

Blue Cross of Hyderabad

Animal Laws and Prevention of Cruelty to Animals

Report Animal Cruelty

The main law protecting animals is the Prevention of Cruelty to Animals Act, 1960. However few people are aware of this law and in the wake of human ignorance of the law, animals are helpless victims.

The whipping and beating of working animals like the horse and the bullock, the gross cruelty shown to temple elephants in the name of religion, to camels with over riding at a mela or at tourist spot, over crowding of chickens in your local market, cruel transportation of animals like cattle and livestock in trucks while being taken to slaughterhouses or even treating pets with gross neglect- not providing food or water or keeping them chained in the sun; killing, maiming beating an animal...each of these acts is an act of animal cruelty under either Section 11 or Section 12 of the Prevention of Cruelty to Animals Act 1960 (PCA Act 1960).

PCA Act is a Central Act and is in force throughout the country/Indian territory. There are many rules drafted within this act that look into usage of animals in films i.e performing animal rules, transport of animals rules, rules for prevention of cruelty to draught and farm animals and many more.

Below is a List of What Every Citizen Should Do When They See Someone Inflicting Cruelty Upon Animals:

1. **Complain to the Local State SPCA (Society for Prevention of Cruelty to Animals)/Animal Welfare Organisation (Blue Cross or People for Animals)** working in your area, though as an entity an NGO can't enforce the law, but they can put you in touch with an animal activist who deals in filing complaints and bringing attention to such matters with legal or media-based intervention. Importantly, Animal welfare Organisations and Animal hospitals can be contacted to provide relief to the suffering animal.

2. Contact the Police: On a national level, Police are the major enforcement body for the PCA Act 1960. They are obliged to take action against the offender and render help to the suffering animals as per the procedure outlined in the PCA Act when the offence against the animal is amongst those listed in Section 11 or 12 of the PCA Act. Police are even obliged to extend help to the enforcement staff of SPCA as well as ordinary citizens to lodge a complaint/FIR against an incident of animal cruelty. If the Police doesn't adhere to your complaint, you can also contact the magistrate directly with a written complaint.

One can also lodge a complaint under Section 428 and 429 of the Indian Penal Code of 1860 under which, 'mischief of killing or maiming an animal amounts to an offence' and the offender can be imprisoned for upto five years or a fine or both.

3. Know the Law: for example a donkey should be loaded with only 35 kgs of weight at one time; the permissible loading capacity of a truck is 6 buffaloes or 40 sheep/goats. Anything over and above it is technically illegal under the law. The vehicle must be adequately padded on all sides to avoid injury to animals and should have a sign clearly displayed that it is an animal transportation vehicle.

Learn to make a distinction of cognizable and non-cognizable offences outlined in the PCA act 1960. Section 43 of Criminal Procedure Code empowers every citizen the right to perform a 'citizen's arrest' i.e the right to arrest a person who has committed in their presence a 'cognizable' offence, an offence for which the offender can be arrested without a warrant.

Cognizable Offences Under PCA Act 1962 Include the following:

a) Under Section 12 of the PCA Act, 1962, injecting oxytocin injections to cows/milch animals, to improve lactation/milk-giving capacity - which is injurious to health of the animal or permitting such operation to be performed by any other person on the animal he/she 'owns' is a cognizable offence. However, this may be one of the most common things that you see used by local legal/illegal dairy owners throughout the country.

b) Under Section 11(1)(l), mutilating or killing any animal, including stray dogs by using poisoning methods or any other unnecessarily cruel means

c) Under Section 11(1)(n) organizing/keeping/using any place for animal fighting/baiting and receiving money on the same.

d) Under Section 11(1)(o), promoting or taking part in any shooting match or competition wherein animals are released from captivity for the purpose of shooting/killing.

4. Documentation is the 'Key': In your complaint, be as factual and precise of your observation of the animal crime. Give precise dates, times, locations and photographic evidence if any (while remembering to keep a photocopy with yourself). You are also advised to keep a record of all the officers you are interacting with so that if they don't listen you can proceed to the next level in the hierarchy to demand justice for the animal/s you are fighting for. Getting a vet's certificate for the animal in consideration would also prove to be good documentary and supporting evidence.

When reporting animal cruelty, we should look out for the following: Physical condition of the animal, telltale signs of animal cruelty, cruelty during their training and practice, housing (size of cages), overcrowding, mode of transportation, sanitation and hygiene.

5. Stand up, speak up against injustice. Never give up, keep up the effort! The Indian Constitution, also, under Article 51 A (g) imposes upon every Indian Citizen a fundamental duty to have compassion for all living creatures.

Call Blue Cross or People For Animals (PFA) Ph no: 2753 7542/1/0