ABSTRACT

There has been a change in perspective towards nature from harmony to supremacy. Animals are an important part of human lives. Globally, various measures are being made to uphold and grant the rights to animals. Though, Indian legal framework is vast to confer various rights to animals. In spite of it, in India, man - animal conflict has been on a rise. Various factors are responsible for this conflict. Simultaneously, many incidents have been taking place – both positive and negative with regard to rights of animals. On negative side, the Courts have sometimes shown liberal approach towards violations of rights of animals. There is ineffective implementation of the legal provisions leading to various abuses of animals in India. The wild, domestic and abandoned animals all face acute brutality and insensitive behavior of human beings. The decrease in number of rare species of animals; permission to declare and kill animals being ‘vermins’; liberal approach of Courts in certain cases (non-interference) ; improper provisions to save animals during natural disasters etc are some of the highlighted occurrence of animal rights violations. On positive side, new Bills are proposed, animal activists are launching campaigns and new policy changes are underway.

The present study speaks out for animals, for all kinds of animals and their rights. This calls for debates on the subject and reformulation weak penal provisions. The people too have an important role to understand the significance of ecology and all living beings. The basic freedoms of animals must be granted to them.

Keywords – Rights of animals, Constitution of India, judiciary, MoEFCC, sensitization.

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INTRODUCTION

“The living entities in this conditioned world are My eternal, fragmental parts.”

The agricultural development, economic growth and urban expansion etc. have altered the balance of human beings with nature, mostly against the interests of nature. The assumption of supremacy by man over the nature has led to conflicts with nature. A long list of disasters includes soil erosion, desertification, loss of cropland, pollution, deforestation, ecosystem degradation and destruction, and extinction of species and varieties. The burgeoning human population and its multifarious requirements are leading to rise in the conflicts between man and natural resources/lives. Even the wildlife has come at strife with human beings owing to usurping of their natural habitats. The various forms of human wildlife conflicts result into damage to crops; attack on human beings; trapping/poaching etc. Environmental decision-making landscape often fails to mention species and their needs. Many drivers of conflicts are poor management, misguided clearance decisions and apathy. 99 percent of currently threatened species are at risk from human activities, primarily those driving habitat loss, introduction of exotic species, and global warming.

Animals are a hugely important part of human world, relied upon for food, used as research models, companions, working animals, for sport and in recreation. Almost nearly all religions

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3 Bhagavad Gita; Chapter 15, Verse 7. Bhagavad Gita has been the most pious and useful holy scripture whose several noble principles still have relevance to guide and regulate human conduct in Indian society.

4 In 1960, 33.58% of world population consisted of urban population; it reached to 46.56% in 2010 and 53.8% in 2015. This shows growing urban expansion in the world. For details, see http://data.worldbank.org/topic/urban-development. (accessed on 23 October, 2016).

5 As per United Nations Population Division- in 1950, the world had 2.5 billion people; and in 2005, the world had 6.5 billion people. It increased to 7.3 billion people in 2015. For details, see https://esa.un.org/unpd/wpp/Download/Standard/Population/. (accessed on 23 October, 2016).


8 The term “animal” is derived from Latin terms - “animal” - living being that can move and “animalis” -animate, and “anima” meaning soul, breath. Section 2(a), Prevention of Cruelty to Animals Act, 1960 defines “animal” as any living creature other than a human being. Section 2 (1), Wildlife Protection Act, 1972 defines animal as mammals, birds, reptiles, amphibians, fish, other chordates and invertebrates and also includes their young and eggs.
recognize the inherent value of animal life and the need to avoid animal suffering. Eastern religious traditions viz. Hinduism, Buddhism and Jainism have envisaged a much stronger bond between animals and humans. *The Abrahamic traditions - Judaism, Christianity and Islam differ slightly in their approach towards animals, often characterized by a recurring assertion that the divine creator specially elected human beings and designed the earth primarily for human benefit.*

Ashoka’s adoption of Buddhism gave a new meaning to animal care. Ashoka’s tenets introduced the concept of describing animals as co-existent with human beings on the planet in eco-friendly environment. A part of his dictum was ‘Panesu Saymo’, the nearest Sanskrit version of which should be ‘Sarveshu Praneshu Samyamah’. The essence of it is gentleness or kindness to animals though the precise translation is difficult. The message reflects dictum of an age in which the animal was not considered as mere wealth or an object of benefit, but also as a co-existent of the planet. It, therefore, marks a distinct transformation of concept from earlier era.

Henry Stephens Salt wrote the first book entirely devoted to animal rights, published in 1892 - *Animals’ Rights: Considered in relation to social progress*. He sought to impress people not to kill or eat animals and submitted that such behavior is the distinction of a civilized society. British Zoologist William M.S. Russel and the microbiologist Rex L. Burch in 1959 propounded “3Rs” tenets or framework for humane animal research - replacement, reduction and refinement. The Brambell Report (UK Technical Committee to Enquire into the Welfare of Animals kept under Intensive Livestock Husbandry Systems) in December 1965 stated that farm animals should have freedom “to stand up, lie down, turn around, groom themselves and stretch their limbs.”

These freedoms were later revised and developed by the UK’s Farm Animal Welfare Council (FAWC) in 1970s and took the present form. These Five Freedoms of animals have been widely accepted as a statement of fundamental principles of animal welfare. They serve as a useful framework for the assessment of whether animals’ basic welfare needs are being met. These freedoms as updated are freedom from hunger, thirst and malnutrition; freedom from fear and distress; freedom from physical and thermal discomfort; freedom from pain, injury and disease; and freedom to express normal patterns of behaviour.

Since the influential book - *Animal Liberation* was published in

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10. As a result of the report, the Farm Animal Welfare Advisory Committee was created to monitor the livestock production sector. In 1979, the name was changed to the Farm Animal Welfare Council.
11. These freedoms are recognized in India under Sections 11 (1), 12 ,14, 19 etc of Prevention of Cruelty Act,1960 ; Sections 30,31,32, 33A etc. of Wildlife Protection Act,1972 ; Sections 289, 428, 429 , 377 of Indian Penal Code, 1960 and so on.
1975 by the Australian philosopher Peter Singer, public concern over the ethical treatment of animals has increased dramatically. This book is sometimes described as “the Bible of the animal liberation movement”.

The laws for limited rights of animals started to come into existence since 17th century. During the past few decades, efforts for animal protections have expanded exponentially. Several countries now recognize rights of environment and rights of animals under their Constitutions. United Nations has a framework to deal with protection of animals in the form of some Conventions. Various efforts have been made by other organisations also in the form of Declarations etc for rights of the animals. The Constitution of India indirectly recognizes the rights of animals. The unique feature of Constitution of India is that it allows representatives to assert the interests of animals in Courts and thereby creates a readymade mechanism. The major legislative developments with regard to protection of rights of animals were enactment of Prevention of Cruelty Act,1960 and Wildlife Protection Act,1972.

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12 The first animal anti cruelty provision dates back to USA in 1641- “The Body of Liberties” enacted by the Puritans of the Massachusetts Bay colony. It was followed by U.K.’s law relating to animals for the scrutiny of the treatment of cattle in Smithfield market in 1781, the first. Soon UK enacted legislation requiring a license to slaughter in 1786. In India, the earliest national legislations were Wild Birds and Game Act ,1887; the Wild Birds and Wild Animals Protection Act ,1912 ; and the Indian Forest Act ,1927.

13 Switzerland, Germany, Brazil, Serbia, Egypt etc. have constitutional provisions for protection of animals. Switzerland is the first country that implemented the animals’ dignity as a protection deserving value into the Swiss constitution. Ecuador is the first country in the world to recognize the rights of nature in its Constitution. For details, see Constitution of Switzerland - Article 80 (1) ; Constitution of Federative Republic of Brazil - Article 225 Para 1 (VII) ; Constitution of the Republic of Serbia- Article 74 ; Constitution of Egypt - Article 45 ; Constitution of Germany- Article 20a ; Constitution of Republic of China - Article 9 ; Constitution of Kyrgyz Republic- Article 48 ; Constitution of Ecuador -Article 71 ; Constitution of Hungary- Article P etc.


15 The efforts which are not the aegis of United Nations are Declaration of Animal Welfare, 1977; International Guiding Principles for Biomedical Research Involving Animals,1985(revised in 2012) Universal Declaration of Rights of Animals, 2003; Universal Declaration of Rights of Mother Earth, 2010 etc.

16 The concern for the protection and conservation of animal lives is clearly reflected in various provisions of the Constitution viz. Articles 48, 48A and 51A (g). It is expressed in the fundamental duty and Directive Principles of State. In pursuance of the recommendations of Datter Singh Committee, two Articles 48A and 51A (g) were added.

The worsening condition of animals in India continues to prevail in spite of existing legislative framework dealing with animals.\textsuperscript{18} Hundreds of animals are sacrificed and used as performing animals in various religious cultural events throughout the country.\textsuperscript{19} The decision of Government of India to invoke Section 62, Wildlife Protection Act,1972\textsuperscript{20} for the first time since its commencement has invited criticism. Those dying are wild boars, nilgai antelopes, monkeys or any animal considered “vermin” by state governments and approved for culling\textsuperscript{21} by India’s Ministry (MoEFCC). Even peacocks, often used as a symbol for the country, are being considered by the state of Goa for classification as vermin. The position of animals (whether domestic or wild) is alarming and they are fighting a losing battle for survival. In early June 2016, over 200 nilgais were culled by two professional shooters hired from Hyderabad in the riverine areas of Mokama, some 90 km east of Patna.\textsuperscript{22} India’s animal market has been growing every year, with pet stores cropping up in nearly every city and town. All kinds of animals can be found for sale in animal markets across the country, and they are kept in terribly inhumane conditions.\textsuperscript{23} Cases of animal


\textsuperscript{19} eg.- Jallikattu in Tamil Nadu, and bullock cart races in Maharashtra, Karnataka, Punjab, Haryana, Kerala, Gujarat, etc are events which permit use of animals as performing animals. Similarly , animals sacrifice takes place during 'Bijaya Yatra' of the annual Chhattar festival at Bhawanipatna in Kalahandi district in Orissa ; animal sacrifice was prevalent before September 2014 in various parts of Himachal Pradesh - Chamunda Devi temple in Kangra, Hadimba Devi temple in Manali, Chamunda Nandi Keshwar Dham in Kangra, Malana in Kullu, Shikari Devi temple in Mandi, Bhima Kali Temple in Sarahan and in Ani and Nirmand in Kullu district, Shilai in Sirmaur district and Chopal in Shimla district etc.

\textsuperscript{20} Section 62 provides that the Central Government may, by notification, declare any wild animal other than those specified in Schedule I and Part II of Schedule II to be vermin for any area and for such period as may be specified therein and so long as such notification is in force, such wild animal shall be deemed to have been included in Schedule V. Wildlife Protection Act, 1972 provides legal framework for prohibition of hunting, protection and management of wildlife habitats, regulation and control of trade in parts and products derived from wildlife and management of zoos. It also provides for establishment of several categories of Protected Areas/Reserves viz. National Parks, Wildlife Sanctuaries, Tiger Reserves, Conservation Reserves and Community Reserves.

\textsuperscript{21} Generally, culling means the selective killing of a species as a population control measure. In the past, nature has been a culler of wildlife species. Now the role has been forcefully assumed by man. “Over 200 Nilgai Shot Dead In Bihar; We Need To Move Away From Short-Sighted Solutions”, July 11 ,2016, https://thelogicalindian.com/news/over-200-nilgai-culled-in-bihar-as-they-became-menace-to-the-farmers/ , accessed on 10 October,2016.

\textsuperscript{23} During a surprise raid carried out by the Bombay High Court in February,2016, the committee found that birds are kept in dark, rusted cages which are in filthy condition. Some shops had kept birds of different species together in one cageSale takes place openly every year at Sonepur Cattle Fair in Saran district of Bihar etc.
cruelty, as received regularly across the country, are on the rise.\textsuperscript{24} The different animal species at the Delhi zoo like the Indian lion, Indian rhinoceros, striped hyena, chimpanzee and African elephant are facing extinction for lack partner for reproduction.\textsuperscript{25} A number of elephants are dying in human habitats in various parts of the country.\textsuperscript{26} Hundreds of cows have reportedly died at the Hingonia Cow Rehabilitation centre in the western Indian state of Rajasthan.\textsuperscript{27} Gross violations of Prevention of Cruelty to Animals (Slaughter House) Rules, 2001, and the Food Safety and Standards (Licensing and Registration of Food Business) Regulation, 2011 were found during inspection of the Ghazipur slaughterhouse.\textsuperscript{28} Dismembered parts of an animal were found in a park in Delhi recently, alleged to be of a cow.\textsuperscript{29} Over a dozen horses were killed by a security forces vehicle in Frisal village in the Kulgam district in south Kashmir.\textsuperscript{30} These are few instances where animals have not been treated humanely across the country. Thus, man-animal conflict in India has reached its peak.

However, fortunately, change is underway across. The animal rights activists; policy makers and the higher judiciary in India have been pushing Government towards ensuring better life conditions of animals. India introduced ban on capture of River Dolphins in May 2013 for entertainment; Rajasthan launched separate Department dedicate to cows in 2013 ; Haryana started animal adoption scheme in 2015 ; and Guwahati declared River dolphins as its city animal in 2016 etc. On 28\textsuperscript{th} August 2015, the Law Commission of India, under the Chairmanship of Justice AP Shah, submitted its Report No. 261 on the “Need to Regulate Pet Shops and Dog and Aquarium Fish Breeding” to the Union Minister of Law and Justice. The Report observed that pet shops and

\textsuperscript{24} As many as 7853, 14235 and 2265 cases were registered under the Prevention of Cruelty to Animals Act, 1960, during 2012-13, 2013-14 and 2014-15 respectively.
\textsuperscript{25} “Going solo, they face extinction”, \textit{Times of India}, Sep 24, 2016.
\textsuperscript{26} \textbf{3 Elephants Run Over By Passenger Train In West Bengal} in August 2016 ; \textbf{15-Year-Old Elephant Killed In Train Accident In Tamil Nadu} in July 2016 ; \textbf{Elephant caught In Electric Fence dies In North Bengal} in June 2016 and so on.
\textsuperscript{27} “8, 122 cows died since Jan at Hingonia gaushala: Rajasthan govt.”, 8 Aug, 2016, \textit{The Tribune}. Cows are worshipped as a holy animal in Hinduism and slaughtering of it has always been a controversial taboo in India.
breeders violate provisions of animal welfare laws with impunity, and recommends that it is necessary to regulate their practices. An important role is being played by statutory body - Animal Welfare Board of India is taking legal actions against violators of animal rights and actively pursuing new Rules for the benefit of animals. The months of September and October 2016 have become voice –raisers for innocent animals as people came to streets during campaigns in India and abroad.

Understanding and enhancing animal welfare is essential for protecting animals’ well-being as well as ensuring for human health and environmental protection. It becomes necessary to find out how far the legal rights enjoined upon animals are enjoyed by them in real spirit and sense. There is a need for a comprehensive and holistic legislation to address various aspects of rights of animals. Against this background, the present work is an attempt to firstly discuss in brief the recent efforts for promotion of animal rights in India. It later examines in brief major violations of animal rights taking place in India. The study ends with some suggestions to deal with current state of animal rights in the country. India needs to draw inspiration for a new and improved legislation, reviewing the weakness in the implementation of existing relevant legislative provisions. The concern for rights of animals is a multi-faceted issue, having important scientific, ethical, economic and political dimensions. The subject is of periodical and perennial importance. The paper is a purely analytical, descriptive and doctrinaire study as this is not based on any empirical data and field survey. As the scope of the animal rights is vast and expanding, various examples have been selected to throw light on different aspects of chosen problem. On various occasions, an attempt has been made to articulate international position on animal rights by making comparisons amongst some countries with regard to their legislative position on animal rights. In order to support conclusion, findings and suggestions, various articles, newspapers, decisions etc. have been collected and analyzed systematically and scientifically.

The terms human, human being and man have also been used synonymously. The paper is limited to examples both of positive changes regarding rights of animals and infringement of their rights in the country. It does not deal with the presentation and examination of legislative and judicial framework with regard to animals in India. It is restricted to how the legislative and judicial framework with regard to rights of animals has been implemented or failed and to what an extent.
OVERVIEW OF VIOLATION OF RIGHTS OF ANIMALS IN INDIA

Though India is one of the first countries to constitutionally address animal welfare. However, the affair of animal welfare in the country is not quite appreciable. The legal regime is mostly for the benefit of human beings; and only minimally to protect animals. In the past years, many instances of animal rights violations have been taking place in India. A vacuum of law has been created as the Prevention of Cruelty to Animals Act, 1960 has not been amended since its inception in 1960. The punishments under the Prevention of Cruelty to Animals Act, 1960 are minimal in nature, so as not to constitute any deterrent impact upon society.

(a) Threatened Species and Extinction

India has 988 species on International Union for Conservation of Nature and Natural Resources (IUCN)‘Red List’ as of 2015- 15 more species were added to the List of threatened species. In the mammals’ category, 96 mammals’ species, 82 bird species and 53 species of reptiles, amphibians and fishes are 75 and 214 respectively, 7 mollusks, 128 other invertebrates are endangered.

31 The original Constitution of India, 1950 contained Article 48 dealing with animal husbandry. In pursuance of the recommendations of Datter Singh Committee, two Articles 48A and 51 A(g) were added in 1976. Article 48 read - The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle. Article 48A reads- The State has to endeavour to protect and improve the environment and to safeguard the forests and wild life of the country. Article 51A(g) reads- Every citizen has the duty to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures.

32 International Union for Conservation of Nature and Natural Resources was founded in 1964. It is the world’s most comprehensive inventory of the global conservation status of biological species.

33 Red List 2015, Sourced from http://www.pmfias.com/iucn-red-list-india-red-data-list-red-book/, accessed on 15 October, 2016. IUCN Red List of Threatened Species, founded in 1964, is the world’s most comprehensive inventory of the global conservation status of biological species. It classified species into nine groups -Extinct (EX), Extinct in the wild (EW), Critically endangered (CR), Endangered (EN),Vulnerable (VU), Near threatened (NT) Least concern (LC), Data deficient (DD), Not evaluated (NE).

34 384 plants also feature in endangered list.
(b) Birds’ Deaths due to Bird Flu in October 2016

Nearly 15 birds (painted stork) died in Gwalior zoo\(^{35}\); over 40 avian deaths at Hauz Khas deer park\(^{36}\) in October 2016 as a result of bird flu.

(c) Liberal approach of judiciary towards violations of rights of animals

The Courts showed active role to protect the rights of animals on one hand.\(^{37}\) At the same time, in few cases, they failed to protect them and their rights. The Bollywood celebrities were acquitted in violation of rights of animals.

In Gauri Maulekhi v. Union of India\(^{38}\), the Apex Court refused to stay a notification under Section 62, Wildlife Protection Act, 1972 that allows the culling of nilgais, wild boars in Bihar and Uttarakhand and monkeys in Himachal Pradesh. The Court in July, 2016 asked the petitioners to approach the Delhi High Court on the issue. The Bench then granted liberty to the petitioners, animal rights activist Gauri Maulekhi and NGOs - Wildlife Rescue and Rehabilitation Centre and Federation of Indian Animal Protection Organizations (FIAPPO) to withdraw their plea. In Varaaki v. Union of India and others\(^{39}\), the Apex Court observed that The Prevention of Cruelty Act, 1960 itself carves out exception for animal sacrifices carried out for religious purposes. That is why the legislature while framing Prevention of Cruelty to Animals Act has provided for the exception.

\(^{35}\) “15 bird deaths at Gwalior zoo in 3 days spark fear of bird flu”, The Tribune, Oct 21, 2016,
\(^{36}\) “Delhi Government forms panel to keep vigil on bird flu after over 40 avian deaths”, Indian Express, October 22, 2016.
\(^{37}\) The main aspects settled by higher judiciary are rights of performing animals, harmony between protection of animal and religious animal sacrifice etc. For details, see Animal Welfare Board of India (AWBI) v. A. Nagaraja and Ors (2014) 7 SCC 547 (has also honour and dignity which cannot be arbitrarily deprived of and every species has an inherent right to live and shall be protected by law, subject to the exception provided out of necessity) ; Angel Trust v. Union of India Writ Petition (Civil) No.296 / 2016 , decided on June 30, 2016 ; Ramesh Sharma v. State of Himachal Pradesh and others CWP No. 9257 of 2011 along with CWP No.4499/2012 and CWP No.5076/2012 decided on September 29, 2014 (HP High Court issued mandatory directions to prohibit/ban animal/bird sacrifice in the temples and public places); Animals and Birds Charitable Trust v. Municipal Corporation of Greater Mumbai , AIR 2015 NOC 1126 (Bom) (Bombay High Court declared the use of horse-driven carriages / Victorias in the city of Bombay for joy rides as completely illegal ); Bhartiya Govansh Rakshan Sanverdhan Parishad v. Union of India CW 6631 of 2014, decided on July 29, 2016 (HP High Court observed that it is open for the Union of India to enact law at the national level prohibiting slaughtering of cow/calf, import or export of cow/calf, selling of beef or beef products under Entry No. 17 of the Concurrent List etc.
\(^{38}\) WP (C) 413 of 2016 decided on 20 July,2016.
\(^{39}\) Writ Petition (C) No. 689 of 2015, decided on 28 September,2016.
This court has to balance between the law and religious practices. This is a sensitive matter better dealt by the representatives of the people in the appropriate forums.

In D.Vikram v. Dr.Jayavarthavavelu, the Madras High Court ruled that those living in residential areas are not entitled to keep dogs or other pets as a matter of right. In Kennel Club of India (KCI) v. Union of India, the Hon’ble Madras High Court quashed a notice issued by the veterinary council on November 11, 2011, directing all registered veterinarians in the country to stop forthwith the practice of performing the two surgical procedures on pups. Docking the tail or cropping the ears of your pet dog does not amount to mutilation and cannot be treated as cruelty to the animal, the Madras High Court has ruled. The Court also ruled that neither the Animal Welfare Board of India (AWBI) nor the Veterinary Council of India has any authority to prohibit registered veterinarians from performing tail docking and ear cropping of certain breeds of pet dogs such as Doberman, Cocker Spaniel, Great Danes and Boxer at the request of their owners.

In Aamir Khan v. State of Gujarat, in the criminal case involving the killing of Chinkara during the shooting of the film ‘Lagaan’ in 2000, the Division Bench of Gujarat High Court quashed the case of criminal complaint as well as the bailable warrants issued by the Chief Judicial Magistrate, Bhuj. In Salman Khan v. State of Rajasthan, the Hon’ble Rajasthan High Court acquitted Salman Khan in Chinkara poaching case on the ground that the evidence on record implicating him in the cases was “grossly inadequate.” It allowed his Criminal Revision Petition filed against the Judgment of Sessions Court which affirmed the order of conviction and sentence passed by Chief Judicial Magistrate, Jodhpur. The CJM had convicted him under Section 51 of Wild Life Protection Act and sentenced to undergo 5 years’ simple imprisonment along with fine of Rs 25,000/- and in default of payment of fine to further undergo 3 months simple imprisonment. The Punjab and Haryana High Court in Amritsar Kennel Club v. Union of India made it clear that AWBI has no right to interrupt the dog shows by imposing any conditions. With this, the kennel clubs of Chandigarh, Patiala and Ludhiana can organize dog shows.

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41 AIR 2013 (NOC) (Supp) 1439 (Mad).
(d) Notifications of Ministry of Environment, Forests and Climate Change (MoEFCC) in 2016 (allowing Jallikattu and bullock cart races; second allowing culling of animals)

While retaining the general prohibition on using some animals - bulls, bears, monkeys, tigers, panthers and lions as performing animals, the notification dated 7th January, 2016 by MoEF makes an exception for such traditional sports involving bulls, subject to the permission of the local administration and some conditions. It allows events such as Jallikattu in Tamil Nadu and bullock cart races in Maharashtra, Karnataka, Punjab, Haryana, Kerala and Gujarat (though banned by Supreme Court). The notification provides that bulls may be continue to be exhibited or trained as a performing animal, at events such as Jallikattu in Tamil Nadu and bullock cart races in Maharashtra, Karnataka, Punjab, Haryana, Kerala and Gujarat in the manner by the customs of any community or practiced traditionally under the customs or as a part of culture. The permission has been made subject to certain conditions. Although it provides that any event of Jallikattu or bullock cart races so organised shall be held with the prior approval of the District Authorities concerned. It further provides that the Jallikattu or bullock cart races so organised shall be duly monitored by the District Society for Prevention of Cruelty to Animals and State Animal Welfare Board or the District Authorities as the case may be, ensuring that no unnecessary pain or suffering is inflicted or caused, in any manner, whatsoever, during the course of such events, or in preparation thereof.

Some provisions of Wildlife Protection Act, 1972 allow killing of animals in certain circumstances. Keeping in view the losses to crops inflicted by the wild animals, the Ministry of

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45 G.S.R. 13(E) 7 January, 2016 specifies that bears, monkeys, tigers, panthers, lions and bulls shall not be exhibited or trained as performing animal, with effect from the date of publication of this notification. Section 22, Prevention of Cruelty Act, 1960 empowers the Central Government to specify by notification in the official gazette any animal which shall not be exhibited or trained as a performing animal.

46 That such event shall take place in any District where it is being traditionally held annually, at such place explicitly permitted by the District Collector or the District Magistrate; bullock cart race shall be organised on a proper track, which shall not exceed two kilometres; it shall ensure that the bulls are put to proper testing by the authorities of the Animal Husbandry and Veterinary Department to ensure that they are in good physical condition to participate in the event and performance enhancement drugs are not administered to the bulls in any form; and ensure that the rights conferred upon the animals under section 3 and clause (a) and clause (m) of sub-section (1) of section 11 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) and five freedoms declared by the Hon’ble Supreme Court in its order decided on 7th May, 2014 in Civil Appeal No. 5387 of 2014 are fully protected during such events.

47 Section 11 (b) allows hunting of wild animals if the chief wildlife warden “is satisfied that any wild animal specified in schedules II, III or IV has become dangerous to human life or to property”. Section 61 gives the
Environment, Forests and Climate Change sought proposals from State/Union Territory Governments, after objective assessment of the situation with details of the areas in which notification under Section 62 of the Act, declaring any wild animals as vermin for specified period, could be helpful in management of conflict. The same advisory has also been sent to the Chief Minister’s and Environment and Forest Ministers of all the States/Union Territory Governments and also to all the Council of Minister’s in the Government of India. In at least nine States, man and wildlife are in serious conflict.48 As many as seven States have written to the Centre seeking its intervention. Bihar asked wild boar and nilgai (a large Indian antelope) to be declared vermin, Himachal asked for rhesus monkeys to be declared so49, and Maharashtra wants wild boars and nilgais exterminated.50 Uttarakhand wants the wild boar population to go down, while Gujarat also wants nilgais to be declared vermin.51 Goa wants to kill peacocks52, West Bengal find elephants inconvenient53, Uttar Pradesh find it problematic to deal with monkeys.54

Proposals from Bihar55, Uttarakhand56 and Himachal Pradesh57 have been considered worthy by the Ministry. For the first time, since Independence, the Union government has exercised Section 62 power to add or delete any entry to or from any schedule or transfer any entry from one part of the schedule to another part of the same schedule or from one schedule to another.

48 In Karnataka, man, wildlife and cattle are locked in a fight over land and fodder. Over 6,000 elephants roam free in Karnataka, primarily in six southern districts (Mysuru, Kodagu, Hassan, Mandya, Bengaluru Rural and Bengaluru Urban) near the 6,724-sq.-km Mysore Elephant Reserve. The competition is most acute in Bandipur and Nagarahole, which form the core of the elephant-cum-tiger reserve; while Bandipur is surrounded by 180 villages, Nagarahole is surrounded by 100-odd villages.

49 Even prior to 2015-16, culling started in HP. Himachal Pradesh was the first state to experiment with culling in 2007, after farmers started protesting in Shimla against govern apathy. The then state Principal Chief Conservator of Forests, Vinay Tandon, identified 200 worst-hit villages and employed sharpshooters to kill monkeys. Tandon used a special provision of the Wild Life Act that allows the chief wildlife warden to categorise certain herds of animals as “nuisance” and culled under the supervision of the state Forest and Wildlife Department. The state of HP culled 480 monkeys during that phase.

50 “Norms to hunt ‘vermin’ nilgais, wild boars relaxed”, Times of India, July 24, 2015.

51 Nilgai numbers have risen to 1,86,000 in 2015 from merely 40,000 in 1995. In 2007-08, the State government had issued a circular empowering village panchayat sarpanches to kill nilgais and licences were issued to 3,475 of them.


53 “Modi’s Swachh Bharat, Mamata’s Nirmal Bangla get push from marauding elephants”, Hindustan Times, June 15, 2016.

54 “Monkey menace continues in Bareilly, woman killed”, Times of India, 22 March 2016.

55 The first notification issued by the Ministry decided on December 1, 2015, declared Nilgai and wild boar as vermin in some districts of Bihar for one year.

56 The second notification decided on February 3, 2016 declared wild boar as vermin in some districts of Uttarakhand for a period of one year.

57 Third notification, issued on May 24, 2016 declared rhesus macaque (monkey) to be vermin in ten districts of Himachal Pradesh.
of the Wildlife Protection Act, 1972 to allow large-scale culling of wild animals. So far, only Section 11(b) of Wildlife Protection Act, under which the State Chief Wildlife Warden can permit hunting of wild animals, has been widely used by states to contain wild animals.

(e) Death and Abuse of Companion Animals

A horrific discovery on a farmhouse compound in Bengaluru turned up 30 butchered stray dogs and one that barely managed to survive in July 2016. The various animal abuse incidents include the assault on the police horse Shaktiman that ultimately resulted in her death, the brutal killing of puppies in Delhi and Bengaluru, dog thrown off a terrace in Chennai, the puppies burnt alive in Hyderabad and Great Dane starved to death on the streets of Chennai after it was abandoned by its owner. These have put the spotlight on the pressing need to strengthen animal laws in the country.

(f) Death during natural Calamities in Assam and Maharashtra

310 animals, including 221 hog deer and 21 one-horned rhinos, in Kaziranga National Park (KNP) lost their lives due to the devastating Assam floods in July- August 2016. The rains claimed 1,417 small domestic animals and 1,593 large cattle like cows, bulls and buffalos since April 2016 till date.

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60 “Man, who stabbed stray dogs near Metro station arrested in UP: Police”, The Indian Express, 17 April, 2016.
61 “Bengaluru woman kills 8 puppies to teach their mother a lesson”, Times of India, 22 March, 2016.
65 “Over 300 animals killed in Assam floods in Kaziranga”, The Times of India, 2 August 2016.
RECENT TRENDS IN PROMOTION OF ANIMAL RIGHTS IN INDIA

This Part shall discuss the efforts at various fronts to protect the rights of animals. The last few years (2013 onwards) have witnessed many developments with regard to rights of animals. The higher judiciary upheld the rights of animals in Animal Welfare Board of India v. A. Nagaraja and Ors.67 (it is the landmark decision of the Hon’ble Apex Court in which it banned bull fights and issued various other directions to Animal Welfare Board of India and Governments such as to take steps to impart education in relation to human treatment of animals etc.); Ramesh Sharma v. State of Himachal Pradesh and others68 (Hon’ble Himachal Pradesh High Court directed the State Government to propose a regulation to arrest animal sacrifice and banned animal sacrifice throughout the State) etc. Similarly, MoEFCC has taken various steps to protect endangered species of animals in the country.

(a) Pro-animal movement across country

The Bengaluru Chapter of India Unites for Animals (IUFA), a nationwide movement against animal abuse, was launched on 16 October, 2016. Activists are asking for better enforcement of animal rights laws and tougher punishment to abusers; greater accountability for lawmakers, according of tribunal status to the Animal Welfare Board of India and an end to interference in its functioning. Thousands of citizens and animal lovers across 80 cities simultaneously held demonstrations and rallies on 18 September, 2016 to press for stronger animal protection laws. The multiple venues event was done under the common banner, India Unites for Animals. Humane Society International/India, in support of #IUFA, has lobbied the Indian government to replace the weak existing Prevention of Cruelty to Animals Act, 1960 with the much-delayed new animal welfare bill. The key demands of the movement from the politicians are to pass the Animal Welfare Bill in the Parliament, include animal welfare policies in party manifestos and every contestant to declare their stand on animals. Herds of PETA US “bulls” also gathered outside Indian embassies in the US and Canada, urged officials to keep bulls protected on 17 September, 2016.

Cutting across party lines, Members of Parliament (Dr. Satyapal Singh (BJP), Shri Baijayant ‘Jay’ Panda (BJD) and Dr Shashi Tharoor (INC)) have written to the Ministry of Environment, Forests

and Climate Change (MoEFCC) to increase the penalties for animal cruelty by amending the Prevention of Cruelty to Animals Act, 1960 in April, 2016.

(b) Protected Areas and Species in India

In the light of deteriorating number of animals, from time to time, efforts have been made to protect them. One such effort is declaring them national animals and birds. Indian Peafowl, commonly known as the peacock, was selected as the national bird in 1963. It was chosen from among other contenders including the Great Indian Bustard, the Sarus crane, the mythical Garuda, and the swan because of its distribution throughout India, for being easily recognizable, and its association with Indian myths and legends. The title of national animal was conferred on the majestic creature - Royal Bengal Tiger in 1972. River Dolphin has been declared as National Aquatic Animal in 2009. The Ganges Dolphin is among the four “obligate” freshwater dolphins found in the world. The Government of India declared the elephant as India’s national heritage animal in October 2010. The National Bureau of Animal Genetic Resources (NBAGR) in July 2016 accorded genetic recognition of ‘rare and singular species to the breed of sheep, locally called ‘kuji mendha’. It is found only in coastal Jagatsinghpur and Kendrapara districts of Odisha.

There are 909 entries of taxa (including species, genus, families, orders and classes) of animals, birds and plants in the various Schedules of the Wild Life Protection Act, 1972. Towards the protection of those species, the Government has established a country-wide network - Protected Areas, National Parks, Wildlife Sanctuaries, Community Reserves, and Conservation Reserves

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69 Saraswati and Kartikeya, the warlord of the Devas, son of Shiva is associated with the peacock. The peacock represents arrogance and pride over its beauty, and by having a peacock as her mount, the Goddess teaches Hindus not to be concerned with external appearance and to be wise regarding the eternal truth. The Kanda Puranam, the Tamil version of rides a peacock the Sanskrit Skanda Purana, retells the story of Shiva’s son, Murugan, (known as Kartikeya, in North India) riding a peacock.

70 Tigers are the largest species of cat and one of the most iconic animals on the planet. The Bengal tiger is found primarily in India with smaller populations in Bangladesh, Nepal, Bhutan, China and Myanmar. It is the most numerous of all tiger subspecies with more than 2,500 left in the wild. Before 1972, Lion was the National Animal.

71 5th October 2009, at the first meeting of the National Ganga River Basin Authority (NGRBA), http://pib.nic.in/newsite/AdvSearch.aspx. It is ‘highly endangered’ in Schedule I of the Wildlife Protection Act 1972 with an estimated total population of around 2,000. They primarily occur in the Ganges-Brahmaputra river systems of India and Bangladesh.

72 The other three are the ‘baiji’ found in the Yangtze River (China), the ‘Bhutan’ of the Indus (Pakistan) and the ‘boto’ of the Amazon River (Latin America).

73 The list of animals and birds is specified under Schedule I, Schedule II, Schedule, IV and Schedule V. The list of plants is specified in Schedule III.
in different bio-geographic regions under the provisions of the Wild Life (Protection) Act, 1972 to conserve wild animals and their habitats of threatened flora and fauna.\(^7\)

**Table 1: Protected Areas of India (as on 14 June, 2016)**

<table>
<thead>
<tr>
<th>No.</th>
<th>Area (km(^2))</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Parks (NPs)</td>
<td>103               40500.13</td>
</tr>
<tr>
<td>Wildlife Sanctuaries (WLSs)</td>
<td>536                118005.33</td>
</tr>
<tr>
<td>Conservation Reserves (CRs)</td>
<td>67                2349.38</td>
</tr>
<tr>
<td>Community Reserves</td>
<td>26               46.93</td>
</tr>
<tr>
<td>Protected Areas (PAs)</td>
<td>732 (Total)         160901.77</td>
</tr>
</tbody>
</table>

(Source - National Wildlife Database Cell, Wildlife Institute of India, available at [http://www.wiienvis.nic.in/Database/Protected_Area_854.aspx](http://www.wiienvis.nic.in/Database/Protected_Area_854.aspx))

Table 1 shows the number, area occupied and % of geographical area in India of various protected areas in India namely- National Parks, Sanctuaries, Conservation Areas, and Community areas.

**Table 2 : Protected Areas of India from 2000 to 2016 (as on 14 June, 2016)**

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of National Parks</th>
<th>No. of Wildlife Sanctuaries</th>
<th>No. of Community Reserves</th>
<th>No. of Conservation Reserves</th>
<th>No. of Protected Areas</th>
<th>Total Area under Protected Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>89</td>
<td>489</td>
<td>-</td>
<td>-</td>
<td>578</td>
<td>155475.63</td>
</tr>
<tr>
<td>2006</td>
<td>96</td>
<td>506</td>
<td>-</td>
<td>4</td>
<td>606</td>
<td>158470.27</td>
</tr>
<tr>
<td>2007</td>
<td>98</td>
<td>510</td>
<td>4</td>
<td>7</td>
<td>619</td>
<td>158879.19</td>
</tr>
<tr>
<td>2008</td>
<td>99</td>
<td>513</td>
<td>4</td>
<td>45</td>
<td>661</td>
<td>162651.45</td>
</tr>
<tr>
<td>2009</td>
<td>99</td>
<td>513</td>
<td>4</td>
<td>45</td>
<td>661</td>
<td>162651.45</td>
</tr>
</tbody>
</table>

Table 2 shows various Protected Areas in India from 2000-2016.

(c) Ban on Capture of Dolphins

In May 2013, India’s Ministry of Environment, Forests and Climate Change (MoEFCC) took a strong step by forbidding the capture and use of dolphins for entertainment across the country. The Ministry issued a policy statement instructing all state governments to deny giving permissions for setting up a dolphinarium “by any person / persons, organizations, government agencies, private or public enterprises that involves import, capture of cetacean species to establish for commercial entertainment, private or public exhibition and interaction purposes whatsoever.” With this step, India became the fourth country to prohibit captive dolphin shows, along with Costa Rica, Hungary and Chile.

(d) Separate Cow Department in Rajasthan

A separate “Directorate of Gauseva” has been opened in Rajasthan to conserve biodiversity in aspect of extinction of indigenous cow breeds, breed improvement, conservation of indigenous cow breeds etc. It came into functioning on 22 July, 2013. Separate Gopalan Department has

76 Ibid.
77 “Rajasthan government to set up a separate department for protection of cows”, The Economic Times, 11 February 2014.
been created on 13 March, 2016. The name of the “Gauseva Directorate, Rajasthan” has been changed to “Directorate Gopalan Rajasthan” from dated 19th December 2014.

(e) City Animal of Guwahati

Guwahati became the first city in the country to have its own city animal after Kamrup metropolitan district administration declared Gangetic River dolphin as its official mascot. Gangetic River Dolphin locally in Guwahati is known as ‘Sihu’ and it is on the verge of extinction.

(f) Animal Adoption in Haryana

Any person from the State can adopt any bird or animal kept in zoos or deer parks by giving certain amount for a fixed period of time. The name of adopter of bird or animal is displayed on the board outside the related zoo or deer park and the adopter and his family are allowed free entry in any zoo or deer park in the state for 12 times in a year.

(g) Caging of Birds banned vide Circular in Dadra and Nagar Haveli

Dadra and Nagar Haveli urging it to ban the caging of birds, local authorities recently issued a circular to ensure that “birds are set free whenever they are found in captivity in inhumane conditions”

(h) Introduction of New Courses in the country

The Jawaharlal Nehru University (JNU), a Central University and a premier institution of teaching and research on June 29, 2016, signed the memorandum of agreement with National Institute of Animal Welfare (NIAW). It launched six certificate level courses (duration 4 weeks each) and one diploma level course (duration 5 months) on various aspects of animal welfare.

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78 “Guwahati becomes first city to have City Animal”, *The Times of India*, June 6, 2016.
(i) Veterinary Council of India Minimum Standards of Veterinary Education (Bachelor of Veterinary Science and Animal Husbandry degree course) Regulations, 2016

The Veterinary Council of India Minimum Standards of Veterinary Education (Bachelor of Veterinary Science and Animal Husbandry-Degree Course) Regulations, 2016 were notified on 8th July, 2016. The new Regulations phase out calf killing, introduce computer simulation, require an ethically sourced body-donation program to be set up, and call for other humane teaching methods to be used. Other key reforms include extending the five-year course duration to five and half years, increasing the internship programme from six months to one year so that students have more time for practical and hands-on training, and allowing students to intern at animal-welfare organisations.

(j) Animals’ Rescue and Rehabilitation part of National Disaster Plan, 2016

The care and protection of animals has found space in the latest National Disaster Management Plan (NDMP), 2016. Evacuation of People and Animals; search and Rescue of People and Animals; and rehabilitation and Ensuring Safety of Livestock and other Animals, Veterinary Care are some of the responsibilities of the agencies from the Central and State Government. 81

(k) Proposed Legislations for Animal Welfare

Various simultaneous efforts are being made by Animal Welfare Board of India, and Parliament to introduce new provisions for a strict animal friendly legislative framework in the country.

➢ Various Draft Rules made by Animal Welfare Board of India

The AWBI had drafted three sets of rules regarding pet shops (Pet Shop Rules, 2010), dog breeding (Dog Breeding, Marketing and Sale Rules, 2010), and aquarium fish breeding (Aquarium Fish Breeding and Marketing Rules), and sent it onward to the Animal Welfare Division of the Ministry of Environment, Forests and Climate Change for scrutiny. But the Animal Welfare Division indicated that it was not empowered to notify such rules under the Prevention of Cruelty to Animals Act, 1960.

81 National Disaster Management Plan (NDMP); May, 2016, 4.8.
Pets mean animals which are reared under human care and those that cannot survive without minimal care, support and love from human masters.\textsuperscript{82} Rule 9 provides for minimum standards to be ensured for animals in Pet Shops.\textsuperscript{83} The person buying the pet, breeder and supplier of animals must obtain a pet license from the local municipal authorities within 15 days from the date of purchase of animals.\textsuperscript{84}

➢ Proposed Animal Welfare Act, 2011

It would repeal The Prevention of Cruelty to Animals Act, 1960. The proposed Animal Welfare Act, 2011 imposes the duty upon every person having the care or charge of any animal, whether as owner or otherwise, to ensure the welfare and well-being of such animal and to prevent the infliction of trauma, pain or suffering upon such animals.\textsuperscript{85} It also provides for establishment of Animal Welfare Board of India and State Animal Welfare Boards.\textsuperscript{86} It also introduces new offences such as practicing phooka or doom dev\textsuperscript{87} etc. In case of conviction under any provision of this Act, of the owner or any person in the possession of an animal is convicted, the animal against which the offence was committed shall be confiscated and transferred to the custody of an Animal Welfare Organization or Society for Prevention of Cruelty to Animals as may be ordered by the Court.\textsuperscript{88} It provides for compounding of the offences.\textsuperscript{89} The State Government, shall by general or special order appoint infirmaries, SPCAs, Gaushalas, Animal Welfare Organizations, pinjarapoles, etc., for the treatment and care of animals in respect of which offences against this Act have been committed, and shall authorize the detention therein of any animal pending its production before a magistrate.\textsuperscript{90}

\begin{itemize}
\item \textsuperscript{82} Draft Pet Shop Rules, 2010, Rule 2(1).
\item \textsuperscript{83} A pet shop shall be established in a sound and safe building or structure away from sound, dust or air pollution. Ventilation, light and water shall be adequate to the need of the species being lodged and sold therein. The shop shall possess enough space and proper infrastructure for comfortably accommodating the pet or any other animals being retained in the shop for the time being.
\item \textsuperscript{84} Draft Pet Shop Rules, 2010; Rule 18.
\item \textsuperscript{85} Proposed Animal Welfare Act, 2011; Section 3.
\item \textsuperscript{86} \textit{Id}, Sections 4 -12 deal with Animal Welfare Board of India. Sections 13-16 deal with State Animal Welfare Boards.
\item \textsuperscript{87} \textit{Id}, Section 18
\item \textsuperscript{88} \textit{Id}, Section 35.
\item \textsuperscript{89} \textit{Id}, Section 40.
\item \textsuperscript{90} \textit{Id}, Section 46.
\end{itemize}
Private Member Bill for increase in punishment under Prevention of Cruelty Act, 1960

In a move for stronger animal laws in India, a private member Bill\(^{91}\) was moved in the Parliament session in August 2016 by Member of Parliament of BJP, Smt. Poonam Mahajan. It seeks an increase in the penalties for animal cruelty through an amendment of the PCA Act. Amendments suggested include increasing the fine for experimentation on animals from Rs 200 to Rs 10,000 and for illegally making animals perform to Rs 20,000.

CONCLUSION AND SUGGESTIONS

Animals have always formed and will always form a central feature of the human world. Animals are not resources or pieces of property to be used, tortured, and worn on human backs. Respect for the dignity of all animals lives needs to underlie consideration of how human beings interact with other animals. Internationally, five freedoms of animals are being recognized and conferred to them by way of legislations. The Constitutions around the world also have provisions to ensure protection of nature or rights of animals. Various legislative provisions in India deal with appropriate framework for protecting the rights of animals. India is one of the first countries to have modern animal welfare legislation since 1960.

The trend that is clear from the study is that in last few years, animal activism has gained momentum in India due to the efforts of animal activists and the judiciary. Pro-animal Bills are under consideration to raise the penal provisions in cases of animal abuses. Nationwide campaigns are being held to augment awareness on the rights of animals. As a result, the Courts have been reiterating the rights of animals and birds. The key affirmative advances in this regard in the country are boost in the number of Protected Areas under the Wildlife Protection Act, 1972; ban on capture of dolphins; establishment of Cow Department in Rajasthan; declaration of River Dolphin as City Animal of Guwahati; scheme for animal adoption in Haryana; new course on Animal Welfare in Jawahar Lal Nehru University; prohibition & regulation of use of animals during Veterinary Education etc. The Animal Welfare Board of India, Parliament and the Law

\(^{91}\) Any MP who is not a minister is a private member and he or she can submit a legislative proposal for enacting it as law. So far 14 private members’ bills have been enacted since the commencement of Parliament in 1952, eg. - Hindu Marriage (Amendment) Bill, 1956; the Indian Marine Insurance Bill, 1959 etc.
Commission of India are also engaged to revise and update the existing legislative framework on animals by formulating new Rules and Amendment Acts.

Unfortunately, the law of 1960 on preventing cruelty against animals has not been amended even once in last around fifty years. The presence of numerous weak and ineffective legislative provisions in favour animals is continuously leading to violation of their rights in various forms. It is interesting to note that the ways in which the lives of animals are compromised can be often seen, much abuse goes unnoticed. The negative trends can be observed as addition of Endangered Species in IUCN Red List; two anti-animal notifications issued by MoEFCC in 2015-16; deaths of companion animals; liberal attitude of judiciary etc. There certainly exists gap between legislative policies and the practical situation as far as rights of animals are concerned. Furthermore, it becomes clear that general acceptance of rights of animals is still not prevalent in India.

A paradigm shift in human consciousness is needed to instill an appreciation for other beings with which human beings share this earth and an understanding that every animal is a being with a life and interest independent of human beings. The most compelling ideas about evolving relationship with animals need the realization that each living being feels pain and suffering. It is time to realize that the interaction of human beings and animals are as much a part of evolution and as worthy of study as the extinction of the dinosaurs or the behavior of chimpanzee. The legislations should aim at prevention of animal cruelty and abuse as well as establishing responsibility and the principle of care towards the animal. Though the law has an important role to play in protecting animals from exploitation and cruelty, but people cannot be made by law more humanitarian. In the light of above discussions and conclusions drawn, following suggestions are being made to address deteriorating state of animal rights in India-

- Future studies should investigate the factors responsible for encroachment by men over the nature.
- The recent debatable decision of permitting culling of animals in few States must be reconsidered. There exist better solutions to it - for tackling the monkey menace, neutering/sterilization of should be spread out. There is need for better-trained culling officers. Culling should be done in humane manner.
- A comprehensive law should come into force. The legal regime to protect them needs to be more proactive. It would be an achievement for the animal rights activists and organizations if both of Animal Welfare Bills get clearance by the Parliament. The Bill in Parliament for increasing penalties for violation of animal abuses must be passed as soon as possible. Regarding abandonment of pet animals, stricter legal penalties must exist. The scheme of marking the animals so as trace the owner as introduced for various animals must be effectively extended to all. The recommendations of the Law Commission of India vide its Report No. 261 submitted in August 2015 also deserve immediate attention by the Parliament.

- Against the rising incidents of animal abuse, comprehensive study should be made of the contemporary state of tendencies of development of the natural environment and its individual components (plants, animals and human beings). The government must initiate debates and discussions on the subject and come up with concrete plans to stop animal abuse.

- The enforcement mechanism must be made stronger in India. The enactment of the law to prevent cruelty to the animals is not an end in itself. What is more important is the implementation of various animal protection statutes and to see to it that the activities which are prohibited under them do not take place in the State & in case of infringement of the provisions of, to take strict action against the offenders.

Animals are not objects or things. This underlines the necessity to acknowledge each individual animal’s intrinsic value, and the fact that every single animal is worthy of respect and care, deserves to live a life that is meaningful without unnecessary human exploitation or interference. The point is to spread awareness that animal rights is an issue, a serious issue worthy of public discourse. It is hoped that soon the rights of innocent animals would gain larger acceptance in the society. The complementary existence of strong legal provisions and sensitive approach towards all living beings is envisaged to emerge among the future Indian generations.