
UNIT 1 ANIMAL WELFARE LAWS - AN OVERVIEW

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1.1 LEARNING OUTCOMES

- a) **Knowledge and Understanding:** After studying this Unit, you will be able to:
 - Justify the need for animal welfare laws.
 - Enumerate different laws, rules, penal code sections and violations related to animal welfare.
- b) **Practical and Professional Skills:** After studying this Unit, you will be able to:
 - Discuss the animal welfare legislation and policy commitment in India.
 - Differentiate between cognizable and non-cognizable offences.
 - Support and undertake actions to help the stray animals.

1.2 INTRODUCTION

*It may be true that the law cannot change the heart, but it
can restrain the heartless.
- Martin Luther King Jr.*

Dear Learner,

As an animal welfare professional, you should have a thorough understanding of the animal welfare laws to deal with various issues at the grassroot level. Animal

welfare laws involve continuous assessment of the wellbeing of the animal which must take into account not only the condition of the animal, but also the background reasons. This often requires careful and expert assessment of an enormous range of factors that are both external and internal to the animal. Some of the factors include the inputs (e.g., shelter, nutrition), the care-taker (e.g., abilities, resources), and the internal health of the animal (e.g., parasites metabolic conditions) (Robertson, 2015).

Animal welfare laws are required to protect animals from cruelty/abuse and provide conducive conditions to express their natural behaviours. These laws and legislation varies from country to country. Some of the countries which have strict animal welfare laws are Austria, Switzerland, UK, Germany, Netherlands and Denmark (Box 1.1).

Box 1.1: Animal Welfare Laws in Some Countries

Austria: Gives equal importance to animal's and human's life

Switzerland: First country to protect the animal's dignity

UK: Stricter penalties for cruelty and negligence of animals

Germany: Give animals constitutional protection

Netherlands: Ban on use of apes for experiments and testing cosmetics on animals

Denmark : Prohibits live slaughtering of animals

Like other countries, India also has several laws for protection and welfare of domestic animals and wild life. In the next section, you will be introduced to the different laws and legislations related to animal welfare in India.

1.3 ANIMAL WELFARE LAWS IN INDIA

Do you know when animal welfare law came into existence in India? You will be surprised to know that since time immemorial, welfare and rights of animals has been given due importance in India. Ancient Scriptures like the *Vedas* clearly preach the ideology of non-violence to all living creatures including the animals. India, being the home to several traditions and cultures advocating non-violence and compassion towards animals, has passed a number of animal welfare laws and rules from time-to-time. The sources of modern animal welfare legislations of India are either based on international conventions or western philosophies for prevention of cruelty to animals (Box 1.2).

Box 1.2: Animal Protection in Indian Legal System

The whole matrix of animal protection in Indian legal system can be summarised under three dimensions:

- *First type*, perhaps the original one in Indian context is the protection of animals for the betterment of agriculture, which lead to animal husbandry development with focus on farm animals. State has the responsibility of protecting these animals through legislation / penal code.

Example: Article 48 of the Indian Constitution or enactment of laws like cattle protection etc.

- *Second type* of animal protection is as part of preservation / conservation on non-human beings mainly based on environmental utility under international conventions or treaties during 1940s or more precisely 1970s. Indian judiciary played a major role in the protection of wild animals and birds as part of preservation of biodiversity.

Example: Article 48A, 51A (g) and entry of 17B in concurrent list of schedule VII in the Indian Constitution.

- *Third type* of animal protection is purely based on welfare ethics and morality and this is the oldest form of animal rights. Here animals are protected only for their welfare not for human resource or environmental biodiversity.

Example: Entry 17 in concurrent list of schedule VII in Indian Constitution.

(Source: Mitra, 2019)

1.3.1 Animal Welfare Legislation and Policy Commitment

The animal protection and welfare in India are safeguarded by the Constitution as well as Legislation. In the Constitution of India, animal sentience is reflected in the principle of non-violence (*ahimsa*) and compassion for living creatures as a mandate to all citizens. The Prevention of Cruelty to Animals (PCA) Act (1960), Wildlife Protection Act (1972) and the Biological Diversity Act (2002) are the main animal welfare legislations in India (Box 1.3).

Box 1.3: India's Legislation and Policy Commitment towards Animal Welfare

The important legislation in terms of animal protection policy commitment and major secondary rules are summarised below for your comprehension:

- Prevention of Cruelty to Animals (PCA) Act, 1960
 - o Draught and Pack Animals Rules, 1965
 - o Licensing of Farriers Rules, 1965
 - o Performing Animals Rules, 1973
 - o Registration of Cattle Premises Rules, 1978
 - o Application of Fines Rules, 1978
 - o Transport of Animals Rules, 1978 and its Amendment Rules, 2009
 - o Capture of Animals Rules, 1979
 - o Breeding of and Experiments on Animals (Control and Supervision) Rules, 1998
 - o Establishment and Regulation of SPCAs Rules, 2001
 - o Performing Animals (Registration) Rules, 2001 and its Amendment Rules, 2002
 - o Transport of Animals on Foot Rules, 2001
 - o Slaughter House Rules, 2001

- o Animal Birth Control (Dogs) Rules, 2001 and its Amendment Rules, 2010
- o Dog Breeding and Marketing Rules, 2017
- o Care and Maintenance of Case Property Animals Rules, 2017
- o Regulation of Livestock Markets Rules, 2017
- o Pet Shop Rules, 2018
- o Prevention of Cruelty to Animals (Egg Laying Hens) Rules, 2019
- Wildlife Protection Act, 1972
 - o Recognition of Zoo Rules, 2009 and its Amendment Rules, 2013
- Biological Diversity Act, 2002

The PCA Act, 1960 was the first law enacted in India which criminalizes cruelty to animals, though exceptions were made for the treatment of animals used for food and research studies. As per the provisions in this law, the Animal Welfare Board of India was established in 1962 to promote the cause of animal welfare. The Wildlife Protection Act, 1972 was passed for protection of the wild animals, birds and plants and also to ensure the ecological and environmental security of the country.

(Please refer the Unit 2 and 3 for more details on PCA and Wildlife Protection Acts, respectively)

The acts related to animal health and welfare from various Indian states are summarised in Box 1.4.

Box 1.4: State Specific Animal Health and Welfare Acts

- 1) Goa, Daman & Diu Diseases of Animals Act, 1974 (Goa, Daman and Diu)
- 2) Madhya Pradesh Cattle Disease Act, 1934 and Madhya Bharat Animal Contagious Diseases Act, 1955 (Madhya Pradesh)
- 3) Gujarat Diseases of Animals (Control) Act, 1963 (Gujarat)
- 4) Himachal Pradesh Livestock and Birds Diseases Act, 1968 (Himachal Pradesh)
- 5) Himachal Pradesh Livestock and Birds Diseases Rules, 1971 (Himachal Pradesh)
- 6) Jammu and Kashmir Animal Disease (Control) Act, 2006 (J&K)
- 7) Bombay Diseases of Animal Act, 1948 (Maharashtra)
- 8) Orissa Animal Contagious Diseases Act, 1949 (Orissa)
- 9) Punjab Livestock and Birds Diseases Act, 1948 (Punjab)
- 10) Punjab Contagious Diseases of Animals Rules, 1953 (Punjab)
- 11) Rajasthan Animal Disease Act, 1959 (Rajasthan)
- 12) Rajasthan Animal Disease Rules, 1960 (Rajasthan)
- 13) Bengal Diseases of Animals Act, 1944 (West Bengal)

- 14) Andhra Pradesh Cattle Disease Act, 1866; Andhra Pradesh Cattle Disease (Extension and Amendment) Act, 1961 (Andhra Pradesh)
- 15) By Laws made under Andhra Pradesh Cattle Disease Act, 1866 (Andhra Pradesh)
- 16) Karnataka Animal Diseases Control Act, 1961 (Karnataka)
- 17) Karnataka Diseases (Control) Rules, 1967 (Karnataka)
- 18) The Madras Rinderpest Act, 1940 (Tamil Nadu)
- 19) The Madras Cattle Diseases Act, 1866 (Tamil Nadu)
- 20) Kerala Prevention and Control of Animal Disease Act, 1967 (Kerala)
- 21) The Livestock Importation (Amendment) Act, 2001
- 22) Kerala Prevention and Control of Animal Diseases (Amendment) Rules, 2004
- 23) Karnataka Poultry and Livestock Feed (Regulation of Manufacture and Sale) Order, 1987
- 24) The Cattle Feed and Fodder (Standard of Quality) Order, 2001
- 25) Assam Cattle Diseases Act, 1948 (applicable to all seven north eastern states)

1.3.2 The Constitution of India and Animal Protection

The National Emblem of India shows inbuilt care for animals with presence of the lion, the bull, the elephant and the galloping horse. The important constitutional provisions for the protection of animals are summarised below:

Authority	Provision
<p><i>PART IV: DIRECTIVE PRINCIPLES OF STATE POLICY,</i></p> <p><i>48: Organisation of agriculture and animal husbandry and</i></p> <p><i>48A: Protection and improvement of environment and safeguarding of forests and wildlife</i></p>	<p>The Constitution requires the State to “take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle. “Per 48A, the Constitution places a duty on the State to “endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country”.</p> <p>Per List III, both Parliament and the Legislature have the authority to make laws on the following:</p> <ul style="list-style-type: none"> • Prevention of cruelty to animals. • Protection of wild animals and birds. • Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.

<i>PART IVA: FUNDAMENTAL DUTIES, 51A (g): Fundamental Duties</i>	The Constitution places a duty on every citizen to “protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures ”.
<i>SEVENTH SCHEDULE: Article 246, List II: State List and List III: Concurrent List</i>	The Legislative Assembly is given the authority to make laws on the following: “preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice”...
<i>ELEVENTH SCHEDULE Article 243G</i>	The Constitution provides that Panchayat (local self government) may make laws on the following: “animal husbandry, dairying and poultry, and fisheries”.
<i>TWELFTH SCHEDULE: Article 243W</i>	Municipalities may undertake certain duties pertaining to the regulation of slaughter houses and tanneries.

(Source: <http://worldanimal.net>)

1.3.3 Important Indian Penal Code Sections

The important Indian Penal Code (IPC) sections related to animal welfare are presented below:

IPC Section	Description
<i>Section 47</i>	<i>Animal:</i> It denotes any living creature, other than a human being.
<i>Section 51</i>	<i>Oath:</i> It includes a solemn affirmation substituted by law for an oath, and any declaration required or authorized by law to be made before a public servant or to be used for the purpose of proof, whether in a Court of Justice or not.
<i>Section 377</i>	Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.
<i>Section 378</i>	Deals with theft of property which also includes “animals”. A person, who by any means causes an animal to move, is said to move that animal without the consent of the owner.
<i>Section 428</i>	Whoever commits mischief by killing, poisoning, maiming or rendering useless any animals or animal of the value of the ten rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

<i>Section 429</i>	Whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, of any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment or either description for a term which may extend to five years, or with fine, or with both.
<i>Section 503</i>	IPC criminal intimidation to be charged if animal caretakers are prevented illegally/forcibly from keeping pets or feeding street animals.

Though there are no official animal rights which are proclaimed, but the general public has the right to defend the rights for animals through the relevant rules. Some of the examples have been outlined in Box 1.5.

Box 1.5: Animal Rights in India

- 1) It is the fundamental duty of every citizen of India to have compassion for all living creatures - *Article 51A(g)*.
- 2) To kill or maim any animal, including stray animals, is a punishable offence - *IPC Sections 428 and 429*.
- 3) Abandoning any animal for any reason can land you in prison for up to three months - *Section 11(1)(i) and Section 11(1)(j), PCA Act, 1960*.
- 4) No animal (including chickens) can be slaughtered in any place other than a slaughterhouse. Sick or pregnant animals shall not be slaughtered - *Rule 3, of PCA (Slaughterhouse) Rules, 2001 and Chapter 4, Food Safety and Standards Regulations, 2011*.
- 5) Stray dogs that have been operated for birth control cannot be captured or relocated by anybody including any authority - *ABC Rules, 2001*.
- 6) Neglecting an animal by denying her sufficient food, water, shelter and exercise or by keeping him chained/confined for long hours is punishable by a fine or imprisonment of up to 3 months or both - *Section 11(1)(h), PCA Act, 1960*.
- 7) Monkeys are protected and cannot be displayed or owned - *Wildlife (Protection) Act, 1972*.
- 8) Bears, monkeys, tigers, panthers, lions and bulls are prohibited from being trained and used for entertainment purposes, either in circuses or streets - *Section 22(ii), PCA Act, 1960*.
- 9) Animal sacrifice is illegal in every part of the country - *Rule 3, Slaughterhouse Rules, 2001*.
- 10) Organizing of or participating in or inciting any animal fight is a cognizable offence - *Section 11(1)(m)(ii) and Section 11(1)(n), PCA Act, 1960*.
- 11) Cosmetics tested on animals and the import of cosmetics tested on animals is banned - *Rules 148-C and 135-B of Drugs & Cosmetics Rules, 1945*.
- 12) Teasing, feeding or disturbing the animals in a zoo and littering the zoo premises is an offence punishable by a fine of Rs. 25000 or imprisonment

of up to three years or both - *Section 38J, Wildlife (Protection) Act, 1972.*

- 13) Capturing, trapping, poisoning or baiting of any wild animal or even attempting to do so is punishable by law, with a fine of up to Rs. 25000 or imprisonment of up to seven years or both - *Section 9, Wildlife (Protection) Act, 1972.*
- 14) Disturbing or destroying eggs or nests of birds and reptiles or chopping a tree having nests of such birds and reptiles or even attempting to do so constitutes to hunting and attracts a punishment of a fine of up to Rs. 25000, or imprisonment of up to seven years or both - *Section 9, Wildlife (Protection) Act, 1972.*
- 15) Conveying or carrying animals whether in or upon any vehicle, in any manner or position which causes discomfort, pain or suffering is a punishable offence under two Central Acts - *Section 11(1)(d) PCA (Transport of Animal) Rules, 2001 and Motor Vehicles Act, 1978.*

(Source: Jayasimha, 2015)

Before we proceed, please complete activity 1.

Activity 1 (Web Browsing): Review the literature available in the internet on animal welfare laws of any three South Asian countries. Write their salient features.

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Check Your Progress 1

Note: a) Use the spaces given below for your answers.

b) Check your answer with those given at the end of the unit.

- 1) Write any two acts related to animal welfare in India.

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2) What does Section 503 of IPC indicate?

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3) Which fundamental duty in the constitution indicates to have compassion for living creature?

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1.4 TERMS USED IN LAW

There are several terms used in law and understanding these terms is important. The following terms are discussed below:

- a) Cognizable offences
- b) Non-Cognizable offences
- c) Summon

1.4.1 Cognizable Offences

Cognizable offence/case means a case in which a police officer may arrest without warrant, as per the First Schedule of the Criminal Procedure Code, 1973 or under any other law for the time being in force. Cognizable offenses are usually offenses which are serious in nature. *Examples:* Murder, robbery, theft, rioting, etc.

Some of the common offences are tabulated below:

Nature of the Offence	Section violated
Mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner.	Section 11(1)(l)
Organizes, keeps, uses or acts in the management of, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes.	Section 11(1)(n)

Promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting.	Section 11(1)(o)
If any person performs upon any cow or other milch animal the operation called <i>phooka</i> or any other operation, including injection of oxytocin given by dairies to their milch animals in order to induce milk, which is injurious to health.	Section 12

1.4.2 Non-Cognizable Offences

Non-cognizable offence/case means an offence/case in which a police officer without any warrant has no authority to arrest. Non-cognizable offenses are not much serious in nature. Section 155 of Criminal Procedure Code, 1973 provides that in a non-cognizable offense or case, the police officer cannot receive or record the FIR unless he/she obtains prior permission from the Magistrate.

Examples: Mischief, assault, causing hurt etc.

Some of the common non-cognizable offences are tabulated below:

Nature of the Offence	Section violated
Beating, kicking, over-riding, over-driving, over-loading, torturing, causing unnecessary pain or suffering to any animals.	Section 11(1)(a)
Employing any animal which, by reason of its age or any disease, is unfit to be so employed, and still making it work or labour or for any purpose.	Section 11(1)(b)
Wilfully and unreasonably administering any injurious drug or injurious substance.	Section 11(1)(c)
Conveying or carrying, either in or upon any vehicle in such a manner as to subject it to unnecessary pain or suffering.	Section 11(1)(d)
Keeping or confining any animal in any cage or any receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement.	Section 11(1)(e)
Being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement.	Section 11(1)(g)
Being the owner of any animal fails to provide such animal with sufficient food, drink or shelter.	Section 11(1)(h)
Without reasonable cause, abandons any animal in circumstances which render it likely that it	Section 11(1)(i)

will suffer pain by reason of starvation or thirst.	
Wilfully permitting any animal, of which he is the owner to go at large in any street while the animal is affected with contagious or infectious disease, or without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street.	Section 11(1)(j)
Offers for sale or without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment.	Section 11(1)(k)
Solely with a view to providing entertainment: 1) Confines or causes to be confined any animals (including tying of an animal as bait in a tiger or other sanctuary) so as to make it an object of prey for any other animal. 2) Incites any animal to fight or bait any other animal.	Section 11(1)(m)

1.4.3 Summon

A summon is a legal document that is issued by a Court on a person involved in a legal proceeding. When a legal action is taken against a person or when any person is required to appear in the court as a witness in a proceeding, to call upon such person and ensure his/her presence on the given date of the proceeding, a summon is served.

A summon is served when a suit has been initiated by the petitioner against the defendant, the court directs to issue summons to the defendant as this ensures a fair trial. If the summon is not duly served, then no action can be taken against the defendant. If on serving of the summon and the person against whom it had been issued does not appear in the court then this will be taken as a Contempt of Court and shall be punished accordingly.

1.5 VIOLATIONS

Do you know that the following actions are against the law?

- Giving an animal any injurious substance or offer poisoned food (PCA, Section 11).
- Transport any animal in any manner that will cause unnecessary suffering (e.g. loading cows into trucks without ramps, overcrowding, tying up animals and carrying them on cycles (PCA, Section 11). All violations of Section 11 are punishable with a fine and or imprisonment.
- Killing homeless animals. Citizens may only report what they perceive as a nuisance to the municipal authorities. Previously, municipalities used to

kill these animals (mainly dogs) cruelly by electrocution, starvation and burying alive. After 1992, it became illegal for municipalities to kill stray dogs. The High Courts of Delhi, Rajasthan, Gujarat, Mumbai and several other states have specifically forbidden the killing of stray dogs and have directed the municipality to introduce a sensible Animal Birth Control programme instead. The Animal Welfare Board of India has established a code of conduct for municipalities. Failure to follow the code can invite contempt of court proceedings (*Please refer MAW-004 for more details on Animal Birth Control Programme*).

- Sections 428 and 429 of the IPC make it illegal to maim or cause injury to any animal with a monetary value greater than Rs. 10. It is illegal to throw acid on cows (something that vegetable sellers do as a matter of routine). The Code also makes it illegal for cars to purposefully injure or kill dogs, cats and cows on the street. Offenders can be reported to the local animal protection group and police station and a case filed under the above-referenced sections. Punishment is a fine of Rs. 2000 and/or a jail term of up to five years.
- Stray animals may not be used for research. The rules for experimental animals states that only animals bred for the purpose of research by the registered institutes may be used for experimentation. It is illegal for any medical, educational or commercial research institute to pick up stray animals from the street or from the municipal pound for this purpose

(Please refer MAW-004 for more details on Minimum Welfare Standards for Laboratory Animals).

1.5.1 How to Help Stray Animals?

In our day-to-day life, we see animals injured or abandoned on the road. In such case, what you can do to help the stray animals?

- If you see a dog or cow being injured or hit or stoned, make sure to inform the offender of the law and get him or her to stop. In case, the abuse persists, register an FIR at the nearest police station. Never get dejected if the police do not take the case seriously. In many cases, they may not know the laws pertaining to animals. Be polite but firm.
- If the municipality in your area is still cruelly killing homeless dogs, make an appointment with the municipal commissioner. Inform the commissioner that it has been proven that cruelly killing dogs reduces neither their number nor the incidence of bites and rabies and that as per law it is illegal to cruelly kill stray animals. If there is an animal welfare organization in the area, urge it to take up the Animal Birth Control (ABC) programme.
- It is illegal for a municipality to round up stray dogs and abandon them outside city limits, as it places them in circumstances likely to cause their death from starvation and thirst.
- When you find cows or buffaloes on the street or tethered on public pavements, ask those nearby if anyone knows their owner or the dairy to which they belong. Inform the owner that it is illegal to allow cows to wander. If the owner does not have enough space to keep the cows

comfortable or feed them, file a complaint with the municipality asking that the cows be sent to a suitable shelter. Cows and buffaloes left on the street are often hit by cars and die from eating plastic bags, broken glass and other trash.

- If you notice cows or other animals with burn marks, usually on their rumps, near particular fruit and vegetable markets, it is probably that the vegetable sellers throw acid on the animals to drive them away from their stalls. If there is a market association, approach the head and inform her or him of the law (IPC, Sections 428 and 429). Request that all vegetable vendors be warned against this practice. Inform the police station in the area to keep an eye out for such violations.
- When you see an animal knocked over by a vehicle, get the number of the vehicle. Check the animal for signs of life. If possible, move the animal to safety and provide life-saving first aid. It is preferable to take the animal to a veterinarian, if possible. If not, call an animal welfare organization that has an ambulance. Once the animal is taken care of, file a complaint against the offender with the nearest police station (IPC, Sections 428 and 429).
- If you know of any research institute that is using animals, ask for the source of the animals. If you suspect the animals have been taken from the street or that the animals are being abused, contact the Committee for the Purpose of Control and Supervision of Experiments on Animals (CPCSEA). In the meantime, file a case with the police.

Check Your Progress 2

Note: a) Use the spaces given below for your answers.

b) Check your answer with those given at the end of the unit.

- 1) Differentiate between cognizable and non-cognizable offences.

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- 2) Give two examples each for cognizable and non-cognizable offences related to animal welfare.

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3) What is meant by a summon?

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4) What you can do to help stray animals?

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1.6 LET US SUM UP

In this unit, you were introduced to the matrix of animal protection in Indian legal system under three dimensions *viz.*, the protection of animals for the betterment of agriculture, animal protection as part of preservation / conservation and animal protection purely based on welfare ethics and morality. We discussed the animal welfare laws in India, important IPC sections and terms used in law with reference to animal welfare. The different activities which may lead to violations of animal welfare laws were also dealt with. This unit also equipped you with what you can do to help the stray animals.

1.7 KEYWORDS

Act: Act is a legislation passed by a competent legislature outlining the broad aspects of the activity intended to be regulated. It is a subset of law.

Cruelty: Behaviour which causes physical or mental harm to another living creature, whether intentionally or not.

Law: Law, in general, refers to the set of regulations or rules to be followed. It includes act, rules, regulations, circulars, policies governing a particular subject or activity.

Legislation: Preparing and enacting of laws by local, state, or national governments.

Maiming: Wound or injury (a person or animal) so that part of the body is permanently damaged.

Mutilate: To damage something severely, especially by violently removing a part.

Phooka: Any process of introducing air or any substance into the female organ of a milch animal with the object of drawing off from the animal any secretion of milk.

Sentience: The capacity to feel or experience the world subjectively.

1.8 BIBLIOGRAPHY AND FURTHER READING

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1.9 SELF ASSESSMENT EXERCISES

- 1) Discuss the salient features of animal protection in Indian legal system.
- 2) List the different laws and rules related to animal welfare in India.
- 3) Differentiate between cognizable and non-cognizable offences with examples.
- 4) What are the steps/initiatives you can take to help the stray animals?

1.10 ANSWERS / HINTS TO CHECK YOUR PROGRESS

Check Your Progress 1

- 1) The Prevention of Cruelty to Animals Act, 1960 and Wildlife Protection Act, 1972.
- 2) Intimidation is a criminal offence which is cognizable. Anyone who threatens or intimidates any person taking care of dogs is liable for criminal intimidation and can be arrested without a warrant
- 3) Part IVA: Fundamental Duties, 51A (g): The Constitution places a duty on every citizen to “protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures”.

Check Your Progress 2

- 1) Cognizable offence/case means a case in which a police officer may arrest without warrant. These are offenses which are serious in nature. Non-cognizable offence/case means an offence/case in which a police officer without any warrant has no authority to arrest. These are offenses which are not much serious in nature.
- 2) Example of cognizable offence is mutilating any animal or killing any animal (including stray dogs) by using the method of strychnine injections in the

heart or in any other unnecessarily cruel manner. The non-cognizable offences are beating, kicking, over-riding etc.

- 3) A summon is a legal document that is issued by a Court on a person involved in a legal proceeding.
- 4) When you see a dog or cow being injured or hit or stoned, inform the offender of the law and get him or her to stop. Should the abuse persist, register an FIR at the nearest police station. Never get dejected if the police do not take the case seriously. In many cases, they may not know the laws pertaining to animals. Be polite but firm.



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