

***LIFE OF ANIMALS IN INDIA AND THE PREVENTION OF  
CRUELTY TO ANIMALS ACT, 1960***

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**INTRODUCTION**

In India stray animals such as Indian street dogs, pedigreed abandoned dogs suffer a lot on the street without having basic water bowls available on the street, not having food after days if the feeders in that street are not available in such a case, people throws water even sometimes hot boiling water, acid, been hit by the sticks, accidents caused due to the rash driving by humans. For the animal cruelty in India the fine is still only RS 50! Now-a-days even the female dogs are not even safe on the street. Even they are being raped by the drunkards and the psychopathic people -They are not humans but they are pure devils. such psychopaths should be put behind the bars. People in India are unaware about the ABC rules that is Animal Birth Control rules,2001 still it has not been yet implemented successfully. The corruption is the real enemy in India the corrupted leaders the corrupted municipal corporation just keep their sterilization and dog's vaccination amount into their pockets without carrying out any anti rabies vaccination and sterilization programs in their locality and them by the stray population shoots on a high rate. There by increasing the rabies cases and overpopulation of stray animals as a result they do not even a get a fixed one-time meal in a day and many of the stray dogs are facing the issues of malnutrition, tick fever, etc. Even in India feeders are been harassed on a daily basis for providing them with food and water. Feeders are the one who contributes towards the sterilization and vaccination of stray animals in their locality which indeed has to be done by the local municipal bodies. The stray animals suffer a lot during the times of monsoon and winter season because during these seasons the strays tries to take shelter in the buildings and apartments but the people try to hit or shoo them away. That too just because they might pee or poop once in their building premises. In such a case strict actions must be taken towards such people. The animal protection act should be strict enough so that people don't try to harass them they should have fear in their minds before doing such cruelty towards stray animals. Cruelty towards animals is not just limits to stray animals but it also includes

slaughtering of animals and birds as a livestock, Hunting, Horse riding, cattle Farming-Cows, buffalos, goats etc. The cattle farming and the milk industry just promote the milk but they are the ones who causes next level of cruelty towards the cos and their calf just for the milk the male calves are been killed and their dummy faces are being kept near the cows for producing the milk. The moment The strict when the calf is being born the farmers separate the calf from its mother so that the cow will produce more milk and it can be sold out in the market. HUMANS ARE THE SELFISH CREATURE IN THE WHOLE WORLD & ECOSYSYTEM!

## **MAIN ISSUES**

The Bharatiya Nyaya Sanhita (BNS),2023 does not have any provision of rape of stray animals. This Bharatiya Nyaya Sanhita 2023 has been placed by the IPC,1860 (Indian Penal Code). The ABC rules and guidelines must be changed or updated from time to time. So, the correct punishments can be given to the criminals and thereby reduce the crime rates towards animal in India. Strict or stringent punishment should be imposed to the people who abandon their pets. Pets are not toys they are 15 years of commitment living being.

## **ABC RULES-(ANIMAL BIRTH CONTROL RULES) 2023**

Animal Birth Control Program means Birth control program carried out for animal under these rules by a local authority or an animal welfare organization.

**Classification of Animals: - Pet animals and stray animals which includes homeless cat and dogs as well as the abandoned pedigree dogs.**

The local government bodies should catch the stray animals which are healthy in nature and get their blood levels checked and the sterilization of the dog to be performed by a registered veterinary doctor and then the antibiotics and post sterilization care must be taken until the dog is healed or for 14days and the cage should be kept properly and it should be maintained proper hygiene with regular food and water the stitches area must cleaned and proper medical care to be taken and then the dog should be vaccinated with anti-rabies vaccination and then after the 14thday the dog should be released back to its same locality and they should not be relocated. killing of animals is a criminal offence. Annually vaccination drive must be carried out by the local municipal corporations and the dog must be vaccinated with anti-rabies vaccination by a veterinary surgeon. It is the responsibility of local municipal authority to vaccinate the strays,

sterilize the strays and to deworm the strays by using the deworming Tablets such as Eazypet, kiwof dogs or cats, kiwof cat, etc. under the supervision of a registered veterinary surgeon. Sufficient number of kennels and veterinary hospital facilities must be arranged or managed by the local government bodies.

Incinerators to be installed by the local authority for disposal of organs and carcasses and where incinerator is not feasible, deep burial method maybe adopted. In shelter homes the rescued puppies or kittens should be put up for an adoption. So that these animals will get a loving and caring home and family. The kittens or puppies must be put up for the adoption only after they attain the age of 2 months minimum. After the delivery of the kittens or dogs the mother dog must be sterilized only after the 4th month of its deliver and the lactating mother should not be sent for the sterilization. Even the pregnant dog or cats should not be sent for the sterilization and ant rabies vaccination should not be administered to the pregnant dogs or cats.

Periodic repair and maintenance must be administered of Animal Birth control centre. Close circuits Television to be installed in the entire premises specifically in the operation theatre and where the animals are housed at Animal Birth control centre, shall maintain the record of the video and surveillance for a minimum of one months or as specified from time to time by the Board or State Board and the video recordings may be made available for the inspecting authority, monitoring committee or the Board upon enquiry or request.

Records of the strays catching, release, medicine, surgery, feeding, vaccinations of all animals brought to the Animal Birth Control Centre to be maintained.

The special purpose Vehicle shall hire contractual or full time veterinarians, handlers, drivers and Para veterinarians who shall implement the program and such shall not sublet any part of the Animal Birth Control Project to any other agency.

## **RESOLUTION OF COMPLAINTS REGARDING THE RABID DOG OR DOG BITES.**

The local authority may establish an Animal Helpline. Either the project In- Local authority may establish an Animal Welfare Organization shall be responsible for the recording and resolving the conflict cases that may be reported.

- 1) On Receipt of such a complaint, the details such as name of the complainant, nature of complainant shall be recorded in a register to be maintained for permanent record.

- 2) The information of any dog bite shall be promptly be shared with the Government Medical Hospital to recommend the Post bite treatment to the dog bite victims.
- 3) Such animals shall be humanely captured and kept for observation at the Animal Birth Control Centre and upon the advice of the Veterinary Practitioner a dog symptom of any communicable disease should be kept in an isolation kennel where the food and water must be provided twice in a day.
- 4) Any suspected rabid dog would then be subjected to inspection by a panel of two persons and like a veterinary surgeon appointed by the local authority and a representative from an Animal Welfare Organization.
- 5) If the dog is found to have a high probability of having rabies, it shall be isolated till it dies by natural death. Death normally occurs in a rabid dog by 5-10 days once when it starts showing symptoms and this same applies to the cat as well.
- 6) If the dog is found not to have any rabies symptoms but some other disease or being furious in nature, then it would be handed over to the Animal Welfare Board and they try to improve and make the dog friendly behaviour with the help of any dog therapist or dog trainer and once the necessary actions had been taken then that dog will be sent back to its locality.
- 7) The Carcasses of dogs that are suspected to have died of rabies shall be disposed of in an incinerator or adopting any other method as provided by the Chief Veterinary Officer of the District.
- 8) If the Animal Birth Control Program is being run by an animal welfare organization, it shall be reimbursed by the local authority for keeping and treating such dogs under observation at a rate determined by the Local Animal Birth Control Monitoring Committee.
- 9) The Local Authority shall display outreach material provided by the Board on prominent sites in the city, to sensitize people about street dogs.

## **Effect of Non- compliance**

After considering the report referred to in rule 14 if the Board is of the opinion that any provisions under these rules are contravened or any violation of provisions of prevention of Cruelty to Animal Act,1960 (59 of 1960) or rules framed thereunder has occurred, or in the

event of cruelty, the Board shall issue show cause notice to the Animal Welfare Organization or local authority running the Animal Birth Control Centre for reply within fifteen days.

The Pending reply from the Animal Welfare Organization or local authority, the Board may suspend its recognition by communicating reason in writing.

The Board, based on the inspection report and the reply to the show cause Notice, may take action in accordance with this Act or direct the District Magistrate or District Society for prevention of Cruelty towards animals to take appropriate actions against the violations of the law being in force.

The Board shall also have the power to Cancel the registration of any Animal Welfare Organization to prevent such organization from conducting animal birth control programs for any animals, if there is a reason to believe that violation of these rules been taking place.

## **FEEDING OF COMMUNITY ANIMALS**

It shall be the responsibility of the Resident Welfare Organization or Apartment owner Association or Local Body's Representatives of that area to make necessary arrangement for feeding of community animals residing in the premises or that area involving the person residing in that area involving the person residing in the premises or that area involving the person residing in that area or premises as the cases maybe who feeds those animals or intends to feed those animals and provides care to street animals as a compassionate gesture. The Resident Welfare Association or Apartment Owner Association or the Local Body's representative shall ensure: -

- 1) To designate feed spots which are mutually agreed upon, keeping in mind the number of dog population and their respective territories and the feeding spots shall be far from children play areas, entry and exit points, staircase or in an area which is likely to be least frequented or isolated place by children and senior citizens.
- 2) To designate feeder shall ensure that there is no littering at the feeding location or violation of guidelines framed by the resident welfare Association or Apartment Owner Association or that areas.
- 3) The designated feeders are allowed to volunteer for the vaccinations, catching and release of the dogs to assist with the Animal Birth Control Program.

- 4) Where there is any conflict between the Resident Welfare Association or Apartment Owner Association and the animal caregivers or other residents, an Animal Welfare Committee comprising of the following members shall be formed: -
- Chief veterinary Officer or his representatives
  - Representative of the Jurisdictional Police
  - Representative of the District Society for prevention of Cruelty to Animal or State Board.
  - Representative of any recognized Animal Welfare Organization conducting Animal Birth Control.
  - Veterinary Officer Deputed by the local authority.
  - Complainant
  - Representative of the Resident Welfare Association or Apartment Owner Association or Local Body of that area.

The decision of the Committee constituted under sub rule-(2) of Rule 20 shall be the final decision with regard to the fixing of the feeding point and the committee may also nominate person from amongst the designated Colony Care Taker by the Board to feed those animals in that area. Any local authority or animal welfare organization or any feeder Resident Welfare Association or Apartment Owner Association or local Body aggrieved by the decision of the Committee framed under sub rule – (2) of rule 20, the appeal shall be filed to the state Board and the decision of state board shall be the final decision for feeding of the animals in that area.

Issues faced by feeders are the feeders are usually being harassed by the local people in India. The people are so cruel now a day that they have issues when the feeders feeds the strays with chicken or roti chapatis but they don't bother if any people throws waste and litters near their locality at that time they least bothered about it but for them the main issues is feeding the animals who cannot take a stand for themselves. Local people lacks Empathy and humanity and this AWB helps the feeders to protect the animals and feeder's rights while feeding the animals. More awareness should be bought up by the local municipal government by implementing vaccination drives and public awareness schemes. Appeals the animal welfare organization or any

person aggrieved by the decision of the project Recognition Committee may appeal to the Board, within the thirty days of receipt of the decision.

The chairman of the board on the receipt of the grievances shall constitute a committee where the members from the Board and the relevant officials shall examine the grievances and the committee shall after giving notice and giving an opportunity of hearing to the parties, either may reject or allow the appeal, for the reasons to be recorded in writing.

Any local authority or animal welfare organization or individual aggrieved by the decision of the Board. They shall file second appeal to the secretary department of Animal Husbandry within thirty days of receiving communication from the Board

The decision of the secretary department of Animal Husbandry treated as final decision with the regard to the grievance.

**THE PREVENTION OF CRUELTY TO ANIMALS –(TRANSPORT ON ANIMALS ON FOOT RULES,2001)**

These rules shall apply to transport of animals on foot when the distance from the boundary of village or town or city of the origin of such transport to the last destination is 5km or more than 5kms.

**Conditions of animal's health which is been transported on foot**

Every animal to be transported on foot shall be healthy and in good condition for such transport. A certificate of a veterinary doctor in respect of each animal to be transported to the effect that such animal is in a fit condition for such transportation and is not suffering from any kind of diseases and it has been vaccinated from all kind of contagious and infectious or parasitic diseases.

Certain animals not to be transported by foot- New born animals of which the navel has not been completely healed, diseased, blind, emaciated, lame, fatigued, or having given birth during the preceding seventy-two hours or likely to give birth during transported shall not be transported on foot.

Feed and Fodder arrangement of animals during its transportation: -

Sufficient feed and fodder with adequate reserve of such feed and fodder for the animals shall be made available by their owner during their transport. In case the person transporting the animals on foot is not the owner of the animals then such persons shall carry a certificate as specified in the second schedule during such transportation.

Main issue-during transportation animals usually suffers a lot they are been used for transportation during the scorching heat and if they are being injured during the transportation the caretakers doesn't provide adequate medical care animals such as horse, buffaloes, ox, etc. are been exploited during transportation for the personal gains by their owner.

Power of police is to acquire the owner to take animal to nearest magistrate – If any police officer above the rank of constable or any other person authorized in this behalf by the central or state government or by the Animal Welfare Board of India by the general or special order, has reason to believe that an offence has been or is being committed in respect of an animal in contravention of these rules, he may require the owner or other person in charges of such animal to take the animal to the nearest magistrate

If the owner or the person in charge of the animals referred to in sub rule (1) refuses to comply with the demands of the police officer under that sub rule, it shall be lawful for such police office officer or such other persons to take the animal to the nearest magistrate.

## **CONCLUSION**

There are many more kind of animal cruelty which is existing in today's world such as keeping of fish in small aquarium for days or months in an aquarium shop, exploitation of male chick in poultry industry, exploitation of female hen for making them lay more eggs and thereby causing death .But in my this article I had emphasized more about the cruelty towards stray animals -such as stray dogs and cats as well as in the transportation of animals and also emphasized on the rules and regulation enacted of- PREVENTION OF CRUELTY TOWARDS ANIMALS ACT ,1960- (59 of 1960).