



LET'S GIVE VOICE TO THE VOICELESS

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Earth, the only planet on which living organisms exist. Here everyone is dependent on each other in the form of food web. The most specific relationship is of Human Beings and animals. They both have a huge history with each other from the early age times. But in today's time question have arisen whether there is a need of Animals Rights too just as the Humans are provided worldwide.

Why the question of Animal Rights? Because today, we, the Human Beings have considered each other superior to every one of them and even pretend as if we have the full right on lives of flora and fauna and specially the flora. The shocking number of animal cruelty cases reported every day is just till the tip of the iceberg—most cases are never even reported. Unlike violent crimes against the people, cases of animal abuse are not compiled by state or any federal agencies, making it difficult to calculate just how common they are.

In our day to day life almost every one of us have seen an animal whether in zoo or while petting them or while doing some of the domestic work of humans which is like really very common sight on road in India. Even while seeing of all this not a single person must have thought about what animals must be suffering from, kept in zoo while abducting them from their natural habitat, separating them from their herds and some of them also take birth in the zoo and don't even know what their natural habitat is and will not

even know about the fragrance of freedom. Human beings make them work as if they are our slaves UNPAID SLAVES treating them with cruelty making them lift or pull things on their back which are doubt to their weight. When did we all HUMAN BEINGS became so selfish that we can't even see what all wrong we are doing to the organisms who can't even express themselves like us. . Not only talking about killing them for our own hunger but also why are we destroying their habitats oceans, forest etc. Though talking about cruelty, it has gone to the whole next level talking only about Mumbai in the last five years, 19,028 animal cruelty cases were recorded. But there were no arrests or convictions, data compiled by the Bombay Society for Prevention of Cruelty to Animals (BSPCA) revealed. The victims are dogs, cats, birds, goats, horses, bullocks, fowl and cattle.

In the absence of law it's on us Human Beings to protect the animals as they are not able to talk like us. Though India have proper animal protection laws that, with certain amendments can completely change the scenario of how animals are treated in India. But at the end it is on us how we treat the animals and how we accept the laws. The laws are made but only accepted and applied by few.

ANIMAL CRUELTY : WHAT IS IT ??

Animal Cruelty is an act of omission towards animals like neglecting them or not acting in responsible manner towards them. It's a kind of abuse not giving them food or water, beating them or terrorizing them. Animal abuse takes place in day to day world also its not only limited to the industrial animal agriculture. It can be happening in our neighbor or with stray dogs etc.



WHY IT'S BEING DONE?

Most of the people have seen animals like an object. Animals are used for the practical purposes where they are being exploited. The animal has no more significance than a tool or device. People who mistreat animals can separate themselves from the beings they hurt, so they don't feel as though they're doing anything wrong. For example, a hunter will see a deer as food, the food he's going to cook for his family rather than the beautiful creature he's captured in his rifle's sights or will see the skin of the deer on which he will be trading and will make money out of it.

People still don't agree that animals do have rights. Strange, but True. While cruelty to pets and animals is a punishable offence, the Prevention of Cruelty to Animals Act, 1960, levies a measly fine of just Rs10 to Rs100. With the fine so low, the law is not acting as a deterrent.

Animals are being bought because they are cute, as status symbols, or, as toys. This often ends in abandonment, neglect or abuse. Companion animals are left chained or caged alone for hours, without food or water. They are physically abused, abandoned, or even killed.

PETA People for the Ethical Treatment of Animals

People for Ethical Treatment of Animals popularly called as PETA, is a charitable organization. It is largest animal rights organization in world. It has more than 20 million members and supporters around the world. In India, it was launched in January 2000 and its main office is in Mumbai. It has affiliates in the United Kingdom, Germany, the Netherlands and the USA. The main

objective of PETA India is to establish and defend the rights of animals. The basic principles under which PETA works are that animals are not food, not for wear, not for experiment and not for entertainment. PETA India's main purpose is to educate and aware policymakers and the public about animal abuse and promotes an understanding that like human beings, rights of all animals must be treated with respect.

ANIMAL CRUELTY STATISTICS IN INDIA

Animal cruelty is really a topic to worry. Animals are just voiceless they can't express themselves so we, the human beings being the most sensible one should understand their needs too and must understand that even they have a right to live their life with dignity. But still there are so many people who abuses them they abuses them to the extent which is just un-explainable.

Cases of Animal cruelty is increasing day by day though still there are cases which just went un-reported. Many times, police don't even register the cases related to the animal cruelty or animal abuse. And why to blame them only even we support people who abuse them, like we go to circus "by paying charges" in order to see them getting abused and what do we even enjoy watching them getting them doing things which they trained and how by beating them or holding them captive far from their actual habitat.

General question, WHY IS THIS HAPPENING? And why there is no stoppage towards them because people are not aware of the law and all the rights given to the animals by Constitution, not even our local police officer will know about this.



The cases of cruelty towards animals are increasing with the multiple of 1000. According to the reports of The Voiceless Animal Cruelty Index (VACI) India ranks Second in Animal Cruelty Index. Around 70 billion farm animals are butchered each year from our consumption on worldwide level. This means 191 million animals per day, approximately around 8 million per hour and 2200 per second. This number is just growing with the speed of light as even people are benefitted with this as the incomes are dependent upon this.

Now talking about India, recently more than 50 stray dogs were poisoned on the order of Sarpanch and dumped. This was called a mass poisoning by locals living there. And the strangest of all, even when people reported about that incidence, they saw another vehicle with the body of dogs, instead of controlling the population of the dogs by birth control methods they are poisoning them.

According to the Reports of 2015-2017 animal cruelty have increased with a speedy number as more than 24,000 cases have been reported till now under the Prevention of Cruelty to Animals Act, 1960. And the data does not even include sexual abuse towards them. The Ministry of Environment, Forest and Climate Change also informed the Parliament that poaching in India is now under controlled but going through the data provided by the State agencies the truth is far beyond that statement. Around 52% increase in poaching and wildlife crimes was there between 2014-2016, not only this the illegal trading also increased from 400 in 2014 to 465 in 2016. Despite the fact that the quantity of cases (2,406) enlisted under the Prevention of Cruelty to Animals (PCA) Act, 1960 out

of 2017 are the most reduced since 2011, creature welfare activists state the law is a poor obstacle, with less feelings and immaterial fines going from Rs10 to Rs100. The more stringent Wildlife Protection Act, 1972 only fines up to Rs25,000. There have been zero conviction in Mumbai and Maharashtra for brutality, and not over 48 hours of prison time. Then why will anyone even report these crimes.

The number of incidents where animals were rescued from dangerous and cruel situations has been growing, with 1,171 rescue cases in 2017, compared to 2013, when only 316 cases were reported from the city. Thereafter a gradual rise has been recorded every year with 459 cases in 2012, 740 in 2014 and 1,013 in 2016.

And strangely the reports of 2018-2019 are not even there.

WHAT CONSTITUTION OF INDIA SAYS ABOUT ANIMAL PROTECTION.

The Constitution of India recognizes the lives and welfare of animals by making it a fundamental duty of the citizens of India to respect and treat all living creatures with compassion.

- Animal rights are protected under the Constitution of India. Article 51A(G) makes it a *fundamental duty* upon every citizen of India to protect wildlife and have compassion for all living creatures.
- According to Article 48, the State has the duty to organize agriculture and animal husbandry on modern, scientific lines and to take steps for preserving and improving breeds, prohibiting slaughter of cows and calves and other milch and draught cattle.



- Article 48A provides that the State also has a duty to protect, safeguard and improve the forests and wildlife of the country. Under these laws The Wildlife Protection Act, 1972 is another Central Act that provides for the protection of wild birds, animals, plants, etc. For the prevention of animal cruelty, the parliament has passed The Prevention of Cruelty to Animals Act, 1960. In the statement of objects of the Act it has been declared as “an Act to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals”.

The act under its section 4(1) provides for the establishment of Animal Welfare Board by the Central Government for the promotion of animal welfare generally and for the purpose of protecting animal from being subjected to unnecessary pain or suffering.

Animal Cruelty: Statutory Provisions

The Prevention of Cruelty to Animals Act, 1960 clearly characterizes what sort of conduct will add up to savagery to animals under section-11, section-12 and section-13. A portion of the key clarifications of pitilessness when an individual will be regarded being savage to creatures in the event that he:

- a) over-burdens, beats, kicks, abrogates, over-drives, , torments or generally treats any animal to expose it to pointless agony or enduring or causes, or being the proprietor allows, any animal to be so treated.
- b) utilizes in any work or any labor or for any reason any animal which, by reason of its age or any malady) ailment; wound, sore or other reason, is unfit to be so utilized or, being the proprietor, allows any such unfit creature to be employed.
- c) Adamantly and absurdly directs any harmful medication or damaging substance to any animal or tenaciously and nonsensically causes or endeavors to make any such medication or substance be taken by any animal.
- d) passes on or conveys, regardless of whether in or upon any vehicle or not, any animal in such a way or position as to expose it to pointless agony or enduring,
- e) Keeps or limits any animal in any - confine or other container which does not gauge adequately in tallness, length and expansiveness to allow the animal a sensible open door for development or keeps for an irrational time any creature anchored or fastened upon a nonsensically short or preposterously overwhelming chain or string.
- f) The Act additionally bans unapproved experimentations on the animal. The demonstration additionally sets out the principles for enrollment and the upkeep of performing animals.
- g) Being the owner of an animal, neglects to give such animal adequate nourishment, drink or asylum.
- h) Without sensible reason, deserts any creature in conditions which render it likely that it will endure torment by reason of starvation or thirst.
- i) Persistently allows any animal, of which he is the proprietor, to go everywhere in any road while the animal is influenced with infectious or irresistible malady or without sensible reason allows any sick or impaired animal, of which he is the proprietor to kick the bucket in any road
- j) Offer available to be purchased or, with no sensible reason currently possesses any creature which is enduring torment by reason



of mutilation; starvation; thirst; swarming or other sick treatment.

- k) Disfigures any animal or slaughters any animal (counting stray Dog) by utilizing the technique for strychnine infusions in the heart or some other fundamentally brutal way.

SOME HORRIFIC INSTANCES OF CRUELTY ON ANIMALS

Human Beings and animals share this planet with each other but seems like being the superior one, we don't consider other organisms have any share in this Earth. And this can be proved from the following instances which have recently taken place.

1. 8 men raped a Pregnant Goat

This is the incident of Haryana of 29 July 2018, where 8 men raped the pregnant goat. The goat was first stolen and then abused by the accused and after this the goat died. Out of all 8 accused one even said that he had a nice time with the goat.

2. Horses used in wedding ceremonies in India

In Indian culture, horses are used in wedding ceremonies are mostly wounded and sick. This is also a way of employment for people in India. Using horses in their wounded conditions for others ceremonies and why only to blame them even we are equally responsible.

3. 100s of stay dogs are poisoned and dumped every year in different cities of India

Only on the order to Sarpanch or by the orders given by the Municipal Corporation stray dogs are poisoned and dumped. Recently this happened in Telangana.

4. Sleeping Stray dog was left to die as workers poured hot tar on it

In 2018, while constructing a road workers poured hot tar on sleeping stray dog in Agra that caused half of its body to be buried alive and that was then left to die.

5. Beagles confined in cages for scientific experiments

In Pune 21 dogs of beagle breed were rescued from some private research company where they were being used for laboratory testings. Now this was just from a single lab that too only from India, now let's take a wider view all over the world hamsters are being used for laboratory testings. Over 115 million animals – mice, rats, dogs, cats, rabbits, monkeys, birds, among others – are killed in laboratory experiments worldwide for chemical, drug, food, and cosmetics testing every year.

6. Illegal trading of wildlife animals

In January, the Special Task Force of the Uttar Pradesh Police seized 6,430 endangered soft shell and flap shell turtles from a house in Amethi district. 37,267 turtles seized between 2015 and 2016, which means the government seized an average of 100 turtles every day last year.

7. As many as 3500 elephants are held captive for tourist entertainment

For the sake of Tourism or in the name of increasing our economy by Tourism, elephants are held captive to entertain the tourists.

WHY TO ONLY BLAME LEGISLATION?

Isn't it really easy to say that "Government is doing nothing" and what about us are we really following the law or do we even know



that there existed the law made by the Government related to cruelty against animals. In the population of 134 crores, not even 80% of that are having the knowledge of the Law created by our Legislation in favor of animals and who to blame for that Government? No it's the lack of awareness. We, the people of India don't even have the knowledge of the rights given by our Constitution because nobody is interested in knowing what the Constitution is offering us. In 1960, the parliament passes an act The Prevention of Cruelty to Animals Act. Also after observing so much cruelty against animals, The Ministry of Environment, Forest and Climate Change has released four new Gazettes notifications under the Prevention of Cruelty to Animals Act to regulate the animal markets, dog breeders, "pet" fish owner and aquariums.

The rules are

- The Prevention of Cruelty to Animals (Dog Breeding and Marketing) Rules, 2017
 - The Prevention of Cruelty to Animals (Regulation of Livestock Markets) Rules, 2017
 - The Prevention of Cruelty to Animals (Aquarium and Fish Tank Animals Shop) Rules, 2017
- The Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017.

But even after having all these rules still the dairy industry is not prevented from supplying animals for the purpose of beef. India's beef industry is massive because its supplier, the dairy industry, is massive.

So, this is all what our legislation has done. Blaming Government "solely" is really not

fair, the locals are responsible for increasing animal abuse.

Most of the people today have pets, which are breed dogs and why so, why the only preference of people are breed dogs because that uplifts their standard, wrong because pets are also used as a show piece, we love the dog in our home but not on streets isn't this ironical. People are feeding the dogs in their home getting them vaccinated but not to the stray dogs. Take a minute and think what if we took care of street animas as our own and getting them vaccinated for birth control and for hygiene issues that would be a balanced way of people contributing to the society.

There are 15 Animal Rights that Every Citizen of India should know:-

1. Article 51A(g) – Fundamental Duty of every citizen of India to have compassion for all living creatures.
2. I.P.C. Section 428 and Section 429 – To kill or maim any animal including stray animals is a punishable offence.
3. P.C.A.,1963 Section 11(1)(i) and Section 11(1)(j) – Abandoning any animal for any reason is an offence and have to serve in prison for 3 months.
4. Rule 3, Prevention of Cruelty to Animals, (Slaughterhouse) Rules, 2001 and Chapter 4, Food Safety and Standards Regulation, 2011 – No animal including chickens can be butchered in any place other than a butcher house. Sick and pregnant animals shall not be slaughtered.
5. ABC Rules, 2001 – Stray dogs that have been operated for birth control and cannot be captured or relocated by anybody including any authority.
6. P.C.A. Act, 1960 Section 11(1)(h) – Neglecting an animal by denying her sufficient food, water, shelter and exercise or



by keeping him chained/confined for long hours is punished by a fine or imprisonment of upto 3 months or both.

7. Monkeys are protected under the Wildlife (Protection) Act, 1972 and cannot be displayed or owned.
8. P.C.A. Act, 1960 Section 22(ii) – Monkeys, bears, tigers, panthers, lions and bulls are prohibited from being trained and used for entertainment purposes, either in circuses or streets.
9. Rule 3, Slaughterhouse Rules, 2001 – Animal sacrifice is illegal in every part of the country.
10. P.C.A. Act, 1960 Section 11(1)(m)(ii) and Section 11(1)(n) – Organizing of or participating in or inciting any animal fight is a cognizable offence.
11. Drugs and Cosmetics Rules, 1945 Rules 148-C and 135-B – Cosmetics tested on animals and the import of cosmetics tested on animals is banned.
Wildlife (Protection) Act, Section 38J – Teasing, feeding or disturbing the animals in a zoo and littering the zoo premises is an offence punishable by a fine of Rs. 25,000 or imprisonment of up to 3 years or both.
12. Wildlife (Protection) Act, Section 9 – 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 contribute to hunting and attracts a punishment of a fine upto Rs.25,000 or imprisonment of up to 7 years or both.
13. Wildlife (Protection) Act, Section 9 – Capturing, poisoning, trapping or baiting of any wild animal or even attempting to do so is punishable by law, with a fine up to Rs. 25,000 or imprisonment of upto 7 years or both.

Prevention of Cruelty to Animals, (Transport of Animal) Rules, 2001 and Motor Vehicles Act, 1978 – Conveying or carrying animals

whether in or upon any vehicle, in any manner or position which causes discomfort, suffering or pain is a punishable offence under both of these Acts.

INDIA’S RANKING IN ANIMAL CRUELTY GLOBALLY

Animal Cruelty is a major issue in every country not only in India. But there are some places which are considered to be the safest for animals and also have given some of the rights in their Constitution as well. Let us go through some of the countries and their constitutions.

Austria is considered as one of the best countries for animals all over the world. The Austrian Animal Welfare Act 2004 suggests that the protection and well-being of animals should be held to a value that is equal to humankind. The anti-cruelty law, one of Europe's harshest, bans pet owners from cropping their dog’s ears or tails, forces farmers to uncage their chickens, and ensures that puppies and kittens no longer swelter in pet shop windows. Violators are subjected to fines of \$2,420, and in cases of extreme cruelty they could be fined up to \$18,160 and have their animals seized by the authorities.

Switzerland is a leader in improving the living and working conditions of animals. In 1992 Switzerland became the first country to constitutionally recognize animals, with a provision warranting the protection of 'the dignity of the creature'. Activities that are deemed degrading to the dignity of animals are forbidden here by law.

- The Animal Welfare legislation of UK has stricter penalties for both cruelty and negligence of animals. Punishments include a lifetime ban from owning pets, a 51 week maximum jail term, and fines amounting up to £20,000.



- The German Constitution reads, “The state takes responsibility for protecting the natural foundations of life and animals in the interest of future generations.” Germany thus became the first country in the European Union to give animals constitutional protection.
- The animal welfare laws in Hong Kong govern the welfare of food animals, companion animals, and laboratory animals. Cruelty can be inflicted in the form of abuse, neglect, inappropriate transport, and fighting. Those found violating the law are liable to a fine of 200,000 Hong Kong dollars and imprisonment for three years.

While India too has several laws in place for protection and welfare of animals, much still needs to be done for their right understanding & implementation. But still India isn't the country for animal rights because the penalty for maiming, beating, burning, starving or breaking an animal's leg is just a measly Rs. 50 in India under the Prevention of Cruelty to Animals Act (PCA), 1960. “What is Rs 50 today?” Back in the 1960's it was a huge amount but in current period it almost a joke so that you can do anything that you want to do with animals and get away by paying just Rs 50. There are many NGO's who are working for animals and had urged for stronger punishment and their aim is to do the amendments under the act in increasing the fine for experimentation on animals from Rs 200 to Rs 10,000 and for illegally making animals perform to Rs 20,000.

Below is the chart which represents 20 countries with grade for their animal welfare:-

Rank	Country	Overall Grade
1.	Austria	A
2.	New Zealand	A
3.	Switzerland	A

4.	United Kingdom	A
5.	Chile	B
6.	Denmark	B
7.	Germany	B
8.	Netherlands	B
9.	Sweden	B
10.	Australia	C
11.	Brazil	C
12.	France	C
13.	India	C
14.	Italy	C
15.	Malaysia	C
16.	Philippines	C
17.	Poland	C
18.	Spain	C
19.	Argentina	D
20.	Canada	D

This is where India stands. Well- deserved position though, as if the data recorded is noticed it can be seen that more than 25,000 animals suffer cruelty and still it's not the exact figure as some cases go unreported.

CONCLUSION

Recently, there was a case of Mumbai doing rounds on internet which was supported by so many celebrities too, where a stray dog was beaten badly by the guard of the society on the orders of the residents just because he was trying to find shelter from rain and was just left to die. Currently, Bombay Animal Rights group are taking care of the dog. And FIR had been lodged under IPC sections 429 and 34, along with the Prevention of Cruelty to Animals Act, 1960. This is inhumanity at every level. Agreed, FIR had been lodged and necessary actions are taken against the offenders but why this happened in the first place. How a person can be so INHUMAN and INSENSITIVE towards other animals.



Though legislation have done their part by making laws. Now it's the duty of the citizen to protect animals. Although a lot of very elaborate and specific animal protection laws have been passed in India, they are often not properly implemented. It is so because concerned citizens and NGOs do not often emphasize on taking the legal pathway to accomplish results. At the same time, it is imperative to realize that the legislation that we currently have in India is not sufficiently strong and reasonable so as to make great change. The general anti-cruelty parts in Section 11 of the PCAA can be made a lot more effective by increasing the punishment and fine to some extent.

The laws can be made more stringent and all-encompassing so that animals of all kinds, be it street animals, wild animals and animals residing in all types of habitat are protected and preserved. Its all based upon the awareness that we need to provide to everyone that though animals are voiceless but we can teach people that animals can feel pain and they can suffer too. It is considered that dog is the most loyal animal then why are we doing cruelty against them, why are we making wild animals to dance on the command of humans in circus. We need to understand that this whole ecosystem is dependent on one another and with nature we need to respect other organisms too because it's their home too.
