught animals.</p>	<p>Temperature very high. Humidity low.</p> <p>The municipality of Delhi have framed rules as under :— 4-wheeled carts drawn by 2 or more bullocks or buffaloes—40 Mds. 4-wheeled cart drawn by 1 bullock or buffalo—15 Mds. 2-wheeled cart drawn by 1 bullock or buffalo—10 Mds. Single harness <i>tongas</i> are allowed 4 persons besides the driver or a load. These bye-laws are not enforced and all loads are invariably in excess.</p>	<p>80 to 100 degrees. The humidity of the place has not been stated.</p> <p>In cases of overloading the carts after weighing are brought directly to the Court and after the disposal of the case, the driver or owner is asked to remove the excess weight into another cart. (It does not appear that any scale of load has been prescribed, as this has not been given.)</p>
<p>No. (There is no bye-law or rule framed by Government prescribing the maximum scale of loads for different kinds of animals.)</p>	<p>There is no removal of excess loads at present. The wheel-load scales have just been introduced as a check and a system is under consideration.</p>	<p>In cases of overloading, the carts after weighing are brought directly to the Court and after the disposal of the case the driver or owner is asked to remove the excess load into another cart.</p>
<p>Ditto</p>	<p>Ditto</p>	<p>See above. (It does not seem that any charges are made.)</p>

Question.	Answer in regard to	
	Calcutta.	Bombay.
4 (b) Whether in the case of overloading and use of unfit animal, only the person who commits the offence is proceeded against or also the owner of animal ?	The person who overloads the animal is prosecuted and if the owner of the animal permits overloading he is also prosecuted.	In overloading cases the drivers and the loaders are proceeded against. In cases of using unfit animals the drivers and the owners are proceeded against.
5 What are the fines ordinarily imposed by the Court under the different sections of the law in force relating to prevention of cruelty to animals ?	<p>The carters allege that the fines imposed by the Court are not only heavy but are not uniform. In their opinion these should not exceed Re. 1 in each case.</p> <p>The maximum amounts of fine under different sections of the Bengal Cruelty to Animals Act, 1920, are :—</p> <p>Under section 4 (overdriving, cruelly beating, etc.)—Rs. 100.</p> <p>Under section 5 (overloading)—Rs. 100.</p> <p>Under section 10 employment of unfit animals—Rs. 100.</p> <p>Under section 12A (working buffaloes during prohibited period)—Rs. 50.</p>	<p>The fines generally vary from 8 annas to Rs. 5.</p> <p>[The maximum amount of fine under section 6 of the Prevention of Cruelty to Animals Act, as amended in 1922 (using unfit animals) is Rs. 100.]</p>
6 (i) What arrangements exist for the treatment of animals in infirmaries ?	Animals requiring treatment for short periods are treated in the C. S. P. C. A. Hospital which has been declared an infirmary and in the infirmary at Belgachia.	Animals sent under the order of the Court for treatment are treated in the Society's hospital, if free from contagious disease. If they appear incurable, they are sent to Pinjrapole. If suffering from contagious disease, they are sent to Municipal Contagious Diseases Hospital for Animals at Tardeo.
6(ii) How many infirmaries are there within the jurisdiction of the Society ?	Two. (Belgachia hospital and C. S. P. C. A. hospital.)	Three. (Bombay Pinjrapole, Society's hospital at Parel and Municipal Contagious Diseases Hospital for Animals.)

the S. P. C. A. at—

Madras.	Delhi.	Karachi.
<p>Does not arise in view of reply to 4(a).</p> <p>The average fine imposed during 1929-1931 :— Rupees 2-12-9 in 1929. Rupees 2-8 in 1930. Rupees 2-9-8 in 1931.</p>	<p>Only the driver is proceeded against.</p> <p>Firms who contract for removal of heavy loads have been warned that they will be proceeded against if they employ insufficient animals to remove the load.</p> <p>Information has not been supplied on this point by the Society.</p>	<p>Generally the person who commits the offence is proceeded against.</p> <p>Rs. 3 on an average.</p>
<p>Out of 2,000 cases tried on an average in 1929, 1930 and 1931, only 87, 22 and 33 cases were, respectively, sent to the infirmary (Government Veterinary College).</p>	<p>There are two Civil Veterinary Hospitals, one in Delhi and one in New Delhi. The latter is a gazetted "receiving centre" for cruelty cases. All cases belonging to Delhi proper are treated at the Society's hospital.</p> <p>The charges for treatment of horses, mules, cows, buffaloes, bullocks and donkeys when attended by owners are 8 annas.</p> <p>At the receiving centre in New Delhi, the municipality do not charge extra when the animal is unattended by the owner.</p>	<p>Minor injuries are treated in the Society's hospital as out-patients. Serious cases are sent to Richmond Crawford Veterinary Hospital for in-patient treatment.</p>
<p>One. (Government Veterinary College in Madras.)</p>	<p>Two. (One in Delhi and one in New Delhi.)</p>	<p>Three. (One Richmond Crawford Veterinary Hospital maintained by District Board and two out-patient dispensaries maintained by the Society.)</p>

Question.	Answer in regard to	
	Calcutta.	Bombay.
6(iii). What are the usual charges for treatment of animals in the infirmaries ?	<p>Animals detained in the infirmary at Bowbazar are treated, fed and watered at 12 annas a day for horses and buffaloes and 8 annas a day for bullocks. (Notification No. 5067 Pl., dated 13th October 1927.)</p> <p>At the Bengal Veterinary College at Belgachia the charges are as stated below :—</p> <p>Horses and ponies—Re. 1 per diem with a minimum charge of Rs. 8.</p> <p>Out-patient horses and ponies—Rs. 3 (each case).</p> <p>Charges for operation on horses—</p> <p>Major operation—Rs. 16.</p> <p>Minor operation—Rs. 4.</p> <p><i>Cattle—</i></p> <p>In-patients, if fed by owners—Free.</p> <p>In-patients if fed by hospital (for cartmen, <i>goalas</i>, etc.)—2 annas per diem with a minimum charge of Re. 1.</p> <p>Out-patients (for cartmen, etc.)—Free.</p> <p>Charges for operation on cattle of poor people—Free.</p> <p>(<i>Vide</i> rules for the admission of animals into Bengal Veterinary College.)</p>	<p>Charges for treatment in the Society's hospital are 10 annas for cattle and Re. 1-4 for horses, per diem for each animal.</p>
7. What arrangements are made for the temporary detention of animals prior to their production in the Court ?	<p>Previously the animals were detained at the Bowbazar Infirmary before their production in the Court. This practice is not now followed and the carters are now required to give an undertaking to produce the animals before the Court.</p>	<p>Animals are not detained prior to their production in Court.</p>

the S. P. C. A. at—

Madras.	Delhi.	Karachi.
<p>Animals concerned in cruelty cases are treated free of charge. The feeding charges are as below, if they are not fed by the owners :—            Horse—1-4 a day.            Cub—Re. 1 a day.            Pony—12 annas.            Bullock—                (big)—Re. 1 per day.                (small)—12 annas a day.            Ass—6 annas a day.</p>	<p>Charges for treatment of horse, mule, buffalo, bullock and donkey under section 6(4) of Act XI of 1890—8 annas (when attended by owner). No extra charge is made in the hospital in New Delhi if the animal is unattended by the owner.</p>	<p>Out-patients treated in the Society's Dispensary—free of all charges. Charges levied in the Richmond Veterinary Hospital are :—            Rs. 5 for admission and treatment of horses for 3 weeks after which an additional fee of Re. 1-4 per week or fraction thereof.  <i>All other animals :—</i>            Admission fee—Re. 1-4 and after 3 weeks an additional fee of Re. 1-4 per week or fraction thereof.</p>
<p>Usually if proper bail is furnished by the persons charged in cruelty cases, the animals are restored to them after entry of cases. For this purpose they are required to sign a bail bond undertaking to produce the animal in Court on the date of hearing of the case. If bail is not forthcoming, the animals are impounded in the police-stations and taken from there to the Court at the time of hearing of the case.</p>	<p>In slight cases, e.g., lameness due to bad shoeing, the animals are kept with the S. P. C. A. for not more than 24 hours, and are shod and rested and the wounds, if any, are dressed and discharged and the owners served with warnings and required to pay one day's fee. No animal is kept for more than one day without Magistrate's order. In serious cases certificates to that effect from Veterinary Officer are attached to a form sent to Magistrate for order to detain the animals pending production in Court. Arrangement exists for regular Court days with the Magistrate. Orders for destruction of animals are applied for in the same way. The owners of all animals detained by order of the Court are prosecuted.</p>	<p>If injured animals are detected before Court hours, they are taken with the driver or owner to the Court direct.            If they are detected after Court hours, they are taken to the nearest police-station after taking the driver's or owner's bail bond and released with instructions to appear on the next day.</p>

Question.	Answer in regard to	
	Calcutta.	Bombay.
<p>8. Are the fines realised in cruelty cases credited to the Society or does the Society get any lump grant from Government? If so, what are the amounts received by the Society during the last five years?</p>	<p>Prior to 1st April 1927, the Society was credited with fine receipts which amounted to Rs. 1,25,785 in 1924. Since then the Society was credited with a lump contribution of Rs. 1,20,000 for a period of 3 years (1927-28 to 1929-30) in lieu of fine receipts. The amount of the grant during subsequent years was reduced to a certain extent. The grant for the year 1932-33 is Rs. 80,000.</p>	<p>It is stated that fines are not credited to the Society but the Society gets a grant-in-aid from Government; but from the statement of accounts of the Society it appears that it got the following amounts in the shape of fine receipts—</p> <p>1926— Police fines (Bombay)— Rs. 42,750. Police fines (Bandra)— Rs. 2,280 = Rs. 45,030.</p> <p>1927— Police fines (Bombay)— Rs. 49,161.</p> <p>Police fines (Bandra)— Rs. 2,180 = Rs. 51,341.</p> <p>1928— Police fines (Bombay)— Rs. 36,000. Police fines (Bandra)— Rs. 1,040 = Rs. 37,040.</p> <p>1929— Police fines (Bombay)— Rs. 39,848-8. Police fines (Bandra)— Nil = Rs. 39,848-8.</p> <p>1930— Police fines (Bombay)— Rs. 34,339-8. Police fines (Bandra)— Rs. 1,140 = Rs. 35,479-8.</p>

the S.P.C.A. at—

Madras.	Delhi.	Karachi.
<p>The Society was getting the fine receipts till 1929. For the past three years, Government are paying the Society a fixed annual grant of Rs. 8,000 in lieu of fines, subject to the right of Government to reduce the amount, if there should be a fall in the number of prosecutions instituted by the Society.</p>	<p>No grant is received from Government by the Delhi S. P. C. A. The fines are credited to the Society and the total for the last five years, is Rs. 11,658—</p> <p>The Society gets grants-in-aid from the local bodies. The amount of fine receipts and grants-in-aid are as below :—</p> <p><i>Fines—</i></p> <p>1927-28—Rs. 3,248.  1928-29—Rs. 2,828.  1929-30—Rs. 1,414.  1930-31—Rs. 1,406.  1931-32—Rs. 2,762.</p> <p><i>Grants-in-aid—</i></p> <p>1927-28—Rs. 1,000.  1928-29—Rs. 1,500.  1929-30—Rs. 1,350.  1930-31—Rs. 950.  1931-32—Rs. 950.</p>	<p>Formerly the Society used to get half the amount of fine receipts, the other half being received by the Municipality. But now the whole of the fine receipts is given to the Society.</p> <p>Amount of fines realised in—</p> <p>1926-27—Rs. 11,164-8.  1928-29—Rs. 13,271-0.  1929-30—Rs. 13,865-0.  1930-31—Rs. 8,571-4.  1931-32—Rs. 8,244-0.</p> <p>Average amount of fine receipts in a year—Rs. 11,023.</p>

## APPENDIX II.

Cart stand notices are put up at the following points:—

*A. Armenian Ghat Area.*

	Number of agents on duty.
(1) On Strand Road in front of Bajaghat, opposite Rowing Club ... ..	1
(2) Strand Road in front of Nos. 10 and 11 Gates of the Port Commissioners ... ..	2
(3) Strand Road in front of Nos. 2 and 3 Gates ... ..	1
(4) Armenian Ghat near weigh-bridge ... ..	1
(5) Strand Road and Meerbohur Ghat Junction ... ..	2
(6) Opposite Mackinnon Mackenzie's building on Strand Road under the banian tree. ... ..	1
(7) Opposite John King's office on Strand Road, No. 40 ... ..	1

*B. Jorabagan Area.*

(1) Nimtolla Ghat Street and Strand Road Junction near Tram Depôt ... ..	1
(2) Sovabazar Street and Gray Street Junction, in front of No. 105, Bowbazar Street ... ..	1
(3) South-west of Beadon Square ... ..	1
(4) Upper Chitpore Road and Baranosi Ghose Street Junction ... ..	1
(5) Strand Road in front of Mayo Hospital ... ..	1

*C. Baghbazar and Chitpore Area.*

(1) Baghbazar and Upper Chitpur Road (near the red wall on Baghbazar Street), Baghbazar Hydraulic Jute Press ... ..	1
(2) Near Talla Bridge on Canal Side in front of No. 19, Galip Street, close to banian tree (this is a most important place) ... ..	1
(3) Near Talla Railway Bridge in front of Cossipore District Municipal Office ... ..	...
(4) Cossipore Road and Kaliprosad Singha Road, inside Kaliprosad Singha Road ... ..	...
(5) Upper Circular Road and Nandanbagan Street in front of Tincori Sadhu Khan's Mill ... ..	1
(6) Shambazar Street and Krishnaram Bose Street (inside Krishnaram Street, back of Shambazar Tram Depôt) ... ..	...
(7) Upper Circular Road and Halshibagan Road Junction ... ..	1
(8) Cossipore Road and Gun Foundry Road Junction, Chitpur police-station ... ..	1
(9) Near Shambazar Bridge on Canal West and East Road ... ..	1



*D. Sealdah and Manicktolla Areas.*

	Number of agents on duty.
(1) Upper Circular Road and Manicktolla Spur ... ..	...
(2) Near Manicktolla Thana ... ..	1
(3) Mechua Bazar and Upper Circular Road ... ..	1
(4) Lower Circular Road and Balliaghata Road near Sealdah Police Court ... ..	1
(5) Mirzapur Street close to District II near College Square ...	1
(6) Harrison Road and Central Avenue near Fire Brigade Office ... ..	1
(7) Central Avenue and Bowbazar Street Junction ... ..	1

*E. Park Street Area.*

(1) Lower Circular Road and Park Street Junction ... ..	1
(2) Lower Circular Road and Beniapukur Road Junction ... ..	1
(3) Outram Road and Kidderpore Junction ... ..	1
(4) Mayo Road and Dufferin Road Junction ... ..	1
(5) Dhurrumtolla Street near the Wellington Square ... ..	1
(6) Crossing of Napier Road and Strand Bank Road (near the big banian tree where there is a reservoir of water) ... ..	...

*F. Alipore and Watganj Areas.*

(1) On Chetla Road near Chetla Bridge ... ..	1
(2) Station Road and Chetla Road ... ..	1
(3) Tollyganj Circular Road near Buro Sibtolla Road and Majerhat (close to Durgapur Bridge) near the Port Commissioner's land ... ..	...
(4) Old Tollyganj Road and Tollyganj Circular Road near the bridge ... ..	...
(5) Near Tollyganj Outpost on Tollyganj Circular Road ... ..	...
(6) On Mudiali Road at Russa Road ... ..	...
(7) On Sewer Road at Russa Road opposite Ballygunge Avenue ... ..	...
(8) On Hazra Road and Russa Road (near the hackney carriage stand) ... ..	1
(9) Cathedral Road and Chowringhee Road opposite Harrington Street where a reservoir is kept ... ..	1
(10) Near Zoo Point ... ..	1
(11) Kidderpore Road and Lower Circular Road Junction ... ..	1
(12) Near Kidderpore Tram Terminus ... ..	1
(13) Near Majerhat Bridge close to Maharaja of Burdwan's house ... ..	...
(14) Circular Garden Reach Road and Lakshinarayanganj Gully near the reservoir and wine shop ... ..	...

**APPENDIX III (1).**

No. 02688, dated Calcutta, the 13th January 1933.

From—The Secretary to the Commissioners for the Port of Calcutta.

To—The Secretary, Cruelty to Animals Enquiry Committee.

With reference to your letter No. 26 Pl.C., of the 22nd ultimo, I have the honour to inform you that the Commissioners are only in a position to comment on the first point raised in paragraph 3 of Resolution No. 132.

In theory the Commissioners are opposed to any restriction of the free flow of traffic through their jetty gates, but, as a practical measure, they agree with the recommendations made in paragraph 23(1), (2) and (3) of Mr. Hopkyns' report. On points 2, 3, 4 and 5 they are not in a position to express any opinion.

Inside the Commissioners' premises there is both covered and uncovered space available on which buffaloes can rest when untethered and there are unfiltered water hydrants close by.

One of the chief arguments against the midday rest appears to be that early deliveries are not made from the Commissioners' jetties owing to the *sircars* attending late with the necessary documents. It may be of interest therefore to point out that during the boom period of 1921, when there was great congestion at the jetties, the Commissioners attempted to encourage early delivery and to overcome the late attendance of *sircars* by the imposition of penal rents but without success.

**APPENDIX III (2).**

No. 323-M., dated Calcutta, the 16th December 1932.

From—The Secretary, Calcutta Import Trade Association,

To—The Deputy Secretary to the Government of Bengal.

*Bengal Cruelty to Animals Act, 1920.*

The Committee of this Association have read with interest Resolution No. 5610-Pl., issued by the Government of Bengal and printed in the "Calcutta Gazette" of the 24th November 1932. They note that a Committee has been appointed by Government to enquire into the working of the abovementioned Act, and as this Association is interested in this matter as regards the restrictions imposed by the Bengal Cruelty to Animals (Amendment) Act, 1926, on the use of buffaloes as draught animals in the "hot weather" season, the Committee have instructed me to address you, as Secretary to the Government Committee, and inform you of the views held by them on this subject.

2. The nature of the restrictions on the use of buffaloes as draught animals is well-known to you, so there need be no necessity to refer to them here. Of course, it naturally follows that with this restriction upon the free flow of traffic in such a populous port, merchants are involved in considerable inconvenience and expense. Efforts have been made in some measure to alleviate the resultant consequences of the Government orders in this regard, and the Committee are indeed grateful to the various Carrying Companies in Calcutta and to the Calcutta Port Commissioners for the extended facilities granted for the receipt and delivery of goods during the currency of the restrictions on buffalo-cart traffic. Indeed, the Committee believe they are correct in saying that, but for the extended facilities so kindly granted and the endeavours of members of this Association to start work earlier in the mornings, the Government orders in this connection would have proved much more difficult to enforce. When it is remembered that difficulty is caused to Government

in an endeavour to enforce the orders, that merchants are seriously inconvenienced by them, that certain public departments have to extend their normal working hours to smooth the path of the operation of such orders, and that the Calcutta Police are confronted with additional problems of traffic control, enforcement of orders, etc., the Committee consider that there can be no gainsaying the fact that the time is ripe for a change in the nature of these restrictions. If such are the difficulties encountered at the present time when trade is passing through a severe depression, it requires no great effort to visualise the greatly enhanced difficulties which will result when trade returns to normal.

3. At no time have the Committee of this Association been opposed to the humanitarian principle of the restrictions, namely, a minimisation of the suffering which, it is contended, work in the "hot weather" imposes upon buffaloes, and their endeavours to assist the working of the orders are advanced in support of the willingness of this Association to do everything possible to achieve this end. In point of fact, this Association made representations to the Commissioner of Police, Calcutta, in April 1931 (their letter No. 103-M., dated the 21st April 1931) with the object in view of suitable provisions being made for the more effective attainment of this end. In this letter they urged that better provision should be made for buffalo shelters, hydrants, etc., and they noted with satisfaction from a letter, dated the 8th May 1931, addressed to the Bengal Chamber of Commerce by the Commissioner of Police, Calcutta, that an experimental series of stands had been drawn up jointly by the Police and the Society for the Prevention of Cruelty to Animals, representatives of the carters also being consulted in this matter. What the Committee do object to is the manner in which the attainment of the humanitarian end is sought. They consider the restrictions to be irksome and wrongly imposed, and once more they venture to place before you a suggestion which by its adoption would, they think, achieve the object in view without giving rise to the present difficulties.

4. If it is the considered view of Government that the buffalo is an animal unsuitable for draught work in the climatic conditions obtaining in Calcutta, then the Committee would be prepared to support any measure taken with a view to their total abolition as draught animals. The Committee suggest that the load for buffaloes should be reduced to that of the smaller size of bullock and that Government should give notice of their intention to declare that, at the expiry of say two years from the date of the notice, the use of buffaloes as draught animals will be entirely prohibited. During this period of time the number of licences should be severely curtailed and this the Committee think could, if the former suggestion is regarded as too drastic, be made the method by which Government could in due course eliminate from the streets of Calcutta, buffaloes as draught animals. The Committee have yet to see cogent reasons advanced against action on one or other of the lines suggested above, the adoption of which they recommend to your Committee.

5. The Committee do not desire to comment on the first five of the special points referred to your Committee for investigation, as they are regarded as matters not within the Committee's competence. As regards the questions raised by Mr. W. S. Hopkyns, C.I.E., O.B.E., I.C.S., in paragraph 23 of his report on the grievances of carters, the Committee have already indicated to you the position of matters regarding the resting and parking places for buffaloes. As regards the accommodation at loading places, it would appear that the Carrying Companies and the Port Commissioners are in a better position to advise you thereon and, consequently, the Committee offer no views. In the matter of earlier delivery of goods, I may say that the Committee of this Association have had it proved to them (and long before the restrictions were imposed on buffalo-cart traffic) that it is futile to attempt a system of earlier deliveries in Calcutta by reason of the habits and customs of the people. As regards deliveries by the Port Commissioners, it is practically impossible for merchants, owing to the various formalities which have to be observed in having the various documents and papers examined and checked, to have carts loaded much before 12 noon. It is possible, of course, to have the necessary clerical work done the day before, so that the goods may at once be loaded in the morning of the next day before 10 a.m., but it must always be remembered that this is a day wasted and that if every importer were

to adopt such tactics, the number of carts required at that time in the morning would be immense and create a traffic problem of no mean dimensions at the docks and jetties.

6. The Committee would feel obliged by your placing their views before the Government Committee, and if there are any other points on which you wish their views, or if there are any points in this letter which you wish further amplified, the Committee will be glad to do all that it is within their power to prove of assistance to you.

### APPENDIX IV (1).

#### Annual Government grants to the Society since 1928 and fines realised from prosecutions.

Year. (Calendar year.)					Government grant.	Fines realised.		
					Rs.	Rs.	A.	
1928	..	..	..	..	1,20,000	99,385	4	
1929	..	..	..	..	1,20,000	1,05,586	12	
1930	..	..	..	..	1,20,000 (a)	62,763	8	
1931	..	..	..	..	1,20,000 (b)	40,772	8	
1932	..	..	..	..	85,000 (c)	39,729	0	

(a) For 1930-31, Rs. 1,19,000.

(b) For 1931-32, Rs. 1,15,000.

(c) For 1932-33 Rs. 80,000.

### APPENDIX IV (2).

#### Annual Government grants to the Society (and fine receipts) since 1918 as compared with receipts from subscriptions and donations.

Year. (Calendar year.)	Fine receipts.				Government grant.	Subscriptions and donations.					
	Rs.	A. P.				Rs.	Rs.	A. P.			
1918	..	..	51,216	15	9	} (x) {	.....	11,166	7	8	
1919	..	..	84,673	9	9		.....	13,245	11	0	
1920	..	..	87,852	2	9		.....	12,440	8	9	
1921	..	..	95,572	12	0		.....	11,750	14	3	
1922	..	..	1,05,041	3	9		.....	9,713	0	0	
1923	..	..	1,08,561	14	9		.....	10,775	8	0	
1924	..	..	1,25,785	14	9		.....	16,400	11	0	
1925	..	..	1,17,368	1	6		.....	12,721	2	6	
1926	..	..	1,18,240	13	6		.....	9,451	14	10	
1927	..	..	1,03,113	14	0(y)		90,000 (a)	15,856	8	0	
1928	..	..	99,385	4	0		} (z) {	1,20,000 (b)	14,089	10	5
1929	..	..	1,05,586	12	0			1,20,000 (c)	16,352	6	7
1930	..	..	62,763	8	0			1,20,000 (d)	13,227	5	4
1931	..	..	40,772	8	0	1,20,000 (e)		9,275	11	0	
1932	..	..	39,729	0	0	85,000 (f)		7,304	7	0	

(x) Credited to the Society.

(y) Of the amount, Rs. 34,850-4-9 was credited to the Society and the balance credited to Government.

(z) Credited to Government.

(a) From 1st April 1927 to 31st December 1927. (For 1927-28, Rs. 1,20,000.)

(b) For 1928-29, Rs. 1,20,000.

(c) For 1929-30, Rs. 1,20,000.

(d) For 1930-31, Rs. 1,19,000.

(e) For 1931-32, Rs. 1,15,000.

(f) For 1932-33, Rs. 80,000.

### APPENDIX V.

No. G/4/432, dated Calcutta, the 3rd April 1933.

From—The Secretary and Superintendent, Calcutta Society for the Prevention of Cruelty to Animals,

To—The Secretary, Cruelty to Animals Enquiry Committee.

In continuation of my letter of the 27th March, with reference to your No. 79 Pl. C., of the 23rd March, I am to inform you that my Committee, having considered the note of Sub-Committee E, has directed me to reply as follows:—

(1) The rules of the Society can only be altered by a General Meeting of the members of the Society, and the Committee see no reason for calling such meeting.

(2) The Committee is somewhat at a loss to understand by what process the interrogation contained in the note is put forward. At the same time, I am to say that much of the information asked for will be found in the Society's Annual Reports, and in the note recently sent in by Lt.-Col. F. M. Leslie.

I am to add that if this information is deemed insufficient, my Committee would like to know the precise terms of any allegations and by whom these are made.

### APPENDIX VI (A).

**A comparative statement of animals for which prosecutions were launched and animals which were treated in hospital.**

Year.	Number of buffaloes and bullocks dealt with.		Total number of prosecutions (all animals).	Animals treated in hospital.				First Aid.
	Buffaloes. (a)	Bullocks. (b)		Buffaloes. (c)	Bullocks. (d)	Per-centage of (c) to (a).	Per-centage of (d) to (b).	
1	2	3	4	5	6	7	8	9
1925 ..	5,753	19,159	23,277	97	69	1·5	0·3	..
1926 ..	7,838	14,536	21,404	272	128	3·4	0·9	..
1927 ..	7,774	11,716	18,994	366	163	4·7	1·3	..
1928 ..	9,567	12,431	19,118	382	215	4·0	1·7	..
1929 ..	10,020	13,232	19,460	1,125	744	11·2	5·6	..
1930 ..	5,105	8,364	11,216	641	635	12·5	7·6	..
1931 ..	3,159	6,037	9,110	323	436	10·2	7·2	..
1932 ..	3,329	5,819	10,031	207	266	6·2	4·6	..

## APPENDIX VI (B).

## Nature of cruelty to animals since 1925 for which prosecutions were launched.

Year.	Wounded.		Lame.		Emaciated and ill-conditioned.		Overladen.		Cruelly beaten, ill-treated and exhausted.		Worked during prohibited hours.
	Buffaloes.	Bullocks.	Buffaloes.	Bullocks.	Buffaloes.	Bullocks.	Buffaloes.	Bullocks.	Buffaloes.	Bullocks.	Buffaloes.
1	2	3	4	5	6	7	8	9	10	11	12
1925 .. ..	3,649	2,865	164	7,938	..	229	1,940	8,005	..	122	..
1926 .. ..	4,589	1,984	289	7,612	..	102	2,960	4,766	..	72	..
1927 .. ..	3,841	1,543	389	3,966	..	45	2,710	6,087	..	75	834
1928 .. ..	4,540	3,128	375	4,254	..	93	2,102	4,756	93 + 53 (exhausted)	200	2,404
1929 .. ..	6,164	4,538	415*	4,571†	(a)	(b)	1,431	3,683	490	440	1,520
1930 .. ..	3,256	2,707	274*	3,069†	(a)	(b)	680	2,369	392	219	503
1931 .. ..	1,864	1,630	191	2,325	36	99	740	1,843	134	140	194
1932 .. ..	1,900	1,383	220	2,579	38	58	854	1,680	122	119	195

\* Includes emaciated and ill-conditioned buffaloes.

† Includes emaciated and ill-conditioned bullocks.

(a) Included in the figure in column 4.

(b) Included in the figure in column 5.

## APPENDIX VII.

## The sites of the weigh-bridges.

- A. On Port Commissioners' land at Armenian Ghat, opposite Seal's Bathing Ghat.
- B. Corporation land in Lower Circular Road near Park Street Corner, next to Vaccination Depôt.
- C. In the compound of Alipore Police Thana.
- D. In the compound of Watgunge Police Thana.
- E. In the compound of Chitpore Police Thana.
- F. In Baghbazar Street. Not in use since Thana has been removed. Awaiting sanction from Canal authorities to remove the corner of Canal West Road and Mohun Lal Street.
- G. In compound of Jorabagan Court.
- H. On Corporation land at corner of Lower Circular Road and Beliaghata Road near western side of Sealdah Court.
- I. In compound of Manicktolla Thana.

## APPENDIX VIII.

### CRUELTY TO ANIMALS.

**A short note on the steps taken from time to time for prevention of cruelty to animals in Calcutta and the laws and rules relating thereto.**

Prior to 1926, prevention of cruelty to animals in Calcutta was dealt with under—

- (1) The Bengal Cruelty to Animals Act, 1869 (Bengal Act I of 1869), as amended by the Bengal Cruelty to Animals Act, 1900 (Bengal Act III of 1900),
- (2) The Bengal Cruelty to Animals (Arrest) Act, 1869 (Bengal Act III of 1869); and
- (3) The Prevention of Cruelty to Animals Act, 1890 (XI of 1890), except section 6 (1) (penalty for employing animals unfit for labour) and section 7 (penalty for wilfully permitting animals to go at large or to die in any street).

These Acts were supplemented by bye-laws framed under section 559 (51) of the Calcutta Municipal Act, 1899 (III of 1899), prescribing the conditions under which persons were to be permitted to drive registered carts and the maximum loads inclusive of the weight of the carts were to be drawn by bullocks. The Calcutta Police and the Calcutta Society for the Prevention of Cruelty to Animals were the agencies employed in giving effects to the Acts while the Hackney Carriage Department of the Calcutta Corporation were in close touch with the officers of the Calcutta Society for the Prevention of Cruelty to Animals. In 1909-1910 the Society employed 25 agents for carrying out the objects of the law in Calcutta and its suburbs. Of 12,446 cases instituted under the Acts in 1909, 7,626 or 61 per cent. were detected by the officers of the Society and the rest, i.e., 39 per cent. by the police. The income of the Society from fine receipts with which it was credited was Rs. 28,112 and from donations Rs. 4,525.

2. In his report on the Police administration of Calcutta for the year 1913, the Commissioner of Police made some remarks regarding cases of cruelty to animals. This resulted in the appointment of a Committee in 1915 with the Hon'ble Mr. Justice Richardson as its President to report on the following points:—

- (i) whether any changes were necessary in the laws and bye-laws as then existed relating to prevention of cruelty to animals; and
- (ii) how public and private agencies could most effectively co-operate in the enforcement of the law on the subject.

The report of the Committee was received in July 1915. In their report they made the following recommendations.

(1) The outstanding feature of their recommendations was their scheme for the establishment of a City Veterinary Department under the Calcutta Corporation. They recommended:—

- (a) a city veterinary officer with wide powers,
- (b) subordinate veterinary officers, subject to his orders;
- (c) Government should contribute towards the salaries of these veterinary officers;

- (d) establishment of a weighbridge at each depot where animals should be taken in cases of overloading of animals;
- (e) a veterinary subordinate should be in charge of one or more of these depots for checking the work of the police; and
- (f) veterinary officers' certificate should be necessary in all prosecutions about unfitness of the animal for labour:

(2) They also recommended that in case of excessive loading, the maximum load for animals fixed by Corporation should be abolished and in its place an average load inclusive of the weight of the cart for different animals and combination of two animals should be introduced and that Magistrate should determine in consultation with the veterinary officer and, if necessary, after inspecting the animal, whether the animal was overloaded or not and pass orders accordingly.

(3) Their other recommendations were:—

- (a) the Society should pay higher salaries to the officers (at that time there were 3 Inspectors drawing Rs. 80 each, 29 agents on pay ranging from Rs. 20 to Rs. 50);
- (b) Government should finance the Society by giving it a fixed grant to be considered triennially in place of the fines levied on cruelty cases;
- (c) the Police should assist the staff of the Society with a view to remove the chances of frequent allegation being made against them when they arrested persons;
- (d) selected persons in Calcutta should be authorised to take action in cruelty cases by issuing cards, the production of which would compel any policeman to help in cruelty cases; and
- (e) in the absence of the Veterinary Officer at a depot, the thana officer should be in charge of the place;

(4) They also suggested certain amendments of the existing laws, providing for weighing and detention of load, for sending unfit animals to the infirmary subject to the right of the person in charge of the animal to claim to have it taken before the Magistrate before it is sent to infirmary and for making the owner or the contractor liable for driving unfit animals and overloading irrespective of his knowledge of or direct responsibility for driving or overloading.

3. The recommendations of the Committee were examined and a Bill to consolidate and amend the Bengal Acts on the subject was drawn up and the Calcutta Society for the Prevention of Cruelty to Animals, Corporation and the European Association were consulted on the Bill as drafted.

In the meantime the Corporation had in 1918 formulated a proposal for the creation of a City Veterinary Department and enquired of the Revenue and the Police Departments whether they approved of the scheme so far as they were concerned and whether it would be possible for them to make any grant to Corporation under budget heads to be dealt with by them. The Police Department while approving of the scheme could not consider the question of a grant till the Cruelty to Animals Bill was further advanced. The Revenue Department approved of the scheme and agreed to Government paying half of the estimated cost, viz., Rs. 25,000, provided the Municipal Department matured a scheme including the municipalities and the areas covered by certain notifications in which the Glanders Inspectors paid for by Government worked.

4. The Bengal Cruelty to Animals Act was passed on the 3rd February, 1920, and the question of its enforcement was taken up. The City Veterinary Department of the Corporation which was to work the



Cruelty to Animals Act did not materialise and the question of its working by Government or by some other agency was taken up. A scheme drawn up by Mr. Kerr, Principal, Bengal Veterinary College, was discussed at a meeting held on 3rd July 1920 and was generally approved. In explaining the scheme formulated by the Committee to the Corporation, Government said, "The scheme provides for 8 weighbridges, to be set up at eight thanas and outposts in different centres of Calcutta; nine veterinary inspectors (including one as reserve for leave) each in charge of a weighbridge: eight weighmen, eight peons and eight jamadars. The Committee further considered that the veterinary inspectors should be of the class of the ordinary veterinary cadre of the province, receiving the pay (Rs. 100—5—175) of that cadre, plus a duty allowance of Rs. 75. The veterinary inspector should be the officer in charge of the weighbridge, the sub-inspectors of the thana being in charge in the temporary absence of the veterinary inspector. For each weighbridge there should be a literate weighman (preferably of the literate head constable type), and attached to each thana there should be a shed for three or four animals which might be detained by the veterinary inspector. The estimated cost of this scheme during the first year is Rs. 32,460 recurring and Rs. 17,040 non-recurring."

It appears that at the meeting mentioned above, the question was raised as to the incidence of cost of the scheme. The representative of the Corporation said that they would not be prepared to have anything to do with the scheme if it cost them money. If the Corporation were asked to take over the scheme and work it under their own Veterinary Department when started, they would not accept it unless they were provided with funds to meet the cost of the scheme. On the other hand, the representative of the Society for the Prevention of Cruelty to Animals observed that the proposed scheme would not in any way reduce the expenses of the Society. The Society was not prepared to give up the fine receipts as without them it would collapse.

5. The correspondence dragged on till 1924 and the Act remained in abeyance. In April 1924, the Corporation was again asked whether any decision had been reached as regards the establishment of their City Veterinary Department, to which they replied in the negative. They also stated that if the Corporation undertook the administration of the Act they would expect to be credited with the fine receipts.

6. In 1925, the Corporation set up a Committee to enquire into the working of the Calcutta Society for the Prevention of Cruelty to Animals and forwarded to Government a copy of the *ad interim* report of the Committee for consideration.

The principal recommendations of the Committee were:—

- (i) The Society should be a registered body. "It has been brought to their notice that applicants for membership have been refused membership which would not have been possible if the Society was a registered one. Also in view of the fact that the Society is a public body constituted for a public purpose and is carried on by subscriptions raised from the public and by public funds and whose officers have powers to arrest people without warrant, it is imperative that the public should be in a position to obtain information regarding the conduct of the Society which can only be done if the Society is a registered body."
- (ii) There should be more checks on the powers of the Secretary with regard to expenditure of money.
- (iii) The Agents of the Society should be veterinary men as far as possible. It would be better to have fewer agents with better pay and more sense of responsibility.

- (iv) Government should give the Society a definite budget grant based upon the requirements of the Society and not fine receipts for its maintenance.
- (v) The activities of the Society should be directed in a larger measure towards propoganda and publicity work.
- (vi) Veterinary surgeons should be attached to each of the courts where prosecutions took place. "It has been brought to the notice of the Committee that since the posting of a veterinary surgeon at the Bankshall Street Police Court, the prosecutions there have declined and the Calcutta Society for the Prevention of Cruelty to Animals have transferred their activities to the Sealdah and Alipore Courts."
- (vii) Some of the members of the Committee felt that cases of cruelty to animals should be tried by a bench of Honorary Magistrates, of whom at least one should be a veterinary expert.
- (viii) With a view to check systematic overloading of bullock and buffalo carts, owners of carts and firms permitting and otherwise abetting the overloading should be prosecuted wherever possible.
- (ix) More weigh-bridges should be established in places where there was heavy cart traffic.
- (x) Steps should be taken, especially during the summer months, to reduce the load that the bullocks and buffaloes are permitted to carry in Calcutta, and bye-laws should be framed accordingly.
- (xi) Buffaloes being really water animals should not be made to work between 11 a.m. and 4 p.m. during the hot weather, if at all.
- (xii) There should be representatives of the Corporation and other public bodies on the Managing Committee of the Calcutta Society for the Prevention of Cruelty to Animals.

The Committee also observed that the chief function of the Society had been to prosecute and that it had failed in its object of watching, cautioning and preventing cruelty to animals and of carrying on propoganda work in that connection.

7. Meanwhile questions had been put in the Council about bringing the Act into force and a pledge had been given that steps would be taken to that effect. It was assumed that the Corporation would not consider the creation of a City Veterinary Department. It was remarked that they were losing a great opportunity but Government had waited for 5 years and could not wait any longer. Mr. George Morgan in his dual capacity of a member of the Corporation and President of the Calcutta Society for the Prevention of Cruelty to Animals recommended that the Society should be entrusted with the administration of the Act and this was accepted by Government. The Society submitted a scheme as also draft rules for carrying out the purposes of the Act. Certain difficulties were anticipated in working the Act of 1920 as the provisions of section 19 regarding removal of excess loads appeared to be unworkable and an amending Act was passed in 1926. The opportunity was taken to insert a new section (section 12A) to prevent buffaloes being employed for draught purposes for certain hours during a certain period as desired by the Corporation. Rules under sections 24 and 29 of the Act were framed and the Society was entrusted with the administration of the Act. It was credited in lieu of fine receipts with an annual sum of Rs. 1,20,000 to be paid in quarterly instalments of Rs. 30,000 each for a period of three years

with effect from 1st April 1927 (the amount being roughly the average of fine receipts for years 1924 and 1925). It was decided that the grant would be reconsidered at the end of the period.

8. In 1927, Government decided after consultation with various public bodies to prohibit the use of buffaloes for draught purposes in Calcutta between the hours of 12 noon and 3 p.m. from the middle of March to the middle of June, the hottest part of the year. The rule to that effect was enforced with effect from the 1st April, 1927. In connection with the question of enforcing the restrictions in the following year, Sir Charles Tegart remarked that the police had to experience considerable difficulty in handling the situation when buffaloes, carts and loads were piled up on the public thoroughfares of the city for 6 hours in the day for several months of the year.

9. In June 1927 the Secretary and Superintendent, Calcutta Society for the Prevention of Cruelty to Animals, submitted a proposal for reducing the maximum load prescribed in the case of buffaloes from 60 to 45 maunds. One of the reasons for the proposal was to make it uneconomical for the carters to use buffaloes and to compel them to replace buffaloes by bullocks: a view which also had the support of the Import Trade Association, Calcutta. As this proposal required similar amendments in the bye-laws framed by the Corporation on the subject, the Corporation were asked to amend their bye-laws accordingly. The Corporation did not, however, agree to the proposal. The rule was amended by Government reducing the maximum load for buffaloes to 45 maunds and the Corporation rules which conflicted with it were cancelled. Government Resolution, dated 26th October 1929, gives the history of the case in detail.

10. In August 1928 Messrs. Pugh and Company on behalf of their clients brought to the notice of Government the difficulties of judging the loads to be placed on carts as the loads allowed under the rules were inclusive of the weights of the carts which varied in weights considerably and desired that the rule should clearly lay down the effective load which might be put on a cart. In reply they were informed that Government had no power under the Bengal Cruelty to Animals Act to prescribe the maximum weight of carts drawn by animals.

11. Representations were received from carters protesting against the reduced scale of loads and on the 1st April 1930 there were riots by carters in different parts of the city in which firing had to be resorted to resulting in the death of and injuries to several persons.

12. In April, 1930, Mr. Hopkyns was appointed to enquire into the grievances of the carters. The recommendations of Mr. Hopkyns are given in paragraph 23 of Part I of his report. One of his recommendations was that the maximum load should be kept at 60 maunds for buffaloes. In this connection Mr. Hopkyns remarked, "the policy of exterminating the buffalo by making it economically impossible for him to survive is not one which can be accepted. It ignores the fact that a large part of the carting work is now almost monopolised by the buffalo cart and it will take time to replace it by other forms of transport, and it also overlooks the fact that in the slow process of economic extinction much suffering must be inflicted on many men and many beasts." He also observed: "If the number of licences for buffalo carts is steadily and gradually reduced during the next ten years, the abolition of the buffalo as a draught animal in Calcutta can be effected without serious loss or suffering. Whether such action should be taken depends, in my opinion, on the answer to the question whether it is possible in Calcutta to provide the buffalo with the adequate shelter from the midday heat and the free access to water which are essential to its welfare without seriously obstructing the traffic of the city."

He suggested the appointment of a Committee to enquire into the questions which form item (6) of the terms of reference of the present Committee. The recommendation reducing the loading was accepted by Government, The Government Resolution No. 2082 Pl., dated 31st May 1930, may be seen.

13. Lately, apart from the complaints of the carters against the Society, Courts and Infirmaries, there has been trouble in the internal working of the Society, between the subordinate staff and the Executive Committee and in the Executive Committee itself. It will be seen however that the internal working of the Society does not form a term of reference of the present enquiry. How far such matters can be avoided in considering item (5) of the terms of reference will be for the Committee to decide.

## APPENDIX IX.

### Rules of the Calcutta Society for the Prevention of Cruelty to Animals.

1. **Title of the Society.**—The Society is called “The Calcutta Society for the Prevention of Cruelty to Animals.”

2. **Objects of the Society.**—The objects for which the Society is formed are—

- (1) To prevent the cruel treatment of animals.
- (2) To secure the welfare of animals within the town and suburbs of Calcutta and places adjacent thereto.
- (3) To do all things conducive to the aforesaid object.

3. **Means by which the objects of the Society are sought to be secured.**—To secure the objects aforesaid, the Society may—

- (a) employ paid agents charged with the duty of watching, cautioning and, if necessary, prosecuting all persons guilty of offences against any Acts for the Prevention of Cruelty to Animals, or the Prevention of Glanders and Farcy among horses, in force in British India, or against any Acts in furtherance or extension of, or in part material with, such Acts or any of them;
- (b) distribute papers and pamphlets in English and the various vernacular languages, encouraging kindness to animals and furnishing useful information as to the treatment of domestic animals and obtaining information as to the law, with regard to cruelty to animals, in force in India;
- (c) use such other means as may from time to time be devised for any of the purposes aforesaid.

4. **Patrons of the Society.**—The Viceroy and Governor-General of India, the Governor of Bengal and the Chief Justice of Bengal, for the time being shall ordinarily, if willing to accept the office, be the patrons of the Society.

5. **Members of the Society.**—The Society shall consist of two classes of members:—

- (a) ordinary members who shall pay an annual subscription of Rs. 12 in one sum for each year of membership;
- (b) life members who shall pay Rs. 250 in one sum. All such payments shall be made in advance.

The rights of membership shall be personal to each member and not transferable.

**6. Method of admission to membership.**—Each candidate for admission must be proposed by one member and seconded by another, and thereafter his name shall be put up for election by a Committee to be appointed for that purpose and called the Election Committee. The name and profession of the candidate must be communicated to the Secretary, and the same shall be entered in a list to be submitted to the Election Committee at its next meeting for the purpose of election. The Election Committee may postpone the time of consideration of the application of any candidate for election for the purpose of making further enquiries or for any other purpose, and they may refuse to elect a candidate without giving any reason therefor.

Should the candidate not be elected, a period of six months shall elapse before he can again be eligible for election.

On the election of each new member, the Secretary shall notify to him the fact of his election, and shall furnish him with a copy of the Rules of the Association, and he shall be bound thereby so long as he remains a member of the Society.

The General Committee shall have power (save as regards persons who were members on the 26th February 1932) to remove the name of any member from the list of members without giving any reason therefor, provided that the current year's subscription if paid shall be returned to him and thereupon he shall cease to be a member.

**7. Firms and Companies, whether incorporated or not, paying at least Rs. 100 annually to the Society in one sum, may nominate a member of the firm being a partner or assistant or an officer of such Company for election to the Society as a nominated member representing that firm or Company as the case may be and such nominated member shall be entitled to vote as a member of the Society and be eligible for election to the General Committee.**

**8. President of the Society.**—The President, who must be a member of the Society, shall be elected by the General Committee and shall hold office for three years and shall be eligible for re-election. If the office shall at any time be vacated temporarily, the General Committee shall elect another member of the Society as President to fill the vacancy. The President of the Society shall be *ex-officio* member and Chairman of the Committee.

**9. Secretary of the Society.**—The work of the Society shall be conducted by the Secretary of the Society who shall be appointed by the General Committee. The terms of such appointment shall be embodied in an agreement between the Secretary and the Society.

During any temporary absence of the Secretary, the vacancy may be filled by the General Committee.

**10. Duties of Secretary.**—The Secretary of the Society shall be a whole-time officer of the Society and devote the whole of his (or her) time and attention to his (or her) duties as such Secretary and shall not engage in any other employment, honorary or otherwise, during office hours. He (or she) shall attend all Committee Meetings and General Meetings and shall take minutes of all such Meetings; shall conduct the correspondence of the Society and have the custody and care of all books, documents and other property of the Society, except such as are in the custody of the Treasurer of the Society; shall prepare a return of the operations of the Society and statement of accounts for the Monthly Meeting of the Executive Committee and an Annual Report and Statement of Accounts to be placed before the Society in General Meeting; shall perform such other work as may be from time to time prescribed by the General Committee; and shall generally be responsible to the General Committee for the efficient management of the institution.

**11.** The Secretary shall have power to sanction the payment of any item of expenditure not exceeding Rs. 50 and the President any item of expenditure not exceeding Rs. 200. For any item of expenditure over Rs. 200 the sanction of the Executive Committee shall be obtained.

12. The Secretary shall have full control over the staff of the Society, with power to grant leave to and to suspend any member of, the staff in accordance with the conditions laid down, and shall report to the Disciplinary Board all such cases as call for reduction of grade or dismissal. All cases for dismissal are to be reported by the Disciplinary Board to the Executive Committee who will pass final orders.

13. The Secretary may at any time obtain the instructions, directions or authority of the Executive Committee by entering in a book particulars of the matters upon which such instructions, directions or authority are required and circulating the book among the members of the Executive Committee. The members of the Executive Committee shall enter their views in the books, and the Secretary shall carry out the views of the majority of the members of the Executive Committee. If the Executive Committee are equally divided in opinion on any matter, the Secretary shall carry out the view adopted by the President. Any such instructions, directions or authority so given shall be deemed to have been given as a resolution at a Meeting of the Executive Committee to that effect.

14. **Honorary Treasurer.**—There shall be an Honorary Treasurer who shall be elected at the First General Meeting of the Society in each year.

The Honorary Treasurer shall be a member of the General Committee and an *ex-officio* member of the Executive Committee and shall act under the instructions of the Executive Committee. The Honorary Treasurer shall maintain such books of account as may seem to him necessary for the proper recording of the expenditure and income of the Society.

15. The Honorary Treasurer shall—

- (1) sign all cheques jointly with the President or with the Secretary when the President is out of Calcutta: Provided that in the absence of the Honorary Treasurer all cheques shall be signed by the President and Secretary;
- (2) make such payments as are provided for by these Rules;
- (3) pay all sums received into the Society's account immediately;
- (4) pay not more than Rs. 200 to the Secretary on Secretary's imprest account for petty expenses whenever demanded by the Secretary, provided that no sum previously paid by him remains unaccounted for;
- (5) submit at each regular Meeting of the Executive Committee a statement of expenditure and abstract of receipts showing balances at the start and finish of the account supported by bank certificate or bank pass book, and the acceptance by the Committee of this statement shall constitute confirmation under paragraph (2) above;
- (6) be personally responsible to the Society for any sum misappropriated, lost or wrongly paid if such misappropriation, loss or wrong payment is due to his negligence or action not supported by these Rules.

16. **Managemnt.**—The management of the Society shall be vested in a General Committee consisting of not more than 40 members, who shall meet at least once in every six months. A quorum shall consist of seven members personally present..

Every member of the Society shall be eligible for election to the General Committee.

17. Of the 40 members forming the General Committee as aforesaid, not more than 20 shall be elected as in the next Rule mentioned and not more than 20 shall be nominated annually by such public bodies as may be invited by the Society in General Meeting to nominate a representative. Such nominees shall have all the rights of membership of the Society and shall exercise them on behalf of the bodies they represent.

18. The elected members shall be elected by the Society at an Annual General Meeting and shall hold office for three years. They shall be eligible for re-election.

19. The General Committee shall elect annually from their number an Executive Committee consisting of not less than eight members and not more than twelve

members, one of whom shall be the Honorary Treasurer. Temporary vacancies may be filled by the General Committee in the same manner.

20. The General Committee shall also appoint from amongst its members five members to form the Election Committee herein before referred to, and it may appoint from among its members such other Committees as may be deemed necessary and may fill any temporary vacancy therein in manner aforesaid.

The Chairman of all such Committees shall be *ex-officio* member of the Executive Committee.

21. Any member of the Executive or any other Committee who absents himself without sufficient reasons from three consecutive meetings of such Committees shall be deemed to have vacated his seat.

22. Every Committee shall elect a Chairman who shall preside in the absence of the President of the Society. In the absence of both the President and the Chairman of the particular Committee, a Chairman shall be appointed by the members present for the meeting. Every member present shall have one vote and the Chairman shall have both a deliberative and a casting vote.

23. The Executive Committee shall meet at least once a month. A quorum shall consist of four members personally present.

24. The Executive Committee shall have power—

- (a) to enter into contracts;
- (b) to sanction all necessary expenditure;
- (c) to frame a budget statement and to present it to the General Committee on or before the 31st December in each year;
- (d) to appoint such officers (other than the Secretary and Superintendents) as may be necessary to carry out the objects of the Society, subject to the maximum laid down by the General Committee;
- (e) to form for every month a Disciplinary Board of three, on which the members of the Committee shall act to deal with all cases of misconduct or insubordination that may be placed before them by the Secretary;
- (f) to deal with all questions of pay and all matters connected with the Provident Institution of the staff;
- (g) to receive a monthly statement of accounts and the Secretary's report as to the financial position and progress of the Society and to place the same before the General Committee half-yearly;
- (h) provided always that all acts done by the Executive Committee shall be subject to revision by the General Committee.

25. The property of the Society, whether movable or immovable, not required for the immediate purposes of the Society, shall be held by the Official Trustee. The Committee shall determine in which recognised Trust Securities money may be invested.

26. **General Meeting.**—A General Meeting of the Society shall be held once in each year, ordinarily before the first day of March. The date of such meeting shall be determined by the General Committee and shall be advertised in not less than three daily papers at least fourteen days before the meeting takes place. Such advertisement shall be deemed to be a sufficient notice to every member of the Society.

27. The President, or in his absence some other person appointed at the meeting, shall act as Chairman. A quorum shall consist of not less than ten members present in person at the meeting.

28. The business of the Annual General Meeting shall be to receive and consider the Report and receive and pass the accounts for the year, to appoint members of the General Committee, if necessary, and to transact any other business of which due notice has been given to the Secretary in writing not less than seven days before the date of the General Meeting.

29. Only members who have paid their subscriptions for the last preceding year and for the current year on or before the 31st January of the current year or the date of the meeting, whichever shall be first, shall be entitled to vote at the Annual General Meeting or at an Extraordinary General Meeting.

30. Every member present in person or by proxy entitled to vote at the Annual General Meeting, including the Chairman, shall have one vote and in the event of an equality of votes the Chairman shall have a second or casting vote. Proxies intended for use at any meeting must be deposited with the Secretary not less than forty-eight hours before the time appointed for such meeting. All proxies not so deposited will be rejected. Every proxy must be duly stamped and the signature thereto attested by at least one witness. Every proxy not so stamped and attested will be rejected.

31. **Extraordinary General Meeting of the Society.**—The President shall summon an Extraordinary General Meeting of the Society upon the receipt of a written requisition signed by not less than 20 members of the Society; provided that such requisition shall state generally the business proposed to be brought before such meeting and provided that no business other than that proposed shall be discussed at such meeting.

32. **Alteration of Rules.**—No alteration or amendment of, or addition to, these Rules shall be made except at any Annual General Meeting or an Extraordinary General Meeting of the Society called for the purpose.

Notice of any proposed alteration, amendment or addition shall be given in writing to the Secretary at least six months before the date of such meeting. The Secretary shall circulate such notice to all the members at least one month before the date of the meeting to be held.

33. **Auditors of the Society.**—The General Committee may, from time to time, appoint a person or firm being a Chartered Accountant or Accountants to audit the accounts of the Society and may fix the remuneration to be paid to such person or firm.

34. **Bankers of the Society.**—The Imperial Bank of India shall be the Bankers of the Society.

## Calcutta Society for the Prevention of Cruelty to Animals—Infirmary.

### Rules.

1. (a) In-patients: A limited number of *dogs as special cases only*.

Dogs and cats, 8 annas per diem.

Dogs, large, Re. 1 per diem.

*A minimum fee of Rs. 5 must be paid on admission.*

(b) Only cruelty or accident cases are treated as in-patients in the Cattle Infirmary.

2. (a) Out-patients for a course of treatment of six visits, payable in advance:—

	Rs.
(1) Dogs and cats	4
(2) Horses	8
(3) Cattle	6
(4) Charge for single visit	2

(b) the property of poor people—Free  
(between 7 and 8 a.m.).

(c) Charge for health examination and certificate ... 5



	Rs.
(d) Charge for operation on dogs—	
Well-to-do owners ... ..	10
Poor people—Free.	
(e) Course of anti-rabic injections ... ..	32
(f) Clipping (small dogs) ... ..	1
Clipping (large dogs) ... ..	2
(g) Patients attended in owner's house—	
Daily calls (per visit) ... ..	4
Night or urgent calls (per visit) ... ..	8
Urgent cases will be attended at any hour but ordinary visits will be made between 12 noon and 4 p.m.	
(h) A motor ambulance is available at any hour: Charges Rs. 15 per call.	

3. The fees mentioned in rule 1 (a) include feeding, care and general treatment. Additional charge will be made for special medicines or food.

4. Out-patients for free treatment must be brought between the hours 7 and 8 a.m. After 8 a.m. above rates of charges will apply. Urgent cases will be examined or admitted at any hour.

5. Dogs admitted as special cases, if not taken away after two notices have been sent (the second by registered post) with an interval of a week between each, to the owner, to the effect that the patient is to be removed, will be disposed of in any way thought fit by the Superintendent. The deficit in the bill, if any, may be recovered by a civil suit at the discretion of the Secretary.

6. All accounts must be settled and charges paid before any animal is removed.

7. All animals sent to the hospital for treatment, etc., receive every care and attention, but the Society does not hold itself responsible for any unavoidable accidents or deaths.

8. Dogs suffering from rabies and certain other highly infectious disease are not admitted.

9. Advance of money must be made by the owners for treatment, when necessary.

10. No gratuities or money other than *bonâ fide* payments to the Society shall pass between the public and the hospital staff.

F. STANLEY,

*Secretary and Superintendent.*

## APPENDIX X (I).

Calcutta,

*The 19th March 1933.*

Dear Mr. Sen,

As desired by the Committee, I have drawn up a note for their consideration, regarding the Calcutta Society for the Prevention of Cruelty to Animals; as you wanted it by to-morrow, I could not make it fuller.

Yours sincerely,

N. BANARJI.

To B. R. SEN, Esq., I.C.S.

	Rs.
(d) Charge for operation on dogs—	
Well-to-do owners                   ...           ...           ...	10
Poor people—Free.	
(e) Course of anti-rabic injections           ...           ...           ...	32
(f) Clipping (small dogs)                   ...           ...           ...	1
Clipping (large dogs)                   ...           ...           ...	2
(g) Patients attended in owner's house—	
Daily calls (per visit)                   ...           ...           ...	4
Night or urgent calls (per visit)       ...           ...           ...	8
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F. STANLEY,  
*Secretary and Superintendent.*

### APPENDIX X (I)

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*The 19th March 1933.*

Dear Mr. Sen,

As desired by the Committee, I have drawn up a note for their consideration, regarding the Calcutta Society for the Prevention of Cruelty to Animals; as you wanted it by to-morrow, I could not make it fuller.

Yours sincerely,

N. BANARJI.

To B. R. SEN, Esq., I.C.S.

**Note.**

The Calcutta Society for the Prevention of Cruelty to Animals is an unregistered Society started 72 years ago with the avowed object of securing the welfare of animals within the town and suburbs of Calcutta and the prevention of cruelty towards them. The object is such that it would attract every lover of animals, and the obvious means to secure that object is to educate the keepers of animals, to inculcate unto them the lessons of a kind treatment in their own interests and in the interests of the animals, and to take steps for the comfort and treatment of animals as far as possible. The prosecution in cruelty cases is sometimes necessary, but that should not be the principal object of the Society and should be left to some other agency.

These were undoubtedly the objects which the organisers of the Society stood for, and they started on their merciful mission with funds contributed by the public. Unfortunately, the fines realised in cruelty cases in Court were allotted to the Society after a few years of its existence, and the Society have since become more a department of the Police to arrest and prosecute cruelty cases than a Society ministering unto the ills the dumb animals of Calcutta are heir to. A large number of agents had to be appointed with a highly paid supervising staff, and the very existence of the Society depended on the number of prosecutions and the amount of fines realised. The bread of the keepers of animals—carters, cart-owners and cabmen—was to be interfered with in order to keep the Society going. Naturally, there grew up an attitude of hostility towards the Society on the part of those very men whom the Society stood to educate, and they have come to look upon the Society not as an angel of mercy, but as an engine of oppression. No doubt the Government realised the awkward position and voted a fixed grant of Rs. 1,20,000 a year to the Society in lieu of fine for running the 1920 Act, but that was based upon an average of 3 years' fine and everybody felt that the Government contribution would depend on the amount of fine realised and, in fact, it was reduced when the amount of fine fell off.

The sooner the responsibility of the administration of the Act is taken off the shoulders of the Society, the better for the animals, the keepers of animals and the humane objects the Society stands for. Of course, the Society will then lose the glamour of an important institution from a material point of view, but it will gain in popularity to pursue the good work of propaganda and cure. Let the Commissioner of Police, the Calcutta Corporation or any statutory body take up the administration of the Act, and let the Society be left to carry on its modest, peaceful and loving work in a quiet and unobtrusive manner.

When I am asked to state my experience of the management, working and the constitution of the Society, I am rather placed in an uncomfortable position for, however much I disagree with the methods of the executive, I have not yet sundered my connection with the Society for which I have got an abiding interest. However, I shall state the facts for the consideration of the Committee.

The Society is an unregistered body and as such entitled to frame their rules and limit their membership in any way they like, but at the same time being an institution which asks for and receives contributions from the public at large, it is in reality a semi-public Society and should not be the preserve of any particular class of individuals. If, besides, Government entrusts the Society with the administration of the Act and the Council votes for the grant, surely Government should see that the constitution of the body should be such as will not tend to alienate the sympathies of a large section of the people.

I may narrate an incident which will throw some light on the question. The Society was doing quiet work till one Captain Claude Brown became Secretary. In 1923 or 1924 there was a charge of mismanagement of the Society ventilated in the papers, and two Indian members of the Society (myself and late Mr. C. C. Singha, Government Pleader, Howrah) stood for election as members of the Executive Committee at the annual meeting, but on a 'phone to the Rotary Club by the Secretary streams of European gentlemen came in and frustrated our attempt. Sir Walter Willson was then taking an active part in the proceedings. Very few of the members of the Committee used to take any intelligent interest in the affairs of the Society, and

everything was left to the Secretary. The result was that between one Mr. Reid, a merchant who was then acting as President, and Captain Brown the Secretary, the whole of the Society's gilt-edged securities, amounting to about Rs. 40,000, was misappropriated and the Society was on the verge of ruin. At this stage, Sir Walter Willson who was my colleague in the Calcutta Corporation invited me to join the Executive Committee which I did, and with Sir Herbert Cuming as President, the whole Society was reconstructed with the help of several ladies of Calcutta—Mrs. McClure, Mrs. Morgan and others. In 1925, Mrs. Stanley was appointed as Secretary and Superintendent on a pay of Rs. 800 *plus* Rs. 200 as car allowance, and she proved a great success. The whole Society was recognised and representatives of public bodies in Calcutta were invited to be members of the General Committee who in their turn appointed an Executive Committee to carry on the administration of the Society. Mrs. Stanley is an efficient Secretary, but she wants to have her own way in every matter, and is impatient of any disagreement with her views. No doubt, ordinarily, the Secretary should be upheld by the Executive Committee, but there is no point of having an Executive Committee if they are not to correct the Secretary where she is wrong. Most of the members of the Executive Committee are busy men, and they generally attend meetings as a routine work to sanction the proposals of the Secretary. Practically, the Secretary runs the show and any member who disagrees with her on any question of principle or procedure stands the risk of being replaced by one who is likely to support all her proposals. There should be an effective check by the Committee upon the accounts of the Secretary, otherwise a sense of dissatisfaction will be on the increase amongst the members of the staff.

It had always been my endeavour to interest the Indian gentlemen of Calcutta in the affairs of the Society and to invite some of them to work on the Committee. I succeeded to some extent but at present the position has become such that it is becoming extremely difficult for any Indian member to take an active interest in the Society. The Society by their action in refusing to enlist—

Mr. C. C. Biswas, C.I.E., M.L.A.,

Sir Hari Sanker Paul, K.T.,

Mr. Jitendra Lal Banerji, M.L.C.,

Mr. Sushil Kumar Roy Chowdhury, Barrister-at-law,

Mr. K. C. Roy Chowdhury, M.L.C.,

Mr. Daud, Barrister-at-law,

Mr. N. N. Sen, D.Sc., P.R.S.,

and several other respectable and well-known citizens of Calcutta as members, has forfeited the sympathies of the Indian public at Calcutta, and the adoption of new rules superseding the old ones destroying the public nature of the Society is a most retrograde step that does not make for peace and harmony.

There is hardly any security of service in the Calcutta Society for the Prevention of Cruelty to Animals, although the machinery on paper is all right. The Administration, to my mind, is a top heavy one, and the result achieved does not justify the cost.

## APPENDIX X (2).

During the absence on 4 months' leave out of India of Mrs. Stanley, Secretary and Superintendent, Calcutta Society for the Prevention of Cruelty to Animals, from April 1931, certain disturbances occurred amongst the out-door and clerical staff of the Society.

The staff, numbering some 80 persons, split into various factions in which certain members of the Committee took more or less active part.

On the return of the Secretary, an enquiry was held which lasted for about 4 months and went exhaustively into every detail of the trouble. A report was presented to the General Committee at a meeting in December 1931 at which 33 members were present. After dealing with the report, the Committee passed a vote of confidence in

the Secretary and directed her to prepare a scheme of reorganisation of the staff calculated to restore discipline and efficiency. This motion was proposed by the Hon'ble Mr. Justice Jack, then President of the Society, seconded by Rai Bahadur N. N. Banarji and carried by a majority of 28. Four members (Mr. D. P. Khaitan, Mr. Bajoria, Dr. S. K. Mitter and Mr. Rustomjee) voted against the motion, and one member (Mr. A. D. Addy) refrained from voting.

Following this, a meeting of the Executive Committee was held and during the course of this meeting Mr. R. H. M. Rustomjee handed to the President Rs. 1,440 in notes and to the Secretary a receipt form and a list of names and addresses of persons who asked to be enrolled as members. Later the same day, a further list of names and Rs. 240 was sent to the Society's office by Mr. Rustomjee, making a total of Rs. 1,680, from 140 persons, as subscription for 1931. The President instructed the Secretary to make immediate enquiries into the *bonâ fides* of the persons for whom Mr. Rustomjee applied for membership.

On the 21st January, Mr. Rustomjee sent in a further sum of Rs. 1,680 with forms in the names of the same 140 persons, stating that this was their subscription for 1932. It may here be pointed out that this second payment was necessary under the Rules to qualify these persons to vote at the next General Meeting.

The Secretary made exhaustive enquiries into the identity of the persons whose names had been supplied by Mr. Rustomjee, and she was able to prove beyond doubt that in a large majority of cases the money had not come from those who were supposed to have subscribed the amount. Indeed, some of the persons named had not the money to subscribe. The conclusion was too obvious and the Committee could not but feel that this was an attempt on the part of Mr. Rustomjee (perhaps not unassisted by other persons) to "pack" the next meeting and bring into the Society a number of voters who could follow his lead. As a result of these enquiries, the President instructed the Secretary not to accept the subscriptions. He was advised that even as the Rules stood, it was not open to the man in the street to tender his money and demand membership in return. A circular was sent to such of Mr. Rustomjee's nominees, informing them of the President's decision, and it is significant that many of these circulars came back to the Secretary through the Dead Letter office.

After this, it was decided to alter the Rules and the change was made. The draft of the new Rules was accepted and confirmed at a General Meeting of the Society. The Meeting having been duly advertised, two of Mr. Rustomjee's nominees—Mr. Shamsul Huq, a hackney carriage-owner and Mr. Jelaluddin Hashemy, M.L.C.—filed a suit in the High Court in which they made the Secretary and Mr. Rustomjee defendants, and they applied in that suit for an injunction to restrain the Society from holding the proposed Meeting. The application was heard by Mr. Justice Ameer Ali and dismissed. The Meeting was held, and the Rules were passed which enable the Society to elect members as they now appear.

F. M. LESLIE.

*Calcutta, the 16th March 1933.*

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### APPENDIX X (3).

Calcutta,  
*The 28th March 1933.*

Dear Sir,

At 8-30 p.m. on Tuesday, the 21st March 1933, I received a notice, requiring my attendance at a Special Meeting of the Committee to be held at the house of Mr. Justice Pearson, the President, at 8 o'clock the next morning. To that notice was attached what I cannot but describe as a remarkable note by Rai Bahadur N. N. Banarji on the affairs of the Calcutta Society for the Prevention of Cruelty to Animals. I naturally connected the urgent notice with the note. On arriving at Mr. Justice Pearson's house I discovered that the Meeting had nothing whatever to do with the

note. I then enquired how this note came to be written by Rai Bahadur N. N. Banarji who was not a member of the Committee, nor in any way connected with it. You, as Secretary to the Pearson Enquiry Committee, then informed me that the note was written by the Rai Bahadur as Mr. D. P. Khaitan had requested that he might be asked to write a note on the Society's affairs and he had done so accordingly. The note appears to me to be in many respects an unfair attack upon the Society and the Secretary, and I have taken the trouble, as I feel it my duty, to go into the matter very fully. I submit the enclosed note as a reply to the note prepared by the Rai Bahadur. I trust that the one will not be read without the other. Personally, I do not see how the Rai Bahadur's note is in any way relevant to the matters before the Committee for enquiry.

Yours faithfully,

F. M. LESLIE.

To B. R. SEN, Esq., I.C.S.,

*Deputy Secretary to the Government of Bengal,  
Police Department.*

**Note by Lt.-Col. F. M. Leslie, V.D., in reply to a note prepared by Rai Bahadur N. N. Banarji at the request of Mr. D. P. Khaitan.**

Rai Bahadur (then Mr.) N. N. Banarji joined the Society at the end of 1923 and paid (for the first time) a subscription of Rs. 5. A second subscription of Rs. 5 was paid shortly before the Annual Meeting held in March 1924.

In criticising the methods of the Society, the Rai Bahadur is apparently not aware that in all countries where Societies for Prevention of Cruelty to Animals exist punishment by law of offenders is recognised as the surest means of preventing cruelty. The Rai Bahadur of all people should know that if the Penal Code does not promote righteousness it certainly restrains vice. In Great Britain Police officers everywhere are instructed to arrest offenders and, in addition, the Royal Society for the Prevention of Cruelty to Animals employs paid officers to report cases that have escaped the notice of the Police, or themselves to institute prosecution by means of summons. Lantern lectures and similar popular means of propaganda do little if any good, as the persons who need instructing can rarely be reached by these methods. The Calcutta Society for the Prevention of Cruelty to Animals was formed in 1861, and the objects of the Society as set forth in the First Annual Report are—

- (1) To prevent the cruel and improper treatment of animals.
- (2) The employment of European officers, or agents, as in Great Britain, for the purpose of warning, arresting, or reporting and prosecuting in the name of the Society, all persons guilty of cruelty to animals in Calcutta and its suburbs.
- (3) The dissemination, by placards and notices in English and the vernacular, of information which shall instruct the ignorant, and warn the heartless against acts of cruelty.
- (4) To enlist the good-will and co-operation of the Police in these measures.
- (5) The introduction into schools and elsewhere, of books, or tracts, in English and the vernacular, "calculated to impress on youth the duty of humanity towards the inferior animals."
- (6) To elicit and disseminate suggestions for the improvement of the condition and treatment of labouring and domestic animals in this country.
- (7) To seek the aid of the pulpit, the Press, and all public instructors, in advocating the principles and objects of this Society, having in view the promotion of humanity towards the animal creation.

This report states—

“Two European agents, pensioners from the Queen’s Army, having been engaged, were now provided with copies of papers in the Bengalee language, declaring and explaining the law, warning against its violation, and furnishing simple instructions for the treatment of wounds.

Upwards of seven weeks devoted to this process of warning, nearly a thousand copies of the papers were distributed amongst the drivers and owners of bullocks and carriage horses, and during the period which this occupied, and within the necessarily limited walks of the two agents, upwards of 700 wounded bullocks and horses, principally the former, were found labouring in our streets, and the names and numbers of their drivers registered in the agents’ books. English papers also, with copies of those in the vernacular, have been distributed amongst the European community. Large Bengalee posters have been put up in numerous crowded parts of the city, and every means adopted to make the objects and duties of the Society known.

Prosecutions were commenced about the eighth week, and in evidence of the sad necessity which existed for this institution, the Committee have to report that, despite the long warnings, and an endeavour strongly enforced on the agents, to avoid overcrowding the Magistrates with cases, by selecting only the more serious, the number of convictions for cruelty to animals, obtained through the Society’s agency during the year ending the 10th May has amounted to 506. These are exclusive of 29 cases of various natures prosecuted by private persons and Police officers, to all of whom the cause of humanity is under great obligation, and the Committee thankfully acknowledge theirs for valued co-operation in the good work.”

It is somewhat extraordinary to find the Rai Bahadur advocating the withdrawal of responsibility for working the Act from the Society. Has he ever put these views before the Committee of which he has been an elected member since June 1925? Has he not rather advocated increase of prosecutions by the re-establishment of the Phooka Department? It is on record that the Rai Bahadur strongly urged Mr. Justice Cuming (President of the Society) to restart this special work (which had been discontinued as being a fruitful and uncheckable source of bribery) and which he further offered to finance himself for 2 or 3 months, feeling sure that *the heavy fines realised would cover all expenses and bring in large sums to the Society’s funds* (this being in the days when fines were credited direct to the Society).

It may here be pointed out that in the event of Government deciding not to entrust the Society with the administration of the Act in future, it would make little difference to the nature of the work, though the amount of work done on behalf of suffering animals may have to be curtailed to meet reduced income. The amount of the existing Government grant just covers the salaries of staff and the men’s uniforms. Hospital upkeep, food, medicines, and appliances (the majority of cases being treated free), the upkeep of nine weigh-bridges with free dressing stations for animals attached (at which 2,556 cases were treated during 1932), the ambulance (which carried 270 free cases in 1932), and all office expenses have to be met by public subscriptions of which 99 per cent. have come from Europeans from the foundation of the Society to the present day. The premises, No. 276, Bow Bazar Street, are the freehold property of the Society. The Calcutta Society’s office is now the headquarters of the All-India Society for the Prevention of Cruelty to Animals with 19 other Societies affiliated, for which the Royal Society in London is raising a Special Fund.

The management of the Society is in the hands of the General Committee which is largely composed of representatives nominated by the principal public bodies in Calcutta. The Turf Club and the Bengal Chamber of Commerce each nominate one representative, and these two bodies or their members provide the bulk of the funds other than the Government grant. No financial assistance is received from any of the other bodies nominating members.

The attached extract from the Minutes of the Meeting held on the 28th March 1924 gives details of the incident to which the Rai Bahadur refers. Shortly before

the Meeting in question, 20 new members paid subscriptions of Rs. 5 each, and information is available as to the methods adopted to secure these persons to vote at the Meeting. The chronological sequence of the Rai Bahadur's further account and other particulars are not quite accurate. At the stage he refers to, there was no "Executive" Committee. The Committee of the Society at that date consisted of 12 members with a President and 6 Vice-Presidents. The Hon'ble Mr. Justice Cuming (President) returned from 11 months' leave in November 1924 and found that the Society's affairs had been badly mismanaged during his absence, and funds were almost exhausted. The staff were in rags and so discontented that no work was being done and, consequently, the income from fines was not sufficient to cover expenses. Sir Walter Wilson, a member of the Committee, advanced Rs. 6,000 as a loan to tide over immediate difficulties and Mr. Justice Cuming and Mr. A. C. Atkinson were appointed a Sub-Committee to go into expenditure and recommend economies. There was no proof of dishonesty on the part of the then Secretary (who was on leave out of India), but his services were terminated by cable as part of the policy of reconstruction.

In December 1924, the Rai Bahadur (who was well known to Mr. Justice Cuming) and Mr. R. D. Mehta (who had lost his seat by the ballot at the previous Annual Meeting) were co-opted on to the Committee in place of 2 members leaving India. About this time, the Bengal Presidency Council of Women took up the question of "Animal Welfare" and in April 1925 Mr. Justice Cuming was asked to speak at a Public Meeting convened by the Council. Mrs. Stanley (Vice-President, Bengal Presidency Council of Women) was in the Chair and at this Meeting a Sub-Committee was formed to work for the Calcutta Society for the Prevention of Cruelty to Animals. Mrs. MacClure, Mrs. George Morgan and several other ladies formed this Sub-Committee and the two former were co-opted on to the Calcutta Society for the Prevention of Cruelty to Animals Committee. The day after this Meeting, Mrs. Stanley was asked by Mr. Justice Cuming if she would accept the vacant post of Secretary and Superintendent and undertake the reorganisation of the Society. This request was subsequently confirmed by the Society for the Prevention of Cruelty to Animals Committee, but Mrs. Stanley was engaged on other work and was not able to take over the duties entrusted to her till 1st June 1925. On her advice, the present large and representative General Committee with a small Executive Committee were formed and were elected at the Annual Meeting organised by Mrs. Stanley soon after taking office. Prior to this Meeting, there was an attempt to "pack" the Meeting; some 40 Muhammadans under Mr. Nural Huq Chowdhury having paid Rs. 5 each as subscriptions attended in a body, but with the assistance of Police and a number of Europeans who acted as Stewards, the party was broken up and as few could speak or understand English no concerted attempt to disturb the Meeting was possible. Subsequently, the Rules of the Society were redrafted and passed at an Extraordinary General Meeting, and conditions of service of staff and Rules for the Society's Hospital were drawn up.

The ad interim report on the Society issued at this time by the Corporation Enquiry Committee was gone into by Mr. Justice Cuming and Mrs. Stanley with Sir Charles Tegart at the latter's request, and formed the basis of the scheme of reorganisation of the Society, on the completion of which the Commissioner of Police expressed his opinion that the Society was fit to be entrusted with the working of the 1920 Act which had until then been in abeyance for want of suitable machinery for its administration.

The Rai Bahadur does not, and I assume cannot, furnish any instance of refusal on the part of the Secretary to carry out the wishes or orders of the Executive Committee or of any member being "put off the Committee" at the Secretary's request. Possibly, the Rai Bahadur refers to the fact that he was not re-elected to the Executive Committee last year, but for this the Secretary is not and cannot be responsible. The Society would be quick to resent the suggestion that they elect their Committee at the bidding of their Secretary.

The Society employs a large staff of whom the majority are given Police powers. It is obvious that such a staff cannot be kept under proper control and supervision by a Committee of 14 persons, and that there must be one responsible head.



I have already submitted my note regarding the refusal by the Committee to accept *en masse* 140 persons nominated by Mr. Rustomjee as members, but the gentlemen named by the Rai Bahadur were sent individual letters explaining the position and inviting personal application for membership. Mr. Jitendralal Banerji was the only one who replied. The case as stated by the Rai Bahadur is not correct, nor fair.

The work of the Society for the past year has been carried out with singular peace and harmony, both amongst the staff and in the various Committees, and with great success.

As regards security of service, of the 73 officers employed—

One has 31 years' service.

One has 21 years' service.

One has 18 years' service.

Thirty-one have 10 to 15 years' service.

Thirty-one have 5 to 9 years' service.

Eight have 2 to 4 years' service.

The administrative staff is now reduced to 2—a Superintendent (who is also Secretary to the Committee and to the All-India Society for the Prevention of Cruelty to Animals) drawing in pay and allowance a total of Rs. 827, and an Assistant Superintendent and Chief Veterinary Officer drawing total pay and allowance of Rs. 162. It would be practically impossible to carry on work with a smaller supervisory staff, or with one, the members of which receive less pay than the present staff.

### **Extract from the Minutes of the Annual General Meeting of the Calcutta Society for the Prevention of Cruelty to Animals, held on Friday the 28th March 1924, at 5-30 p.m., in the Society's office.**

(R. D. MEHTA, ESQ., C.I.E., IN THE CHAIR.)

5. Under rules 15-17 five members of the Committee having automatically retired after three years' service, the Meeting considered the question of electing five members of the Society to serve for the next three years.

Four of the retiring members submitted their names for re-election, and three other gentlemen had given written notice of their wish to stand for the Committee.

Ballot papers had already been made out with these seven names, but one of the members of the Society, Babu G. C. Sen, asked permission of the Chair to submit two additional names and, on obtaining sanction to do so, proposed the names of Babu Charu Chandra Sinha, Government Pleader and Chairman of the Howrah Municipality, and Babu N. N. Banarji, Public Prosecutor, 24-Parganas, to be added to the ballot papers.

Accordingly, the following nine names were then balloted for to fill the five vacancies on the Committee:—

Mr. A. C. Atkinson, Mr. W. R. C. Brierly, the Hon'ble Mr. Justice A. H. Cuming, Sir Hari Ram Goenka, Mr. A. C. Wentworth Lewis, Mr. R. D. Mehta, Kumar Rajendra Narain Roy, Babu C. C. Sinha, and Babu N. N. Banarji.

A ballot having been taken, at which three members of the Meeting acted afterwards as scrutineers of the counting of the votes, the result of the ballot was announced by the Chairman as follows:—

Elected to the Executive Committee of the Calcutta Society for the Prevention of Cruelty to Animals for the next three years; Sir Hari Ram Goenka Mr. A. C. Atkinson, the Hon'ble Mr. Justice A. H. Cuming, Mr. A. C. Wentworth Lewis and Mr. W. R. C. Brierly.

After the result was announced, Babu Haran Chandra Dutt asked permission to submit the names again for election, maintaining that there was no limit to the numbers of the Committee and stated that he wished to put the names of Babu C. C. Sinha and Babu N. N. Banarji before the Meeting again for voting. The speaker was ruled out of order by the Chairman, and Mr. Harry Hobbs then appealed to the sporting instincts of the proposer and his supporters not to appeal against the verdict of a ballot which had been taken fairly, but had gone against them.

Babu H. C. Dutt, however, pressed his point and only resumed his seat when Mr. Leslie May moved the next business which Mr. Harry Hobbs seconded, and this was carried by the Meeting.

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### APPENDIX X (4).

#### Note submitted by Mr. D. P. Khaitan on the persons whose applications for membership were not accepted by the Society.

##### Analysis of members.

Number of M. L. C's.	...	...	...	4
Number of Councillors, Calcutta Corporation	...	...	...	8
Number of Pleaders, Advocate and Barristers	...	...	...	15
Number of Professors, Lecturers and Teachers	...	...	...	7
Number of Zemindars and Landholders	...	...	...	20
Number of Doctors and Physicians	...	...	...	4
Number of Merchants and Businessmen	...	...	...	38
Number of Officers of Government Offices and Mercantile Firms	...	...	...	44
			Total	140

#### The following one hundred and forty members had paid their subscriptions to the funds of the Society for the years 1931 and 1932 as per Society's Rules Nos. 6 and 26.

1. Mr. Abu Nasar Md. Abdul Haq—Assistant to Government Central Stationery Office, Calcutta.
2. Mr. Abdul Karim—Excise Sub-Inspector.
3. Mr. A. K. Majibar Rahaman—Manager, Government Shipping Office, Kidderpore.
4. Mr. A. N. Ghosh—Insurance Agent.
5. Mr. A. De, B.Sc.—Examiner of Accounts, Income-Tax Office, Calcutta.

6. Mr. Anukul Chandra Chowdhury—Sub-Overseer and Contractor, Calcutta.
7. Mr. Ashutosh Mandal, B.A.—Assistant to Survey Department, Calcutta Corporation.
8. Mr. Ashutosh Dass—Merchant (Picture and Mirror), Calcutta.
9. Mr. Amrita Kumar Dutta—Retired Port Commissioners' Servant and Landholder, Calcutta.
10. Mr. A. B. China—Timber Merchant, Calcutta and Howrah.
11. Mr. Ashumukul Dass—Assistant to Store Department, Martin and Co., Calcutta.
12. Mr. Amarendra Nath Mukherjee, M.B.—Doctor, Calcutta.
13. Mr. B. N. Rai Chowdhury, M.A., Bar.-at-law—Councillor, Calcutta Corporation.
14. Mr. Basarat Ullah, M.A., B.L.
15. Mr. Bibhuti Bhusan Ghosh—Landholder, Calcutta.
16. Mr. Bijoy Kumar Chatterjee, M.A., B.L. (ex-M.L.C.)—Advocate, High Court.
17. Mr. Bhupendra Nath Bose—Receiver, Baboo Bazar (Bhukailash Estate).
18. Mr. Binode Behary Dutta, D.Sc., Ph.D.—Assistant Controller, Calcutta University.
19. Mr. Bhupendra Nath Guha—Accountant, Katyani Stores, Calcutta.
20. Mr. Bhakti Bhusan Samanta—Jeweller (Ashutosh Mandal and Co.), Calcutta.
21. Mr. Bijoy Krishna Mandal—Assistant to Air Mail Department, Dhurrumtolla Post Office, Calcutta.
22. Mr. Bibhuti Bhusan Samanta—Jeweller (Ashutosh Mandal and Co.), Calcutta.
23. Mr. Biswanath Gupta—Landholder, Calcutta.
24. Mr. Bijoy Gopal Mukherjee—Doctor and Landholder, Belghoria.
25. Mr. C. C. Biswas, M.A.—Advocate High Court, and Councillor, Calcutta Corporation, M.L.A.
26. Mr. Charu Chandra Bose—Cashier, Barlow and Co., Calcutta.
27. Mr. Chunilall Lahiri—Superintendent, Unique Assurance Co., Ltd., Calcutta.
28. Mr. C. L. Bhattacharjee—Teacher, Deaf and Dumb School, Calcutta.
29. Mr. Chandi Dass Mandal—Teacher of Pal Chowdhury Institution, Howrah.
30. Mr. Dharendra Nath Sen Gupta, B.L.—Pleader.
31. Mr. Dharendra Nath Banerjee—Landholder and Contractor, Calcutta.
32. Mr. Dharendra Nath Kerr—Bookseller and Picture Merchant, Calcutta.
33. Mr. D. P. Chatterjee—Retired Railway Servant and Landholder, Howrah.
34. Mr. Fakhrol Islam, B.Sc.—Zamindar, Calcutta.
35. Mr. Fani Bhusan Ghosh—Electrician, Calcutta.
36. Mr. Golam Mahiuddin Khan—Landholder, Calcutta.
37. Mr. Govinda Prosad Mittra, B.L.—Pleader.
38. Mr. Ganendra Krishna Ghosh—Landholder, Calcutta.
39. Mr. G. C. Ghosh—Assistant to Government, Telegraph Stores, Calcutta.
40. Mr. Girija Mohan Sanyal, M.A., B.L.—Advocate, High Court.
41. Mr. Ganendra Nath Chatterjee—Assistant to Drawing Department, Public Works Department, Writers' Buildings, Calcutta.
42. Mr. G. N. Shinghaw—General Broker, Royal Exchange, Calcutta.
43. Mr. Girija Bhusan Kander—Assistant, Postmaster-General's Office, Calcutta.
44. Sir Hari Sankar Paul, Kt.—Councillor, Calcutta Corporation.
45. Mr. Hari Dass Ghosh, M.A.—Professor, Calcutta University.
46. Mr. Hari Dass Ghosh—Assistant, Accountant-General, Bengal's Office, Calcutta.
47. Mr. Himansu Bhusan Ghosh—Landholder, Calcutta.
48. Mr. Hari Narayan Ray—Contractor, Calcutta.

49. Mr. Himajo Ranjan Ray—Assistant to City Architect, Calcutta Corporation.
50. Mr. Hari Bansa Ray, B.A., B.L., M.L.C.—Commissioner, Howrah Municipality.
51. Mr. Harendra Nath Dutta—Assistant to Government, Central Publication Department, Calcutta.
52. Mr. Hirendra Chandra Mukerjee, M.A., B.L.
53. Mr. Hrishi Kesh Santra—Hardware Merchant, Howrah.
54. Mr. Haradhan Bannerjee, B.A.—Assistant, General Post Office, Calcutta.
55. Mr. Indra Bhusan Beed—Zamindar and Councillor, Calcutta Corporation.
56. Mr. Janaki Jiban Ghosh, M.A.—Assistant Editor, "Liberty."
57. Mr. Jitendra Lal Bannerjee, M.A., M.L.C.—Professor, Vidyasagar College, Calcutta.
58. Mr. Janaki Nath Chakrabatty—Assistant, Pathé India Film, Calcutta.
59. Mr. Jyotish Chandra Chowdhury—Shorthand Typist and Private Tutor.
60. Mr. Jalaluddin Hashemy, Seyed, M.L.C.
61. Mr. Jyotirmoy Ray, H.M.B.—Calcutta, Howrah.
62. Mr. Khalilur Rahaman, M.A.—Landholder, Calcutta.
63. Mr. Khetra Mohan Saha—Journalist and Landholder, Calcutta.
64. Mr. K. C. Rai Chowdhuri, M.L.C.
65. Mr. Karunamaya Dutta—Landholder, Calcutta.
66. Mr. Kashi Nath Bose, B.Sc., G.D.A.—Examiner of Accounts Income-Tax Office, Calcutta.
67. Mr. Kali Sanker Mittra—Tailors and Order Suppliers, Calcutta.
68. Mr. Krishna Kumar Sarkar—Assistant, A. T. Daw and Co., Calcutta.
69. Mr. Kishori Mohan Mandal—Oilman Stores, College Street, Calcutta.
70. Mr. Kishori Mohan Hazra—Oilman Stores and Landholder, Calcutta.
71. Mr. Kanai Lal Mandal, B.A.—Head Assistant, Traffic Department, Eastern Bengal Railway.
72. Mr. Khitish Chandra Gupta—Sub-Registrar, Calcutta.
73. Mr. Kali Pada Chakrabatty—Assistant, Government Telegraph Stores, Calcutta.
74. Mr. Krishna Charan Mittra—Assistant, General Post Office, Calcutta.
75. Mr. Lakshman Chandra Mahato—Landholder, Calcutta.
76. Mr. Md. Sekendar—Doctor and Landholder, Calcutta.
77. Mr. Md. Wahid Hossein—Assistant, Government Central Stationary Office, Calcutta.
78. Mr. M. Daud, M.A.—Barrister-at-law.
79. Mr. M. Mukerjee, M.A.—Advocate and Councillor, Calcutta Corporation.
80. Mr. Meah Md. Shamsuzzoha—Assistant, Income-Tax Office, Calcutta.
81. Mr. Monmohan Bhattacharjee, B.Sc.—Superintendent, Entally Market, Calcutta Corporation.
82. Mr. Murari Mohan Goswami—Manager, "The Abotar."
83. Mr. Monindra Lall Nath—Assistant, Calcutta University.
84. Mr. Murali Dhar Mandal, M.A.—Assistant, Store Department, Central Municipal Office, Calcutta.
85. Mr. Monomohan Bose, B.A.—Assistant, General Post Office, Calcutta.
86. Mr. Nalini Ranjan Sircar—Councillor, Calcutta Corporation.
87. Mr. Nalin Behary Sen Gupta, M.A., B.L.
88. Mr. N. N. Bose—District Manager, Manufacturers' Life Insurance Co.
89. Mr. Nirode Bhusan Mittra—Jeweller, Ghosh and Co., Calcutta.
90. Mr. Narendra Kumar Brahmachari, M.Sc., M.B.—Medical Officer, Chittyanjan National Medical College.
91. Mr. Nirode Baran Bhattacharjee—Manager Dominion Club, Calcutta.
92. Mr. Nagendra Chandra Paral, B.A.—Head Master, Modarhat Academy, Baruipur.
93. Mr. N. N. Sen, D.Sc., P.R.S.—Professor, University Science College, Calcutta.
94. Mr. Nirmal Chandra Guha—Landholder and Cabinet Merchant, Calcutta.

95. Mr. N. S. Patel—Stationers and Landholders, Calcutta.  
 96. Mr. Nritya Gopal Mukerjee—Assistant, Messrs. Morgan and Co., Calcutta.  
 97. Mr. Nanda Lall Ghosh—Assistant, Bengal-Nagpur Railway Office, Garden Reach, Calcutta.  
 98. Mr. Nishi Kanta Mandal—Retired Railway Servant and Landholder, Calcutta and Howrah.  
 99. Mr. Pratul Chandra Mullick—Landholder, Calcutta.  
 100. Mr. Parbati Sankar Mitra—Jeweller, Mitra, Mukerjee and Co., Calcutta.  
 101. Mr. Protap Narayan Mitra—Zamindar, Joynagore.  
 102. Mr. Probodh Chandra Mitra—Proprietor, P. A. Moon and Co., Calcutta.  
 103. Mr. Provash Chandra Mitra—Assistant, Store Department, Bengal-Nagpur Railway, Howrah.  
 104. Prosad Govinda Manda, B.A.—Assistant, Irrigation Department, Writers' Buildings, Calcutta.  
 105. Mr. Panna Lall Santra—Assistant, A. K. Dutta and Co., Calcutta.  
 106. Mr. Prafulla Kumar Ray—Contractor, Howrah Municipality.  
 107. Mr. Pulin Behari Hazrah, M.A.—Teacher, Shampuker Model Academy, Calcutta.  
 108. Mr. Ram Chandra Sett, M.A., B.L.—Councillor, Calcutta Corporation.  
 109. Mr. Robi Ghosh—Electrician, Calcutta.  
 110. Mr. Raj Kumar Chakrabatty, M.A., B.L.—Advocate, High Court, and Professor of English, Bangabashi College.  
 111. Mr. Ramdas Mukherjee, B.A., B.L.—Vakil, High Court.  
 112. Mr. Ram Sudhir Chatterjee—Vaccinator, Calcutta Corporation.  
 113. Mr. Shamsul Haq—Councillor, Calcutta Corporation.  
 114. Mr. Sailendra Nath Dutta, M.A., B.L.  
 115. Mr. Sachindra Lall Ghosh, M.A.—Assistant Editor, "Liberty."  
 116. Mr. Satish Chandra Bose Mullick—Assistant, Baboo Bazar, Bhukailash State.  
 117. Mr. Surendra Nath Ghosh—Landholder, Calcutta.  
 118. Mr. Sushil Kumar Ghosh—Engineer, Calcutta.  
 119. Mr. Surendra Mohan Ghosh—Jeweller, Ghosh Brothers, Calcutta.  
 120. Mr. Sailendra Nath Mazumdar—Share and Stock Exchange Broker, Lyons Range, Calcutta.  
 121. Mr. S. C. Roy, M.A., Barrister-at-law—Editor, "Insurance World."  
 122. Mr. Sushil Kumar Rai Chowdhury, M.A.—Zamindar, Barrister-at-law.  
 123. Mr. Sachindra Nath Ghosh—Manager, "Commercial Gazette Press," Calcutta.  
 124. Mr. Santosh Kumar Bhaddar—Rice Broker, Ralli Brothers, Calcutta.  
 125. Mr. Sreenath Bhattacharjee—Merchant and Order Suppliers, Strand Road, Calcutta.  
 126. Mr. Sakti Padum—Zamindar and Proprietor, N. N. Sen and Co., Calcutta.  
 127. Mr. Satyabrata Banerjee, M.A., B.L.—Pleader.  
 128. Mr. S. M. Dutta—Solicitor.  
 129. Mr. S. N. Acharya—Assistant, Messrs. G. N. Dutta and Co., Calcutta.  
 130. Mr. Surendra Nath Bose, B.A., B.L.—Assistant, Health Department, Calcutta Corporation.  
 131. Mr. Sital Chandra Mandal, B.A., B.L.—Pleader.  
 132. Mr. Sachindra Nath Ray—Electrical Engineer, Calcutta.  
 133. Mr. Surendra Nath Panja—Doctor, Assistant to Dr. K. G. Bhattacharjee.  
 134. Mr. Shiboo Dass Ray—Assistant, Garden Reach Workshop, Bengal-Nagpur Railway, and Landholder, Howrah.  
 135. Mr. Sudhish Chandra Bose—Manager, Kuntaline Press, Calcutta.  
 136. Mr. Smritish Gupta—Manager, U. N. Sen and Co., Calcutta.  
 137. Mr. Satish Chandra Gupta—Assistant, Lloyd's Bank, Calcutta.  
 138. Mr. Satish Chandra Mandal—Assistant, Howrah Municipality.  
 139. Mr. Tulsi Narayan Ghosh—Assistant, Accountant-General, Bengal's Office, Calcutta.  
 140. Mr. Z. A. Rohim, B.A. (Oxon.); Barrister-at-law.

## APPENDIX XI.

No. S. 34, dated Calcutta, the 10th April 1933.

From—J. C. Mukerjee, Esq., Chief Executive Officer, Corporation of Calcutta,  
To—The Secretary, Cruelty to Animals Enquiry Committee.

Please refer to your letter No. 70 Pl.C., dated the 13th March 1933. The question of taking over the administration of the Cruelty to Animals Act in Calcutta was discussed in the Estates and General Purposes Committee of the Corporation at their meeting held on the 24th March 1933. The Committee resolved as follows:—

“That it be recommended that the Corporation of Calcutta do take over the administration of the Cruelty to Animals Act in Calcutta on condition that the Government of Bengal contribute a sum of Rs. 1 lakh a year, as they have been doing in the past to the Calcutta Society for the Prevention of Cruelty to Animals.”

I might add that it was a direction of the Committee that their resolution should be communicated to you. I enclose also a copy of the Proceedings of the Committee, dated the 24th March 1933.

### **Extract from the Proceedings of the Estates and General Purposes Standing Committee of the Corporation, dated the 24th March 1933.**

The Chairman: We have been requested by the Cruelty to Animals Enquiry Committee to furnish our views on the question of taking over the administration by the Corporation of the Cruelty to Animals Act in Calcutta, and the terms on which we would be prepared to do it. We should like to have the opinion of Mr. Khaitan, the representative of the Corporation on the Calcutta Society for the Prevention of Cruelty to Animals, on this matter.

Mr. D. P. Khaitan: A large and important section of the public are dissatisfied with the present administration of the Calcutta Society for the Prevention of Cruelty to Animals. The main grievance is that the Society concentrated their attention and energy on prosecution and persecution rather than on humanitarian and preventive propaganda work for which the Society was really started. In one year alone the Society started 25,000 prosecutions. For its maintenance, the Society depends on two sources of income, *viz.*, the Government grant of Rs. 1 lakh a year and donations from the public amounting to about Rs. 12,000 a year. The Government grant practically depends on, and is proportional to, the fines realised as a result of the prosecutions started by the agents of the Society. The agents are, therefore, required to multiply prosecutions. That is the first grievance of the public against the Society, and I think it is a legitimate grievance.

Secondly, the Society is at present managed on communal lines, *viz.*, practically by a section of Europeans. In the list of members as well as in the membership of the Governing Body, 90 per cent. are Europeans and only 10 per cent. Indians. Some time ago an attempt was made to increase the number of the Indian members, but it failed. Even the applications for membership from such persons as Mr. C. C. Biswas, Mr. B. N. Roy Chowdhury, etc., were rejected. The carters who are the victims of prosecution unanimously desire that the administration should be taken over by the Corporation.

Mr. Md. Ali Khan: Are the employees of the Society, I mean the agents, satisfied with the present administration?

Mr. D. P. Khaitan: They are not. Their grievance is mainly against the Secretary of the Society—one Mrs. Stanley who draws a very large salary, *viz.*, Rs. 1,000 per month. When I was on the Executive Committee I offered the services

of a retired Judge on Rs. 200 per month as Secretary, but the proposal was not accepted. Then I suggested the appointment of Honorary Secretaries. That, too, was not accepted.

Babu Bidhu Bhusan Sircar: What view should, in your opinion, the Corporation express in this matter?

Mr. D. P. Khaitan: In my opinion, the Society can work properly if the constitution is amended and the Executive Committee of the Society is made up as follows:—

- Three representatives of the Legislative Council.
- Three representatives of the Calcutta Corporation.
- Three representatives to be elected by the donors.
- One representative of the Veterinary Department.
- One representative of the Calcutta Police.
- One representative from any other public body.

The Chairman: In the year 1924 a Special Committee was appointed by the Corporation under the chairmanship of Mr. H. S. Suhrawardy to enquire into the working of the Calcutta Society for the Prevention of Cruelty to Animals. In the opinion of that Committee, the Society should not be maintained, as it was being maintained by the income from fines. That system was, in the opinion of the Committee, vicious and wrong, and the Special Committee recommended that the Government should give a definite budget grant of Rs. 1 lakh every year.

Mr. D. P. Khaitan: The Government is still practically following the same objectionable principle as it did 9 years ago.

Babu Bidhu Bhusan Sircar: After hearing Mr. Khaitan, I think we should recommend that the Corporation do take over the administration of the C. S. P. C. A. provided the Government give the Corporation a fixed grant of Rs. 1 lakh a year, *viz.*, the amount which the Government had been paying to the Society.

Mr. D. P. Khaitan: I think with a Government grant of Rs. 1 lakh a year, the Corporation will be able to run the department.

After some further discussion, it was resolved—

“That it be recommended that the Corporation of Calcutta do take over the administration of the Cruelty to Animals Act in Calcutta, on condition that the Government of Bengal contribute a sum of Rs. 1 lakh a year, as they have been doing in the past to the Calcutta Society for the Prevention of Cruelty to Animals.”

(Illegible),

*Assistant Secretary.*