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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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BARKING UP THE RIGHTS FOR ANIMALS ON BEHALF OF VOICELESS: - EXPLORING CRITICAL ISSUES & WELFARE SOLUTIONS.

AUTHORED BY - SHRUTI JHA¹ & ROHIT KUMAR²

ABSTRACT

*The escalating prevalence of animal cruelty represents a profound moral and legal conundrum that continues to plague societies globally. Despite burgeoning awareness regarding the ethical imperatives of animal rights, legislative responses have remained lamentably insufficient, failing to encapsulate the intricate dynamics of animal maltreatment across various sectors. This paper, *Barking Up the rights for Animals on behalf of voiceless: Exploring Issues and Welfare Solutions*, endeavors to elucidate the multifaceted manifestations of cruelty—spanning neglect, physical abuse, and systematic exploitation in contexts such as industrial agriculture and entertainment. It also seeks to underscore the inadequacies in existing regulatory frameworks, where punitive measures often lack the severity requisite for deterrence, thus perpetuating a cycle of abuse.*

Through an extensive analysis of empirical data sourced from non-governmental organizations (NGOs) like the World Animal Protection and governmental authorities, this paper illuminates the pervasive nature of animal suffering. Reports indicate a disconcerting upward trajectory in cases of abuse, with millions of animals subject to egregious harm each year due to legislative lacunae and suboptimal enforcement mechanisms. Such statistics accentuate a critical deficiency within legal apparatuses, where legislative provisions are not only inconsistently applied but also frequently devoid of the rigorous enforcement needed to ensure compliance. Regional disparities in legal protections further exacerbate this issue, revealing zones where even rudimentary animal welfare statutes remain elusive.

¹ Author is a student at school of law, MANAV RACHNA UNIVERSITY, FARIDABAD, HARAYANA, INDIA.

² Author is a student at school of law, MANAV RACHNA UNIVERSITY, FARIDABAD, HARAYANA, INDIA.

To ameliorate this dismal state of affairs, the paper proffers a compendium of interventional strategies aimed at fortifying animal welfare. These include the imposition of more draconian penalties for transgressors, the enhancement of enforcement protocols, and the establishment of dedicated animal welfare divisions within law enforcement agencies. Additionally, the discourse accentuates the exigency of public education campaigns designed to recalibrate societal perceptions of animals from mere commodities to sentient beings deserving of intrinsic rights. It also advocates for heightened international collaboration to standardize animal welfare legislation and propagate best practices across jurisdictions.

By amalgamating statistical evidence with jurisprudential critique, this paper aspires to galvanize policymakers and civil society towards enacting robust reforms that transcend mere symbolic gestures. The imperative is clear: without a concerted and resolute response, the endemic issue of animal cruelty will persist, undermining efforts to cultivate a global ethos of compassion and ethical stewardship. Ultimately, this treatise endeavors to not only provoke contemplation but also inspire tangible action, paving the way towards a legal paradigm where animal rights are incontrovertibly enshrined and rigorously upheld.

KEYWORDS: Escalating, Plague, Prevalence, Conundrum, Burgeoning, Animal maltreatment, Physical abuse, Egregious harm, Statistics, critical deficiency, Ameliorate, Compendium, Interventional strategies, Education campaigns, non-governmental organization (NGO), Animal welfare, Legislation, policymakers, Endemic issue.

I. INTRODUCTION

A famous quote :-

“The question is not, Can they reason? nor, Can they talk? but, Can they suffer?”

This quote encapsulates the ethical argument for animal welfare, emphasizing the capacity for suffering as the key criterion for moral consideration, rather than intelligence or communication abilities. Bentham's insight challenges society to recognize and address the suffering of animals, whether abandoned or abused, as a significant moral concern.

Animal cruelty is a pervasive and distressing issue that continues to grow despite increasing societal awareness and advocacy for animal rights. From domestic settings to industrial operations, animals across the globe face various forms of abuse and exploitation, often with little to no recourse for their suffering. This escalating problem exposes significant

shortcomings in existing legal frameworks, which frequently fail to provide adequate protection or deliver justice for animal victims. While many countries have introduced laws addressing animal welfare, these regulations are often fragmented, inconsistently enforced, or lack the severity needed to deter future offenses. As a result, millions of animals endure unnecessary harm every year, whether through physical abuse, neglect, or systemic exploitation in industries such as agriculture, entertainment, and scientific research.

The urgency of addressing animal cruelty is underscored by the growing body of evidence documenting its prevalence and impacts. Data from reputable non-governmental organizations (NGOs) and governmental bodies paint a grim picture of the scale of the problem. For instance, reports from the World Animal Protection and the Humane Society indicate a steady increase in documented cases of animal abuse over the past decade, suggesting that current legal measures are inadequate to curb the tide of mistreatment. These statistics highlight not only the prevalence of cruelty but also its diverse manifestations—from the inhumane conditions in factory farms to the use of animals in circuses and other forms of entertainment, where they are often subjected to harsh training methods and confined to unnatural environments. The problem extends to wildlife trafficking and illegal hunting, where animals are exploited for profit, contributing to the decline of numerous species and ecological imbalance.

A critical examination of existing legal frameworks reveals several factors that contribute to the persistence of animal cruelty. Many countries' animal welfare laws lack comprehensive coverage, addressing only specific forms of cruelty or certain categories of animals, such as pets, while neglecting others, including farm and laboratory animals. Moreover, the penalties for violating these laws are often insufficient, with fines or short-term imprisonment failing to reflect the severity of the harm inflicted. In many regions, enforcement is also a significant challenge, with limited resources allocated to animal welfare agencies and a lack of specialized training for law enforcement officers. These gaps in legislation and enforcement create an environment in which cruelty can thrive, leaving many animal victims without recourse or protection.

Addressing the issue of animal cruelty requires not only strengthening legal protections but also changing societal attitudes toward animals. Despite the growing recognition of animals as sentient beings capable of experiencing pain, suffering, and joy, traditional views that see animals primarily as property or commodities still dominate many cultures. This

anthropocentric perspective often leads to the justification of exploitative practices in various industries. For instance, the factory farming industry continues to prioritize profit over welfare, with billions of animals living in overcrowded, unsanitary conditions where they endure physical and psychological stress. Similarly, the entertainment industry, including circuses, zoos, and marine parks, often justifies confining animals to small enclosures or forcing them to perform unnatural behaviors for human amusement.

In addition to the moral and ethical implications, animal cruelty is closely linked to broader social and environmental issues. Research has shown that individuals who engage in animal abuse are more likely to commit acts of violence against humans, suggesting that animal cruelty is often a precursor to other forms of antisocial behavior. Furthermore, practices such as factory farming have significant environmental consequences, contributing to deforestation, water pollution, and greenhouse gas emissions. Addressing animal cruelty, therefore, is not only about protecting animals but also about fostering a more compassionate and sustainable world. This paper, *Barking Up the rights for Animal on behalf of voiceless: Exploring Issues and Welfare Solutions*, aims to address these challenges by offering a comprehensive analysis of the current state of animal welfare legislation and the systemic factors that perpetuate cruelty. It draws on empirical data from NGOs and government authorities to highlight the prevalence of various forms of abuse and examines the legal and cultural barriers that hinder progress. The paper advocates for a multi-faceted approach to reform, including more stringent penalties for offenders, enhanced enforcement of existing laws, and the establishment of specialized animal welfare units within law enforcement. Additionally, it emphasizes the need for public education campaigns to reshape societal attitudes toward animals, recognizing them as sentient beings with intrinsic rights.

The paper also calls for greater international collaboration in setting standards for animal welfare and sharing best practices across borders. By addressing both the legal and cultural dimensions of animal cruelty, this paper seeks to not only provoke critical reflection but also inspire tangible action. The ultimate goal is to create a society where the rights and well-being of animals are not an afterthought, but an essential part of ethical governance and compassionate living. Without a concerted effort to enact meaningful change, the suffering of countless animals will continue unabated, undermining efforts to build a more humane and just world.

There are some points that cover a wide range of issues related to animals and their interactions with humans and the environment. Here's a brief overview of each:

1. **Animal cruelty:** - Neglect or abandon, abuse (physically & mentally) & exploitation animals.
2. **Wildlife conservation:** - Habitat loss, poaching & climate change affecting wildlife populations.
3. **Pet- over population:** - managing the no. of stray & abandoned pets.
4. **Animal- Human Conflict:** - Encroachment of human settlements into wildlife habitats, leading to conflicts.
5. **Animal welfare:** - Improving living conditions & treatment of animals in shelters, farms, vaccination & laboratories.
6. **Endangered species:** - Protecting species threatened by extinction due to human activities.
7. **Animal testing:** - Ethical concerns surrounding use of animals in scientific research.
8. **Factory farming:** - Inhumane treatment & living conditions of animals raised for food.
9. **Climate change impact:** - Effects of climate change on animal habitats, migration patterns & extinction risk.
10. **Animal rights:** - Advocating for legal recognition of animals rights & protection.
11. **Cattle (pet or strays):** - Roaming freely on highways, increasing risk of accident.
12. **Inadequate fencing:** - Poor or non- existent fencing allowing cattle to enter highways.
13. **Driver safety:** - Drivers facing risks & dangers due to cattle on highways.
14. **Livestock ownership:** - Irresponsible livestock ownership, leading to cattle roaming freely.
15. **Economic Impact:** - Accidents involving cattle leading to economic losses, damage to vehicles & impact on livestock owners.

II. ASPECTS: PROBLEMS ENCOUNTERED BY ANIMALS DUE TO CRUELTY.

1. **Physical Abuse and Injury:** Animals often suffer from direct violence, such as beating, kicking, burning, or other forms of physical harm. These actions can cause broken bones, lacerations, internal injuries, or permanent disabilities, leading to prolonged pain and suffering.
2. **Neglect and Starvation:** Many animals are victims of neglect, where they are deprived

of basic needs like food, water, shelter, and medical care. Prolonged neglect can result in malnutrition, dehydration, infections, and weakened immune systems, making them more susceptible to diseases.

- 3. Psychological Trauma:** Animals exposed to cruelty can experience severe psychological distress, leading to anxiety, fear, and depression. They may exhibit behaviors such as aggression, withdrawal, self-mutilation, or repetitive actions (e.g., pacing, circling) due to stress and trauma.
- 4. Confinement and Lack of Mobility:** In industries like factory farming and entertainment, animals are often kept in cramped and restrictive environments, which prevent them from expressing natural behaviors. This can cause physical deformities, joint issues, and mental distress due to lack of stimulation and freedom.
- 5. Exploitation in Entertainment:** Animals used in circuses, racing, or shows are often trained using cruel methods, such as whips or electric shocks, to force them into performing unnatural acts. They may also suffer from exhaustion, injuries, and poor living conditions, leading to a shortened lifespan.
- 6. Medical Experimentation and Testing:** Laboratory animals used for research are often subjected to painful procedures, chemical testing, and invasive experiments without adequate pain relief. This can cause significant suffering, physical harm, and premature death.
- 7. Wildlife Trafficking and Poaching:** Wild animals face threats from illegal hunting and trafficking for products like fur, ivory, or exotic pets. These practices often involve brutal killing methods, habitat destruction, and the capture of animals in inhumane conditions, leading to population declines and species extinction.
- 8. Overbreeding and Inhumane Breeding Practices:** In the pet industry, animals may be bred excessively in poor conditions, such as puppy mills, where they are kept in overcrowded cages with little regard for health and welfare. This can lead to genetic disorders, illnesses, and behavioral issues.
- 9. Abandonment and Homelessness:** Domestic animals, such as dogs and cats, are frequently abandoned by owners who are unwilling or unable to care for them. These animals face harsh living conditions on the streets, where they are vulnerable to starvation, disease, injury, and attacks from other animals or humans.
- 10. Exposure to Toxic Substances:** Some animals are deliberately poisoned or exposed to harmful chemicals, either as a method of pest control or through intentional cruelty. This can cause severe health issues, including organ failure, neurological damage, and

painful death.

11. Forced Labor and Overwork: In some regions, animals like horses, donkeys, and elephants are used for heavy labor beyond their physical capacity. Constant overwork can lead to exhaustion, muscle strain, joint damage, and shortened life expectancy.

The consequences of animal cruelty extend beyond individual suffering, affecting ecosystems, public health, and the ethical values of society. Addressing these problems requires comprehensive legal protections, public education, and a shift toward humane and sustainable practices.

III. BACKGROUND: HISTORY OF ANIMAL CRUELTY IN INDIA.

Traditional Indian religions value animals, the earliest Hindu texts support the concept of *ahimsa* (non-killing/injury). The Vedic religion gave up animal sacrifices. Many Hindu texts consider vegetarianism essential for *moksha* (liberation of the soul), and Brahmins, the priestly class, are traditionally vegetarian. Hindus believe that many animals are friends or vehicles of the gods, and therefore are sacred. The concept of ahimsa or non-injury/killing goes back to the earliest Hindu texts. The Rig Veda³ (X.87.16) condemns "he who steals the milk of the cow" while the Yajur Veda (XII.47) categorically states that "no person should kill animals who are helpful to all; by serving them one should obtain heaven". It is in the Yajur Veda also that we find the first reference to the idea of non-violence towards animals (*pashu ahimsa*). The words "ahimsa paramo dharmah" (non-killing is the greatest righteousness) first appear in the Upanishads. Indian literature is replete with injunctions on the importance of compassion and non-killing of animals (Krishna 2017).

Jainism and Buddhism also emphasized compassion and non-killing in the sixth century BCE, Mahavira Jina and Gautama Buddha emphasized this thought. Their teachings were patronized by kings and traders, so the message spread all over India, as far west as Afghanistan, northwards to Central Asia and southeast and southwards to South-east Asia and Sri Lanka. In the third century BCE, Ashoka, whose empire extended from Afghanistan in the west to Bangladesh in the east, sent missionaries to spread the message of the Buddha to Sri Lanka and China. So powerful was the movement against killing animals that the Vedic religion, which had once consisted of animal sacrifices, gave up sacrifice and Brahmins became vegetarians. Meanwhile, philosophers in South India were preaching about compassion, animal sentience

³ <https://www.wellbeingintlstudiesrepository.org/cgi/viewcontent.cgi?article=1751&context=animsent>

and nonkilling. The Manusmriti, which laid down the laws for the Vedic religion, was very clear on the importance of non-killing, respecting the sentience of animals, and vegetarianism as essential to reach the state of moksha or liberation of the soul. Animal welfare was generally equated with vegetarianism, for the pain, fear and brutality of slaughter was regarded as the greatest form of cruelty. Many animals were represented as vehicles or friends of the Gods, a move which granted them greater security. In the 8th century CE, Adi Shankara, revered as India's greatest philosopher, preached compassion and non-killing, personally stopping animal sacrifice in several temples of India (Krishna 2018).

The advent of Islamic rule in north India changed the situation to a great extent, since the Muslims were primarily meat-eaters. But the simultaneous development of the Bhakti (devotion) movement in Hinduism led to a greater emphasis on kindness to animals, especially cattle, and vegetarianism. Many later Moghul and Islamic rulers also banned cow slaughter (Krishna 2010).

Everything changed with the arrival of the British. The first slaughterhouse in India (there were none until the British introduced them) was built in Calcutta in 1760 by Robert Clive, then Governor of Bengal. 30,000 animals were killed every day for the British officials and army officers. Several more slaughterhouses were set up for the British armies of Bengal, Madras and Bombay Presidencies. By 1910, there were 350 slaughterhouses (Knapp 2016). Hindus and Muslims had unanimously preserved cattle before the advent of British rule and had even mutinied together against the British Rule in 1857 when they were made to lick cartridges smeared with cow and pig fat. Now Muslims were employed in the slaughterhouses run by the British Government and were gradually led to believe that it was their religious right to eat cows.

Hunting was a major pastime of the Moghuls. There are paintings of Moghul kings killing tigers and cheetahs by the dozen. Babur decimated the rhinoceros in Punjab, while Jahangir killed over 17,000 animals, including 86 tigers and lions. Wild meats were highly prized. The Moghuls ate 35 to 40 meat dishes at a meal. After the historic Battle of Plassey in 1757, the British decreed special rewards for every predator killed. Fewer predators meant more crop cultivation and more revenue. Greater rewards were given for killing tigresses, and special prizes for killing or capturing cubs (Rangarajan 2005). Hunting was a standard recreation for the British officials. Officers even took leave in order to hunt. Madras, once called Puliyyur

(land of tigers), was divested of every tiger, as were all the cities of India. Cheetahs were wiped out. The lions were hunted to extinction except in Junagarh, where the Nawab preserved them for his private hunt (Divyabhanusinh 2006).

The early legislations for animals in India included the Indian Penal Code (45 of 1860), which was probably the best provision for animals at the time. Other laws which followed were the **Cattle Trespass Act (1871), Elephants Preservation Act (1879), the Madras Wild Elephants Preservation Act 1 (1873), the Prevention of Cruelty to Animals Act of 1890, Calcutta Hackney Carriage Act (1891), Central Provinces Slaughter of Animal Law of (1915), Madras Animal and Bird Sacrifices Prohibition Act (1950) and the Madras Animal Preservation Act (1958).**

Unfortunately, while the various acts levied fines on the humans involved in cruelty to animals, there was no refuge or rehabilitation for the abused animal due to a lack of infrastructures like animal shelters and veterinarians, except pinjrapoles for old cattle and occasional animal hospitals established by maharajas and Jains⁴.

Cows are particularly sacred to Hindus, Jains, and Buddhists. Most Indian states ban cow slaughter. Killing cows sometimes results in riots. Jains and Hindus care for cows who can no longer produce milk in retirement homes called *pinjrapoles*. According to the author of this paper, Islamic rule in North India changed the situation somewhat. Muslims ate meat, and Islamic rulers hunted regularly and killed many wild animals. However, Islamic rulers sometimes also emphasized kindness to animals: for example, many later Islamic rulers banned cow slaughter.

British colonialism worsened the position of animals in India. British people built the first slaughterhouse in India in 1760, and by 1910, there were 350 slaughterhouses⁵. The British didn't respect traditional Hindu beliefs about cows.

According to the author of this paper, in 1857, they forced Hindus and Muslims to lick cartridges spread with pig and cow fat. They also promoted beef-eating among Muslims and

⁴ <https://www.wellbeingintlstudiesrepository.org/cgi/viewcontent.cgi?article=1751&context=animsent>

⁵ <https://faunalytics.org/the-history-of-animal-rights-in-india/#:~:text=The%20British%20Raj%20passed%20its,India%20was%20founded%20in%201861.>

encouraged people to hunt predators, sometimes even paying people for each animal killed. The British disliked Indian dogs because they competed with British dogs, and they killed them en masse.

The British Raj passed its first animal rights legislation in 1860. The law banned certain kinds of cruelty to animals, but didn't fund refuge for abused animals. The first Society for the Prevention Cruelty to Animals in India was founded in 1861⁶.

After decolonization, the Indian Parliament passed its first animal rights legislation in 1962. The legislation created the Animal Welfare Board of India, which created laws and rules about animal welfare. Over the next fifty years, the Board and Parliament passed many rules protecting animals. **Laws in India regulate slaughterhouses, animal performances, transport of animals, and experiments on animals.** The Wildlife Protection Act of 1972 protected tigers, which are an endangered species because of the demand for tiger skins and tiger bones for medicine. In 2001, after sustained activism for forty years, India transitioned to using catch-and- neuter programs and rabies vaccination instead of killing to control stray dog populations.

The big change came with **Mrs. Rukmini Devi Arundale**, a theosophist and crusader for animal rights. As a nominated member of the Rajya Sabha (Upper House), she introduced a Private Member's Bill in 1954 to replace the Prevention of Cruelty to Animals Act of 1890. On the assurance of Prime Minister Jawaharlal Nehru who said that "it would be a pleasure of his government to take up such an important matter," she withdrew her bill⁷. A committee was constituted by the Government of India; on the basis of its report the Prevention of Cruelty to Animals (PCA) Act 1960 was passed by the Parliament and the Animal Welfare Board of India (AWBI) was established in 1962. Mrs. Arundale was made its chairman, a post she held till her death (except for a brief period from 1980 to 1984). AWBI was a Statutory Advisory Body to promote animal welfare in India and make laws and rules therein. AWBI's primary contribution was the formation of Rules pertaining to the PCA Act of 1960 (Ramaswamy 2004) (see Table 1).

⁶ <https://faunalytics.org/the-history-of-animal-rights-in-india/#:~:text=The%20British%20Raj%20passed%20its,India%20was%20founded%20in%201861.>

⁷ <https://www.wellbeingintlstudiesrepository.org/cgi/viewcontent.cgi?article=1751&context=animsent>

A subsequent important act for animals was the Wildlife Protection Act of 1972 spearheaded by Mrs. Indira Gandhi and passed by the Indian Parliament. The national survey showed that the number of tigers in India had fallen from an estimated 40,000 in 1947 to 1827 in 1972 (Sankhala (1997)). Project Tiger was launched in 1973. However, the tiger is still struggling to survive in spite of strict laws and 50 tiger reserves, up from 9 in 1973. Today, the number of tigers is still low – 2967 in a country where it once roamed in thousands. The Chinese demand for tiger bones for medicine and tiger skins is a lucrative and amoral market.

In 1976, upon the urging of Rukmini Devi, Prime Minister Indira Gandhi amended the Constitution of India (42nd Amendment) as follows:

Article 48A. *Protection and improvement of environment and safeguarding of forests and wildlife. The State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.*

Article 51A. *Fundamental duties - It shall be the duty of every citizen of India... to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures.*

These provisions have been of great help to activists fighting against animal cruelty.

TABLE 1: Rules Pertaining to the Prevention of Cruelty to Animals Act (1960):

S.no.	RULES	Description
1.	Prevention of Cruelty to Animals (Draught and Pack Animals) Rules, 1965.	Limits maximum loads to be carried by draught and pack animals.
2.	Prevention of Cruelty to Animals (Licensing of Farriers) Rules, 1965	Business of farrier to be carried out with licence only
3.	Performing Animals Rules, 1973	Any performing animal to be exhibited or trained must be registered in the prescribed form.
4.	Ban on Exhibition/Training of Five Performing Animals, 1998	The following animals shall not be exhibited or trained as performing animals: Bears, Monkeys, Tigers, Panthers and Lions.
5.	Transport of Animals Rules, 1978.	Valid health certificate required from

		qualified veterinary surgeon stating that the dogs and cats are in a fit condition to travel by rail, road, inland waterway, sea or air.
6.	Prevention of Cruelty to Animals (Application of Fines) Rules, 1978.	Fines, after deducting cost of collection, to be made over to the Board, to be applied for financial assistance to societies dealing with animal welfare work and are recognized by the Board and for the maintenance of infirmaries, pinjrapoles and veterinary hospitals.
7.	Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978.	Premises in which not less than five head of cattle are kept must be registered
8.	Prevention of Cruelty (Capture of Animals) Rules, 1979.	No bird shall be captured for sale, export or for any other purpose except by net method and no animal shall be captured except by sack and loop method
9.	Breeding of and Experiments on Animals (Control and Supervision) Rules, 1998.	Breeders must be registered, with details of experiments, permission of CPCSEA for conducting experiments and controls on the performance of the experiments.
10.	Prevention of Cruelty to Animals (Transport of Animals on Foot) Rules, 2001.	Regarding transport of animals transported by foot when the distance from the village, town or city boundary to the destination would be 5 kilometres or more.
11.	The Animal Birth Control (Dogs) Rules, 2001.	Capture, sterilisation, immunisation and release of dogs required, thereby ending the cruelty of dog killing.
12.	Prevention of Cruelty to Animals (Slaughter House) Rules, 2001.	No animal shall be slaughtered within a municipal area except in a recognised or licensed slaughter house and no animal which is pregnant or has an offspring less than 3 months old or is under the age of 3

		months or whose fitness has not been certified by a veterinary doctor shall be slaughtered
13.	Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001.	Every state/district authority to establish a society in every district of the state to be the SPCA in that district.

The growing realization of the cruelties suffered by animals brought about relentless campaigns by NGOs, especially the Blue Cross of India, Chennai, resulting in the following:

1. Ban on export of monkeys (used for research in the USA and Europe) – 1978
2. Ban on export of frogs' legs – 1987
3. Ban on dissection in schools – 1997
4. Ban on the Exhibition and Training of five performing animals - 1998
5. Animal Birth Control Rules (Dogs) – 2001

Local dogs were feared and subjected to harsh treatment by the British who brought their own breeds, such as fox-hounds for hunting sports. The British subalterns brought bull-dogs, mastiffs and terriers. Spaniels, retrievers and greyhounds were brought for sports and many English ladies carried with them Maltese, Dachshunds, etc. (Kipling 1891) Mongrels were hunted by the British. One ex-cavalry man wrote: “Our dogs had a great dislike to the native dog. Anyhow, the barrack dogs — that is to say, those mongrels of European origin — seem to glory in a good dog hunt; and in this respect, we their masters, joined suit.” British soldiers often went to hunt the dogs belonging to the local villagers (Civil and Military Gazette 1890), trying to replicate the British fox hunt (Sekar 2017). The Indian dog became a part of the great British massacre of Indian wildlife.

Jallikattu (bull taming) was conducted in Tamilnadu for several years. In the **A. Nagaraja**⁸ case, the Supreme Court held Jallikattu as cruelty to bulls. The Supreme Court under **Justice K.S. Radhakrishnan** gave a judgement against this sport saying that “it is not for the well-being of the animal and causes unnecessary pain and suffering, that is exactly what the Central Act (PCA Act) wants to prevent for the well-being and welfare of animals” and gave the following directions: that the rights guaranteed to the Bulls under the PCA Act read with

⁸ (Animal Welfare Board of India vs. A. Nagaraja & Ors, (2014) 7 SCC 547)

Articles 51A(g) & (h) of the Constitution cannot be taken away or curtailed; five freedoms must be protected; AWBI and (State) Governments are directed to take steps to prevent the infliction of unnecessary pain or suffering on the animals; the person-in-charge or care of the animal shall not incite any animal to fight against a human being or another animal, and the animals must not be put to unnecessary pain and suffering; AWBI and (State) Governments should take steps to impart education in relation to humane treatment of animals; Parliament is expected to make proper amendments of the PCA Act to provide an effective deterrent; adequate penalties and punishments should be imposed; and all appeals, transferred cases and the Writ Petition were disposed of by the Supreme Court. However, following a massive public protest in Chennai against the banning of Jallikattu in Tamilnadu, the Tamilnadu Legislative Assembly passed an amendment bill for conducting the bull-taming sport without hindrance. The Supreme Court has referred to a Constitution Bench to decide whether the people of Tamilnadu and Maharashtra can conserve Jallikattu and bullock-cart races as their cultural right and demand their protection under Article 29 (1) of the Constitution.

In 1976, Prime Minister Indira Gandhi amended the Constitution of India to require the Indian government and its citizens to protect the environment and wild animals. The amendments help people advocate against animal cruelty. Unfortunately, India still has progress to make. India produces about six million metric tons of meat and 75 billion eggs annually. It is the fifth largest egg producer and the fifteenth largest broiler producer in the world. Even cows are mistreated. Intensive milk farming, which involves cruel practices such as separating calves from their mothers, is common in India. India produced four million metric tons of beef in 2001.

In conclusion, India's cultural landscape is deeply intertwined with various religious, spiritual, and cultural practices that influence attitudes and behavior's towards animals. Hinduism, Buddhism, Jainism, and other indigenous belief systems advocate for non-violence (ahimsa) and respect towards all living beings, promoting the notion of animals as sacred entities deserving of compassion and protection. The reverence for cows, monkeys, elephants, snakes, and other animals in Hindu mythology exemplifies this sentiment. However, with the British Colonial Era coming into play in India's history, the cruelty exhibited towards animals increased fourfold since they treated animals as just commodities. In 1860, animal experimentation arrived in India via British Colonials that mainly used them for drug tests and this practice has become a major industry in the contemporary world that sees cruelty inflicted

on tens of millions of animals across diverse species that face severe side effects and horrendous instances of such practice have seldom emerged in the limelight despite several efforts by corporations to hide them. British colonialism worsened the position of animals in India.

Despite the Colonial Era bringing in varied practices of cruelty, there are some instances of animal cruelty that were exhibited by Traditional Indian society:

1. **RITUALS AND FESTIVALS:** India's diverse cultural landscape is replete with rituals and festivals that involve animals, sometimes resulting in acts of cruelty. For example, in certain regions, animals are sacrificed as offerings to appease deities or seek blessings during religious ceremonies. While such practices are rooted in ancient traditions and beliefs, they often raise ethical concerns about the treatment of animals involved.
2. **TRADITIONAL PRACTICES:**
 - a) **Animal Husbandry:** Agriculture and animal husbandry have been integral to India's economy and way of life for millennia. While animals like cows and bulls were traditionally revered as providers of milk, labour, and fertilizer, the modernization of agriculture has led to commercialization and industrialization, resulting in practices that compromise animal welfare.
 - b) **Wildlife Exploitation:** India's vast biodiversity has attracted exploitation of its wildlife for various purposes, including hunting, trapping, and trade. Historical accounts depict instances of royal hunts and exploitation of wildlife for sport and entertainment, contributing to population declines and habitat destruction.
3. **STREET ANIMAL CULTURE:** India's streets are populated with a diverse array of animals, including stray dogs, cattle, and monkeys⁹. While some communities view these animals as part of their urban landscape, others regard them as nuisances or threats to public safety. Consequently, street animals often face neglect, abuse, and lack of access to essential resources such as food, water, and shelter.

IV. CONTEMPORARY CONTEXT

Despite cultural and religious obligations against animal cruelty, there are many cases of animal abuse, neglect and exploitation in various settings in India today. Stray animals such as dogs, cats, and cows are particularly susceptible to abuse and neglect. Incidents range from

⁹ <https://ijlra.com/wp-content/uploads/2024/03/CRITICAL-STUDY-ON-ANIMAL-CRUELTY-IN-INDIA.pdf>

intentional injury, poisoning, and abandonment to lack of access to food, water, and shelter.

- 1. ILLEGAL WILDLIFE TRADE**, fueled by demand for exotic pets, traditional medicines and trophies, poses a serious threat to India's rich biodiversity. Poaching, illegal trade and habitat destruction threaten the survival of endangered species such as tigers, elephants, rhinos and pangolins. Compromise conservation efforts and ecological balance.
- 2. INDUSTRIAL AGRICULTURAL PRACTICES:** such as intensive animal husbandry, poultry farming, and dairy production raise concerns for animal welfare, environmental degradation, and public health. Many of these farms are characterized by confined spaces, overcrowding, lack of veterinary care, and inhumane slaughter methods, resulting in continued animal abuse while posing risks of zoonotic diseases and antimicrobial resistance.
- 3. ENTERTAINMENT AND CEREMONIES:** Certain cultural practices and entertainment in India involve the exploitation and abuse of animals. Traditional performances such as bear dances, snake charms, and street circus performances are often associated with cruelty and exploitation, as animals are trained in forced methods and exposed to harsh living conditions. Similarly, some religious ceremonies and festivals involve animal sacrifice, raising ethical concerns about the treatment of these animals.
- 4. ANIMAL CRUELTY TO PETS:** Pet ownership is becoming increasingly common in urban India, but many pet owners lack awareness about responsible pet care and ignore the needs of their animals. Cases of abandonment, neglect, and abuse of pets such as dogs, cats, and birds are not uncommon. Additionally, the illegal breeding and sale of pets in unregulated markets leads to continued animal suffering and contributes to overpopulation.

V. LEGISLATIVE FRAMEWORK COMPARISION BETWEEN INDIAN & INTERNATIONAL LAWS: Understanding with Case Laws.

The protection of animal rights has gained significant attention globally, driven by ethical concerns about animal welfare and the recognition of animals as sentient beings. In India, the legislative framework for animal rights is primarily rooted in the Constitution and specific animal welfare laws. Internationally, various treaties, conventions, and customary laws govern animal rights and welfare. This section will compare the legislative frameworks of Indian and

international laws concerning animal rights, highlighting key issues, protections, and relevant case laws.

1. Sources of Law

Indian Law¹⁰:

- **The Constitution of India:** Article 51A(g)¹¹ emphasizes the duty of every citizen to protect wildlife and to have compassion for living creatures.
- **Legislation:** Key statutes include:
 - The Prevention of Cruelty to Animals Act, 1960¹².
 - The Wild Life Protection Act, 1972¹³.
 - The Animal Welfare Board of India (AWBI) oversees the implementation of animal welfare laws.
 - The Indian Penal Code (IPC) 1860 is the official criminal code of India which covers all substantive aspects of criminal law. Section 428 and 429 of the IPC provides for punishment of all acts of cruelty such as killing, poisoning, maiming or rendering useless of animals.
 - **Allocation of Powers between the Centre and the States:** Article 245 of the Indian Constitution holds that subject to the Constitution, the Indian Parliament can make laws for the whole or part of territory of India. Territory of India includes States, Union Territories and other territories such as enclaves within India.

Article 246 lays down the subject-matter of laws made by the Parliament and the State Legislatures. This subject-matter is allocated into three lists contained in the Seventh Schedule:

1. The Union List: the Parliament has exclusive power to make laws with respect to the matters enumerated within this list.
2. The State List: State Legislatures have the exclusive power to make laws with respect to the matters enumerated within this list.
3. Concurrent List: both the Parliament and State Legislatures have the power to make laws with respect to the matters enumerated within this list.

In the context of animal rights, the following matters have been allocated in the State and Concurrent List.

¹⁰

<https://www.animallaw.info/article/overview-animal-laws-india#:~:text=Section%20428%20and%20429%20of,or%20rendering%20useless%20of%20animals>

¹¹ <https://www.constitutionofindia.net/articles/article-51-a-fundamental-duties/>

¹² <https://dahd.nic.in/prevention-cruelty-animals-act-1960>

¹³ <https://tribal.nic.in/downloads/FRA/Concerned%20Laws%20and%20Policies/Wildlife%20Protection%20Act,%201972.pdf>

Item 14 of the State List provides that the States have the power to “[p]reserve, protect and improve stock and prevent animal diseases and enforce veterinary training and practice.”

In the Concurrent List, both the Centre and the States have the power to legislate on:

1. Item 17: “Prevention of cruelty to animals.”
2. Item 17B: “Protection of wild animals and birds.”

- **The Prevention of Cruelty to Animals Act, 1960**

The basic cruelty law of India is contained in the Prevention of Cruelty to Animals Act 1960. The objective of the Act is to prevent the infliction of unnecessary pain or suffering on animals and to amend the laws relating to the prevention of cruelty to animals. The Act defines “animal” as any living creature other than a human being.

In accordance with Chapter II of the Act, the Government of India established the Animal Welfare Board of India (AWBI) with some of the following functions:

1. Advising the central government regarding amendments and rules to prevent unnecessary pain while transporting animals, performing experiments on animals or storing animals in captivity.
2. Encouragement of financial assistance, rescue homes and animal shelters for old animals.
3. Advising the government on medical care and regulations for animal hospitals.
4. Imparting education and awareness on humane treatment of animals.
5. Advising the central government regarding general matters of animal welfare.

The Act enumerates different variants of cruelty to animals under Section 11 as the following actions:

- a. Beating, kicking, overriding, overloading, torturing and causing unnecessary pain to any animal.
- b. Using an old or injured or unfit animal for work (the punishment applies to the owner as well as the user).
- c. Administering an injurious drug/medicine to any animal.
- d. Carrying an animal in any vehicle in a way that causes it pain and discomfort.
- e. Keeping any animal in a cage where it doesn’t have reasonable opportunity of movement.

- f. Keeping an animal on an unreasonably heavy or short chain for an unreasonable period of time.
- g. Keeping an animal in total and habitual confinement with no reasonable opportunity to exercise.
- h. Being an owner failing to provide the animal with sufficient food, drink or shelter.
- i. Abandoning an animal without reasonable cause.
- j. Willfully permitting an owned animal to roam on streets or leaving it on the streets to die of disease, old age or disability.
- k. Offering for sale an animal which is suffering pain due to mutilation, starvation, thirst, overcrowding or other ill-treatment.
- l. Mutilating or killing animals through cruel manners such as using strychnine injections.
- m. Using an animal as bait for another animal solely for entertainment.
- n. Organizing, keeping, using or managing any place for animal fighting.
- o. Shooting an animal when it is released from captivity for such purpose.

However, the Act does not consider as cruelty the dehorning/castration of cattle in the prescribed manner, destruction of stray dogs in lethal chambers in prescribed manner and extermination of any animal under the authority of law. This Section provides somewhat of a leeway.

Part IV of the Act covers Experimentation of animals. The Act does not render unlawful experimentation on animals for the purpose of advancement by new discovery of physiological knowledge or knowledge to combat disease, whether of human beings, animals or plants. It envisages the creation of a Committee for control and supervision of experiments on animals by the central government which even has the power to prohibit experimentation if so required. Chapter V covers the area of performing animals. Section 22 prohibits exhibiting or training an animal without registration with the AWBI. The Section prohibits animals such as monkeys, bears, lions, tigers, panthers and bulls from being utilized as performing animals.

An additional leeway provided by the Act is that under Section 28, nothing contained in the Act shall render it an offence to kill any animal in a manner required by the *religion* of any community.

Considering the diversity of religions and traditions in India, this Section was considered imperative.

Treating animals cruelly is punishable with a fine of Rs. 10 which may extend to Rs. 50 on first conviction. On subsequent conviction within three years of a previous offence, it is punishable with a fine of Rs. 25 which may extend to Rs. 100 or imprisonment of three months or with both. Performing operations like Phooka or any other operations to improve lactation which is injurious to the health of the animal is punishable with a fine of Rs. 1000 or imprisonment up to 2 years or both. The government further has the power to forfeit or seize or destroy the animal. Contravention of any order of the committee regarding experimentation on animals is punishable with a fine up to Rs. 200.

International Law:

- **Treaties and Conventions:**
 - The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)¹⁴.
 - The Universal Declaration on Animal Welfare (UDAW) (though not legally binding, it represents a global commitment)¹⁵.
- **Customary International Law:** Recognizes principles of animal welfare through various international agreements and practices.

2. Hierarchy of Norms

Indian Law:

- The Constitution is the supreme legal document, followed by statutory laws and subordinate legislation.
- Judicial interpretations have enhanced the scope of animal welfare through various rulings.

International Law:

- Treaties are binding on signatory states; customary laws are also recognized.
- In case of conflicts, states must reconcile domestic laws with international obligations.

¹⁴ https://www.wto.org/english/res_e/booksp_e/int_exp_regs_part1_1_e.pdf

¹⁵ https://www.wellbeingintlstudiesrepository.org/cgi/viewcontent.cgi?article=1001&context=eth_leg

3. Enforcement Mechanisms

Indian Law:

- The enforcement of animal rights laws is primarily through the judiciary and specific bodies like the AWBI.
- Example: The Supreme Court of India has issued several rulings, enhancing the legal protection of animals, including a landmark judgment in **Animal Welfare Board of India v. A. Nagaraja (2014)**¹⁶, which recognized the rights of animals as living beings.

International Law:

- Enforcement is often reliant on state cooperation; various international bodies and NGOs play crucial roles.
- Example: The European Union has established stringent regulations regarding animal welfare, showcasing effective implementation of international standards.

4. Fundamental Rights and Animal Welfare

Indian Law:

- While the Constitution does not explicitly provide for animal rights, the interpretation of fundamental rights can extend to animal welfare.
- Example: In **Animal Welfare Board of India v. A. Nagaraja**, the Supreme Court recognized the right of animals to live with dignity, linking it to Article 21 (right to life).

International Law:

- The UDAW and similar treaties underscore the ethical obligations of states towards animal welfare.
- Case: **The Pigeon Racing Case (ICJ, 2015)**¹⁷ highlights the importance of animal welfare in international law, setting a precedent for the protection of animals in competitive contexts.

5. Legislative Gaps and Challenges

Indian Law:

- Despite existing laws, enforcement remains a challenge due to inadequate resources, lack of awareness, and societal attitudes towards animals.

¹⁶ [\(Animal Welfare Board of India vs. A. Nagaraja & Ors, \(2014\) 7 SCC 547\)](#)

¹⁷ [R v. Tinkler \[2015\] EWCA Crim 1723, Court of Appeal \(Criminal Division\), \[2015\] 1 WLR 4707.](#)

- Gaps in legislation regarding factory farming, animal testing, and entertainment industry practices require urgent attention.

International Law:

- The lack of a binding international framework for animal rights leads to inconsistencies in protections.
- Different countries have varying levels of commitment to animal welfare, often influenced by cultural attitudes and economic considerations.

6. Recommendations for Legislative Reforms

Indian Law:

- Strengthening existing laws to include specific provisions for modern issues like factory farming and animal testing.
- Increasing penalties for cruelty and enhancing enforcement mechanisms through better training for authorities.

International Law:

- Advocating for a binding international treaty on animal rights that sets universal standards for animal welfare.
 - Encouraging global cooperation and best practices in animal welfare legislation
- 1. United States:** Animal cruelty laws vary by state, but penalties can include fines ranging from \$1,000 to \$100,000 and imprisonment from several months to several years. In some states, severe cases are considered felonies, leading to harsher penalties, including up to 10 years in prison.
 - 2. United Kingdom:** Under the Animal Welfare Act 2006, offenders can face up to 5 years in prison, unlimited fines, or both. Courts may also impose bans on keeping animals.
 - 3. Canada:** Penalties can include fines up to \$10,000 and imprisonment for up to 5 years for indictable offenses. Lesser offenses may result in fines or shorter jail terms.
 - 4. Australia:** Penalties differ across states but can include fines up to AUD 275,000 and imprisonment up to 5 years. Some regions also impose lifelong bans on owning animals.

VI. JUDICIAL TREND

The evolution of animal rights in India has been significantly shaped by judicial activism and innovative interpretations of the law. Indian courts, particularly the Supreme Court, have increasingly recognized animals as sentient beings deserving of protection, thus enhancing their welfare through legal rulings. This section examines key judicial trends, landmark cases, and their implications for animal rights in India.

Expanding Legal Protections for Animals

Judicial Activism and Recognition of Animal Rights

Indian courts have adopted a proactive stance in interpreting laws to better protect animal welfare.

- **Animal Welfare Board of India v. A. Nagaraja (2014)**: This landmark ruling by the Supreme Court established that animals possess rights and should be treated with dignity. The court emphasized that cruelty against animals undermines societal values, asserting that animals should not be treated merely as property.
- **People for the Ethical Treatment of Animals (PETA) v. Union of India (2014)**¹⁸: In this case, the Delhi High Court highlighted the necessity of humane practices in animal testing, linking Article 21 (the right to life) of the Constitution to the welfare of animals. This ruling reinforced the idea that animals deserve protection from unnecessary suffering.

Constitutional Interpretation and Fundamental Rights

The judiciary's interpretation of constitutional principles often extends protections to animals.

- **Mohd. Ahmed v. State of Maharashtra (2016)**¹⁹: The Bombay High Court emphasized that the Prevention of Cruelty to Animals Act is integral to upholding societal ethics, highlighting that how society treats animals reflects its moral standards.

Intersection of Animal Rights and Environmental Law

Judicial decisions increasingly recognize the link between animal welfare and environmental protection.

- **Kedar Nath Singh v. State of Bihar (2017)**²⁰: The Supreme Court acknowledged the importance of wildlife protection in maintaining ecological balance, reinforcing that safeguarding biodiversity inherently supports animal rights.

¹⁸ [People for the Ethical Treatment of Animals \(PETA\) v. Union of India, \(2014\) 10 SCC 753](#)

¹⁹ [Mohd. Ahmed v. State of Maharashtra, \(2016\) 7 SCC 401](#)

²⁰ [Kedar Nath Singh v. State of Bihar, \(2017\) 3 SCC 662](#)

Enforcement Challenges

Despite judicial progress, significant challenges remain in enforcing animal rights.

- **Inadequate Resources and Awareness:** The effective implementation of the Prevention of Cruelty to Animals Act, 1960, often suffers from a lack of resources and training for enforcement authorities. For instance, in **In Re: Protection of Animals (2021)**²¹, the Supreme Court called for the establishment of specialized units to ensure accountability and better enforcement of animal welfare laws.
- **Cultural and Societal Resistance:** Traditional practices involving animals, such as animal sacrifices or use in festivals, can lead to resistance against legal protections, complicating enforcement efforts.

Future Directions

To advance animal rights, several steps are needed:

- **Comprehensive Legislative Reforms:** There is a need for reforms that address modern issues such as factory farming and animal testing. Advocating for judicial interpretations that focus on animal welfare can lead to stronger legal protections.
- **Public Awareness and Education:** Increasing public awareness regarding animal rights is essential for fostering societal support for legal protections and improving enforcement.

VII. EMPIRICAL METHADODOLOGY: AN ANALYSIS WITH DATA.

This section outlines the empirical methods used to examine critical issues in animal rights and welfare in India. By integrating qualitative and quantitative approaches, this research aims to understand societal attitudes, evaluate the effectiveness of existing policies, and identify potential solutions for enhancing animal welfare.

Research design:

1. Qualitative Methods:

○ Interviews:

- Conduct semi-structured interviews with key stakeholders such as animal rights activists, veterinarians, and government officials. These interviews will provide insights into the challenges faced in advocating for animal rights in India.

²¹ [In Re: Protection of Animals, \(2021\) 5 SCC 631](#)

- Example questions: “What are the major obstacles to enforcing animal welfare laws in India?” and “How effective do you find current animal protection legislation?”
- **Focus Groups:**
 - Organize focus groups with diverse community members, including urban and rural participants, to discuss their perceptions of animal rights and welfare. This approach aims to highlight regional differences in attitudes and practices.
 - Discussions may focus on topics like the cultural significance of animals, common welfare issues, and awareness of legal protections.
 - E.g The Federation of Indian Animal Protection Organisations (FIAPO)²²
- 2. **Quantitative Methods:**
 - **Surveys:**
 - Develop and distribute surveys targeting various demographics (age, gender, location) to gather data on public awareness of animal rights issues, attitudes towards animal welfare laws (e.g., The Prevention of Cruelty to Animals Act, 1960), and willingness to participate in advocacy.
 - Key survey questions might include: “How familiar are you with animal welfare laws in India?” and “Would you support stricter enforcement of these laws?”
 - **Data Analysis:**
 - Analyze survey results using statistical tools (such as SPSS or R) to identify trends and correlations. For example, assess whether higher awareness of animal welfare issues correlates with stronger support for legislation

Data sources:

- **Government Reports:**
 - Review documents from Indian government agencies (e.g., Ministry of Fisheries, Animal Husbandry and Dairying) that provide statistics on animal welfare enforcement and initiatives.

²² <https://www.fiapo.org/fiaporg/reports-materials/>

- National Rabies Control Program – Pilot Project, an initiative under the 11th Five Year Plan: In the 11th five-year plan (2007–2012) Rabies control efforts in India gained momentum and the Ministry of Health and Family Welfare, Govt of India approved a “Pilot Project for the Control of Human Rabies”, for which ` 8.65 crores were allocated. For the first time, Rabies control in animals, animal birth control and vaccination of stray dogs were mentioned in this plan, as components of animal welfare to be handled by the Animal Welfare Board of India.²³

- **Non-Profit Organizations:**

- Utilize reports from local and national NGOs, such as the Animal Welfare Board of India (AWBI)²⁴ and People for Animals²⁵, which document welfare issues, rescue operations, and advocacy successes.

- **Academic Journals:**

- Reference studies published in Indian journals that evaluate the impact of animal welfare policies and public awareness campaigns.

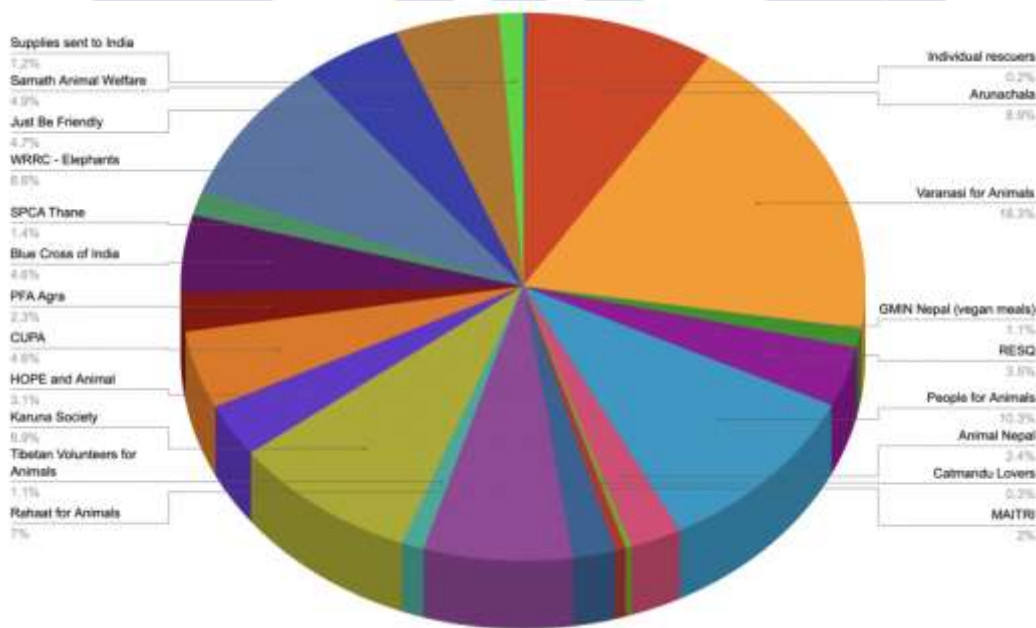


Fig 1²⁶

²³ <https://rr-asia.woah.org/app/uploads/2022/12/india-napre-rabies.pdf>

²⁴ <https://awbi.gov.in/Document/annual-reports>

²⁵

<https://cza.nic.in/uploads/documents/reports/hindi/Annual%20Report%20for%20pfa%20bangalore%20FY%2017%20-%202018%20.pdf>

²⁶ <https://helpanimalsindia.org/news/2019-01-31-2019-starts-out-strongly-for-help-animals-india>

Ethical consideration

- Follow ethical guidelines for conducting research involving human participants, ensuring informed consent and confidentiality.
- When discussing animal welfare, prioritize humane treatment and ethical considerations in all research methodologies.

VIII. EXPECTED OUTCOMES: PRIMARY & SECONDARY.

The **primary objective** of addressing animal cruelty is to prevent and eliminate the mistreatment of animals in all its forms. This involves creating a society where **animals are treated with respect, compassion, and dignity, recognizing their capacity for suffering.**

The key objectives of tackling animal cruelty include:

- 1. Strengthening Legal Protections:** Establishing and enforcing comprehensive animal welfare laws that cover all forms of cruelty, including neglect, physical abuse, exploitation, and inhumane practices in industries like agriculture, entertainment, and research.
- 2. Enhancing Law Enforcement:** Ensuring that animal welfare laws are effectively implemented by providing adequate resources, training, and authority to law enforcement agencies to investigate and prosecute animal cruelty cases.
- 3. Raising Public Awareness:** Educating the public about the ethical and legal responsibilities of caring for animals, promoting humane treatment, and changing societal attitudes that view animals as property or commodities.
- 4. Protecting Vulnerable Animals:** Implementing policies and programs aimed at rescuing, rehabilitating, and rehoming abused or abandoned animals, as well as preventing cruelty through proactive measures such as spay and neuter programs.
- 5. Promoting Humane Practices:** Encouraging industries, such as farming, entertainment, and research, to adopt humane and ethical practices that prioritize animal welfare, including alternatives to animal testing and improved living conditions for farm animals.
- 6. Encouraging International Cooperation:** Working with international organizations and governments to establish global standards for animal welfare and collaborate on cross-border issues like wildlife trafficking and illegal hunting.
- 7. Addressing Root Causes:** Tackling underlying issues that contribute to animal cruelty, such as poverty, lack of education, and cultural practices, through comprehensive social and economic reforms.

8. Harsher punishment: Harsher punishments for cruelty (must be fine+ imprisonment not less than 5 years & fine as per the loss not less than 10000.), abandonment, and sexually abuse ensure justice for the voiceless. Strengthening the law means zero tolerance for those who harm or exploit animals.

"Humans live with dignity = Animals deserve the same. Stronger animal cruelty laws ensure justice speaks for the voiceless."

The **secondary objectives** of addressing animal cruelty focus on broader social, environmental, and ethical goals that extend beyond the immediate welfare of animals. These include:

- 1. Promoting Social Harmony and Reducing Violence:** Addressing animal cruelty can help reduce overall societal violence, as there is a known correlation between animal abuse and other forms of antisocial behavior, including domestic violence and criminal activity. Preventing animal cruelty may contribute to creating safer and more compassionate communities.
- 2. Raising Ethical Standards:** Encouraging a shift in societal values towards greater empathy and moral consideration for all living beings. This includes instilling a sense of responsibility toward animals, especially in children and young adults, to promote lifelong humane attitudes.
- 3. Mitigating Environmental Impact:** Reducing cruelty in industries like factory farming can lead to more sustainable practices that lessen the environmental footprint, including decreased pollution, deforestation, and greenhouse gas emissions associated with intensive animal agriculture.
- 4. Enhancing Human-Animal Relationships:** Strengthening the bond between humans and animals by promoting humane treatment can improve human well-being and mental health, as positive interactions with animals are known to have therapeutic and emotional benefits.
- 5. Supporting Biodiversity and Conservation Efforts:** Reducing cruelty and exploitation of wild animals can aid in preserving biodiversity and protecting endangered species from practices such as illegal hunting, poaching, and wildlife trafficking.

IX. SIGNIFICANCE: LEGAL FRAMEWORK.

The legal framework plays a crucial role in addressing animal cruelty, as it establishes the standards and protections necessary to prevent abuse and ensure animal welfare. A well-designed legal system not only provides a basis for prosecuting offenders but also serves as a

powerful deterrent against cruelty. The significance of the legal framework in combating animal cruelty can be understood through several key aspects:

- 1. Setting Minimum Standards for Animal Welfare:** Legal frameworks establish clear guidelines regarding the treatment of animals, outlining acceptable and unacceptable practices. By setting minimum standards, such laws ensure that animals receive basic needs, including proper shelter, nutrition, and medical care, while prohibiting acts of cruelty and neglect.
- 2. Deterring Offenders through Penalties:** A robust legal system imposes penalties for violations, such as fines, imprisonment, or bans on owning animals, which act as deterrents to prevent cruelty. When legal consequences are severe and consistently enforced, they discourage individuals and industries from engaging in abusive behavior, thereby reducing incidents of cruelty.
- 3. Providing Legal Recourse for Animal Protection:** Laws empower authorities and animal welfare organizations to intervene in cases of abuse, rescue animals in distress, and pursue justice against offenders. Without legal mechanisms in place, it would be difficult to take formal action to protect animals or hold perpetrators accountable for their actions.
- 4. Encouraging Humane Practices Across Industries:** Legal regulations can mandate humane standards in industries such as agriculture, entertainment, and research. By requiring practices like humane slaughter, alternative testing methods, or ethical animal training, legal frameworks help to minimize cruelty in sectors where animals are frequently exploited for profit.
- 5. Strengthening Enforcement Mechanisms:** The legal framework supports the creation and funding of enforcement agencies dedicated to animal welfare. This includes establishing animal welfare units within law enforcement, training officers to recognize and handle cruelty cases, and providing resources for investigations and rescue operations.
- 6. Addressing Gaps and Inconsistencies in Protection:** Many regions lack comprehensive animal protection laws, leaving certain categories of animals, such as farm or laboratory animals, with limited or no legal safeguards. A comprehensive legal framework aims to close these gaps, ensuring all animals are covered by protective legislation.
- 7. Promoting Public Awareness and Responsibility:** Legal provisions not only protect animals but also educate the public on the importance of humane treatment. By defining

cruelty and outlining legal obligations, laws help shape societal attitudes and foster a culture of responsibility toward animals.

- 8. Supporting International Cooperation on Animal Welfare:** Legal frameworks provide a foundation for cross-border collaboration, enabling countries to harmonize standards, combat wildlife trafficking, and share best practices for improving animal protection.

X. CONCLUSION

In conclusion, animal cruelty is a significant and multifaceted issue that demands urgent attention from society, policymakers, and global organizations. Despite increased awareness and some legal advancements, animals continue to suffer from various forms of abuse, neglect, and exploitation across different settings. The persistence of animal cruelty highlights the inadequacies of existing legal frameworks, which often lack comprehensive coverage, enforcement, and sufficiently punitive measures to deter future offenses. The problem is further exacerbated by cultural attitudes that prioritize human interests over animal welfare, viewing animals primarily as commodities or property rather than sentient beings deserving of compassion and respect.

Addressing animal cruelty requires a multi-pronged approach that strengthens laws, enhances enforcement, and shifts societal perceptions. Legal reforms should focus on implementing stringent penalties for offenders, expanding the scope of animal protection laws, and ensuring consistent enforcement. Establishing dedicated animal welfare units within law enforcement and providing adequate resources for agencies to address cruelty cases are also crucial steps. Beyond legal measures, public education is essential to foster a culture of empathy and responsibility toward animals. Awareness campaigns can help reshape attitudes, promoting the understanding that animals have intrinsic rights and are capable of experiencing suffering and joy.

The broader implications of animal cruelty, including its links to human violence, environmental degradation, and biodiversity loss, further underscore the need for systemic change. Humane treatment of animals is not only a moral obligation but also a pathway to a more ethical, peaceful, and sustainable society. By addressing animal cruelty holistically, society can also tackle related issues, such as the exploitation of animals in entertainment, factory farming practices, and wildlife trafficking.

Ultimately, the fight against animal cruelty calls for collective action—individuals, governments, NGOs, and international bodies must work together to create a world where animals are no longer victims of abuse but are respected and protected. It is only through sustained and concerted efforts that meaningful progress can be achieved, ensuring a future where the rights and well-being of all living creatures are upheld.

‘Animals may be voiceless, but their dignity speaks volumes. Strengthening animal cruelty laws ensures that where they can't speak, justice will.’

