

MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING

(Department of Animal Husbandry and Dairying)

NOTIFICATION

New Delhi, the 27th February, 2023

G.S.R. 139(E).—Whereas a draft of the Prevention of Cruelty to Animals (Egg Laying Hens) Rules, 2019 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* notification of the Government of India in the Erstwhile Ministry of Agriculture and Farmers Welfare number GSR 335(E), dated the 29th April, 2019, inviting objections and suggestion from all persons likely to be affected thereby, within a period of thirty days, from the date of which copies of Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 2nd May, 2019;

And whereas the objections and suggestions received in respect of the said draft rules, have been duly considered by the Ministry of Fisheries, Animal Husbandry and Dairying;

And whereas the rules before publication were placed before the Hon'ble High Court of Delhi on 24th October, 2019 for their consideration as per the directions dated 10th April, 2019 in the matter WP (C) 9056 of 2016 and other connected matters;

And whereas, the Hon'ble High Court of Delhi vide its order dated 17th November, 2022 in the said matter has given liberty to Government of India to notify the rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 38 read with clause (e) of sub-section (1) of section 11 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Prevention of Cruelty to Animals (Egg Laying Hens) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Objectives.- These rules address space allowance for commercial layer pullets or laying hens of species *Gallus gallus domesticus* to clarify space requirement of laying hens and layer pullets kept in conventional colony enclosures, previously referred to as battery cages, for egg production.

3. Definitions.- (1) In these rules, unless the context otherwise requires, -

- (i) 'Act' means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- (ii) 'conventional colony enclosures' (previously referred to as battery cages or California cages whatever name it may call) means a confined area which can have varying dimensions and number of laying hens and layer pullets conforming to minimum space required so as not to inflict cruelty.
- (iii) 'environmental condition' means the location where poultry farming is taking place.
- (iv) 'farm' means the land, building, support facilities, and other equipment that are wholly or partially used in poultry farming for the production of eggs:

Provided that the farm premises should be contiguous in nature for registration purpose.

- (v) 'farm owner' or 'farm operator' means any person or company or entrepreneur or farmers organisation or society who own or controls the operation of a farm and includes individual and any other person on whose behalf the farm is being run;
- (vi) 'laying hens' means sexually mature female birds of the species *Gallus gallus domesticus* kept for the commercial production of eggs for human consumption and other usage.
- (vii) 'layer pullets' means the female birds of the species *Gallus gallus domesticus* raised for commercial layer production purposes from hatch until the onset of sexual maturity;
- (viii) 'Registering Authority' means the Animal Husbandry Department of the State and Union territories designated as such where the poultry farm is established.
- (ix) "Society for Prevention of Cruelty to Animals" means the society as defined in clause (e) of rule 2 of the Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001 (published in the Gazette of India vide S.O. 271(E), dated 26th March, 2001).
- (x) "State Board" means a State Animal Welfare Board constituted in a State by the State Government.
- (xi) "Veterinary practitioner" means a registered Veterinary practitioner as defined in clause (g) of section 2 of the Indian Veterinary Council Act, 1984 (52 of 1984).
- (xii) "WOAH" – World Organisation for Animal Health is an international organisation with 181 member countries, which have given it a mandate to improve animal health and welfare throughout the world.

(2) Words and explanations used herein and not defined but defined in the Prevention of Cruelty to Animals Act, 1960 and the Indian Veterinary Council Act, 1984 shall have the meanings respectively assigned to them in those Acts.

4. Application of rules.- These rules shall apply to the farms where egg laying hens are housed in colony enclosures.

5. Registration of farms.- (1) The persons or entities owning or having charge of farms keeping such number of laying hens or layer pullets per farm as may be specified by the Registering Authority of the

concerned State or Union territories shall apply, to get their farms registered with the Animal Husbandry Department of the concerned State Government or Union territory.

(2) The Animal Husbandry Department of the State or Union territory shall while granting registration, impose such conditions as it may deem fit for proper implementation of these rules.

(3) The application for Registration shall include the farm layout, bio-security arrangement as provided from time to time by the Department of Animal Husbandry and Dairying, Ministry of Fisheries, Animal Husbandry and Dairying and other relevant information required under the rules.

(4) The Registering Authority, if satisfied that the enclosures are as per the rules, it shall register the farms and issue a certificate of registration.

(5) The certificate of registration shall be valid for five years from the date of its issuance and the certificate may be renewed from time to time through an application made by the person owning or in-charge of the farm to the Registering Authority, within a period of three months from the date of expiry of the existing certificate of registration.

(6) Every farm operating prior to the commencement of these rules shall within a period of three months from the date of its commencement, register itself with the Animal Husbandry Department of the concerned State or Union territory.

(7) The registration certificate shall be displayed in a conspicuous place at the farm.

6. Responsibility of poultry farm owner or farm operator.- (1) The owner or operator of farm or company or society or organisation shall be responsible for ensuring the compliance of these rules as per the given environmental conditions for the welfare of laying hens.

(2) In case of contract farming between contractor and farmers, where inputs for poultry farming are provided to the farm owner by the contractor, both the farm owner and the contractor shall be responsible for ensuring compliance of these rules.

(3) Where a farm is owned by a Government, the responsibility of compliance of these rules shall be on the head of the institution.

7. Power to authorise inspection.- For the purposes of ensuring compliance, the Animal Husbandry Department of the State or Union territory or the Board or the State Board or District Society for Prevention of Cruelty to Animals may authorise officials of appropriate level to inspect any farm, and submit a report containing the findings of such inspection to the Registration Authority and officials of appropriate level may, –

- (i) enter at any reasonable time and inspect the farm; and require any person to produce farm layout records kept by him in respect of the registered farm.
- (ii) during the inspection, the inspecting official shall follow biosecurity protocols and norms as specified by the Department of Animal Husbandry of concerned State or Union territory;
- (iii) no inspector shall visit more than one farm within a period of seventy two hours for biosecurity concerns to prevent the spread of infection and he should keep the record for all of his visits to ensure biosecurity protocols.

8. Space allowance for laying hens.- All new farms or replacement of old cages (whatever name called) must meet following specification, namely:-

- (i) The floor space per bird shall not be less than five hundred and fifty square centimeter; and
- (ii) each enclosures should accommodate preferably a minimum of six to eight birds, thus ensuring reasonable space for laying hens for lying down, standing up, flapping wings, turning around and access to feed and water.

9. Maintenance records of space allowance.- (1) The farm owner or the operator shall ensure that the maximum housing density is not exceeded and maintain records of the total floor area available to the laying hens; the space allowances and maximum number of birds kept within the house.

(2) The farm owner or the operator shall maintain the record of available number of birds, the daily mortality and number culled.

(3) The records shall be made available for inspection by the prescribed authority.

Explanation.- For the purpose of this rule, the explanation “prescribed authority” means such authority as may be notified by the Ministry of Fisheries, Animal Husbandry and Dairying.

10. Prohibited for feeding of laying hens.- The following shall be prohibited for feeding of laying hens, namely:-

(i) feeding of laying hens with remains of dead chicks.

(ii) use of antimicrobial growth promoters.

(iii) use of antimicrobials, if required, may be administered for therapeutic purposes (disease treatment) and only under supervision of a veterinarian and

(iv) withdrawal of feed to induce a molting.

11. Veterinary Care.- (1) The farm owner or farm operator shall deploy adequate manpower including registered veterinarian to provide adequate management and veterinary care during housing and in emergency medical care.

(2) The emergency contact details of the veterinarian should be displayed at a conspicuous part of the farm.

12. Euthanasia of male chicks.- The hatcheries shall use any of the procedure for euthanasia for male chicks as provided in the guidelines for World Organization of Animal Health.

13. Disposal of spent laying hens.- The farm shall sell the spent laying hens preferably to the licensed slaughter houses or to a registered trader and transport and slaughter of spent laying hens shall be in accordance with the applicable laws for the time being in force.

14. Cancellation of Registration.- If any poultry farm is not maintained in the manner required under these rules, the Registering Authority may, after serving a show cause notice in writing, and giving an opportunity to the person to reply on such show cause notice within a period of thirty days, cancel the certificate of registration.

15. Revocation of Registration.- If the farm complies with the deficiencies identified during the inspection within a specific time frame, the Registering Authority shall consider for revival of the registration.

16. Appeal.- Any person aggrieved by any order regarding refusal or cancellation of registration of any farm may make an appeal to such officer or authority as may be specified by the State Government within a period of one month from the date of such order.

17. Penalties.- If any person owning or having charge of farms contravenes the rules, he shall be punishable with fine as provided under Prevention of Cruelty to Animals Act, 1960 and when the contravention is by an entity, the person in-charge and having administrative control over the farm shall be deemed to be guilty of the offence and shall be punishable accordingly.

18. Enforcement time.- (1) The State Government shall notify the administrative provisions necessary to comply with these rules on or before 31st day of July, 2023 and such States shall forthwith

inform the same to the Ministry of Fisheries, Animal Husbandry and Dairying, Department of Animal Husbandry and Dairying, New Delhi.

(2) The existing farms shall adopt the new animal welfare guidelines on or before 1st January, 2029.

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