

A BRIEF GLIMPSE OF ANIMAL PROTECTION LAWS IN INDIA

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Abstract

Modern man has drifted away from the principle of harmonious ecological co-existence into subjugation of fellow species for increased profitability. Incessant acts of cruelty, merciless slaughter, inhumane conditions to which animals are subjected have not moved even the gentlest human heart. The recent incidents of animal cruelty that wreaked havoc on multimedia merely bear a mute testimony of human indifference to the misery of animals. Consequently, transformation in perspectives as well as legal framework has become inevitable. In this pursuit, the paper seeks to accomplish manifold objectives: Firstly, comprehension of need for pivotal reform in the realm of animal protection and welfare. Secondly, unearthing the anthropological ties with animals and their significance. Thirdly, chronological dissection of animal protection in India. Fourthly, bird's eye view of the domestic legal regime as well as the international perspective in case of animal protection. Finally, profuse statement of the possible panacea to the animal protection conundrum in India. The author has based the paper on the perusal and analysis of credible secondary data.

Keywords

Animal Protection, Animal Rights, Animal Protection Laws, Animal Welfare

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“We can judge the heart of a man by his treatment of animals.”

-Immanuel Kant

I. INTRODUCTION

With the evolution of man from a cave dweller to the inhabitant of a concrete jungle, the essence of co-existence and environmental protection has been thrust into the shadows. Consequently, the eco- system was subdued to facilitate the extravagant lifestyle of an impertinent and insular species. The muffled debates about climate change and cruelty towards animals have only found place in infrequent indifferent social media posts and exaggerated news stories. Honest and dedicated efforts that contribute valuably to the welfare of the eco- system is largely non-existent, especially, in a country which is endowed with biological diversity like India. It is thus axiomatic that effective steps must be taken without any inordinate delay. In this pursuit, the present article provides a bird’s eye-view of the existing legal regime for protection of animals and analyses the existent legal vacuum and furnishes the panacea to overcome such lacunae.

The recent heart rending death of a pregnant elephant in Kerala and several subsequent instances of cruelty towards animals piqued the sympathy of the country. However, it soon gave way to undesired socio-political whataboutery¹ thwarting any hope of

¹ Smitha T K, *5 Fake News Debunked Related to Death of Kerala Pregnant Elephant*, THE QUINT, (June 6, 2020, 9:08 PM),

reformation. In the past, India has made some commendable efforts towards animal protection including ban on import of animal-tested cosmetics to prohibition on use of dolphins for entertainment.²³ It has also been recognised as the „First Cruelty Free Zone“ in the South East Asia. Further, Constitutional animal protection instantiates a widespread intuition that the State is responsible for protecting its most vulnerable constitutional subjects⁴ who cannot express their interests directly either through judicial or through democratic processes.⁵

However, the little steps taken by India in the direction of protection of animal rights have been sadly inadequate which can be firmly grasped at the very threshold of the analysis of the laws governing animal welfare in India.

<https://www.thequint.com/news/webqoof/webqoof-killing-pregnant-elephant-kerala-fake-news-maneka-malappuram-palakkad>.

² Stephen Messenger, *India bans captive dolphin shows, say dolphins should be seen as non-human persons*, TREEHUGGER (Oct.11, 2018), <https://www.treehugger.com/natural-sciences/indias-bans-exploitation-dolphins-says-they-should-be-seen-non-human-persons.html>.

³ Shreya Pareekh, *5 Laudable Initiatives By India To Stop Animal Cruelty That will make you Proud*, THE BETTER INDIA, (Nov.25, 2014), <https://www.thebetterindia.com/16188/laudable-initiatives-india-stop-animal-cruelty/>.

⁴ Ashok Kini, *Animals Have Fundamental Right to Life: Tripura HC*, LIVE LAW (Sept. 27, 2019, 11:30 PM), <https://www.livelaw.in/top-stories/tripura-hc-bans-animal-bird-sacrifice-in-temples-148529?infinite-scroll=1>.

⁵ Jessica Eisen, *Animals in Constitutional State*, 4 IJCL 15, 909, 954 (2017).

Additionally, the speedy implementation is slacking due to the conflicting ideologies of animal protection and animal welfare culminating in disarray regarding the ends that are sought to be met with the weapon of laws and public policy. Being home to people of different ideologies and mind-sets, the priority of animal protection at the cost of hurting the sentiments which the citizens hold extremely dear is still, *inter alia*, one of the major obstacles for India that averts uniformity in the Indian context in comparison to the international perspective.

II. HISTORICAL ROOTS OF ANIMALS IN HUMAN PERCEPTION

Animals have assumed a significant role throughout the evolution process of the modern man. Initially, man was an inseparable part of the animal kingdom. Accordingly, it is a most common occurrence to stumble upon appearance of animals across theological, mythological and archaic religious references. Hinduism, Buddhism, Jainism, Christianity,⁶ Islam are some among the prominent religions that include references of animals within their fables that propagate ethical values among their believers.

However, the emergence of superior faculties among humans gradually resulted in a major paradigm shift of the animals in the civilised world from that of fellow beings to raw materials and products of consumption. Agricultural inclination led to subjugation of

⁶ E. Szucs et al., *Animal Welfare in Different Human Cultures, Traditions and Religious Faiths*, 25(11) AJAS, 1499, 1499-1506 (2012).

animals for dairy and meat, in addition, to felling of trees for cultivation. Subsequently, any wild animal or vermin was killed mercilessly in the name conferring protection to the harvest. Industrial revolution firmly pounded the final nail to the coffin of ecological co-existence. It led to horrifying ramifications *inter alia* inhumane conditions of dairy industry, mass culling, chemical fertilisers, water pollution, and deliberate forest fires.⁷ Globalisation converted the world into a magnificent marketplace stacked with a cornucopia of unnecessary luxuries. With the passage of time, greed increased at an astronomical rate resulting in mass destruction. Presently, machines and artificial intelligence is believed in and the significance of nature is not mentioned except in the times of occasional natural disasters.

III. HISTORY OF ANIMAL PROTECTION IN INDIA

Especially in India, birds and animals have been an inseparable part of mythology and indigenous folklore. Domestic and wildlife animals have been worshiped by the Hindus as the divine Vedas emphasise the need to peacefully co-exist with animals and serve them.⁸ The history of animal protection movement dates back to the 3rd century when Ashoka explicitly banned the killing of any

⁷ YUVAL NOAH HARRARI, *HOMO DEUS – A BRIEF HISTORY OF TOMORROW* 76-92 (Harper Collins, 2016).

⁸ 1 SANJAY UPADHYAY et al., *FOREST LAWS AND ENVIRONMENT (HANDBOOK ON ENVIRONMENTAL LAW)*, 235 (2002).

animal in his kingdom.⁹ Similarly, According to Jainism, the divine concept of protection of life is also known as abhayadānam and is considered a matter of supreme charity. In pursuance of the principle of Ahimsa, Jains care for animals in sanctuaries so that even the sickest and most deformed creatures receive protection and care.¹⁰

With the British advent in India, the English common law reigned over the multi-religious and indigenous practices and ideologies in India. From the 1860s, the British attempted to introduce various chemical drugs in colonial India, which necessitated experiments on animals. After 1876 Act was passed in England, British medical men used animals, mostly stray dogs, for large-scale scientific experiments in India. However, a split in ideologies was observed among the British in this regard. Thus, at this juncture, British residents in India began expressing strong compassion for Indian animals.¹¹ Further, Colesworthy Grant founded the first Indian society for the Prevention of Cruelty to animals.¹² Similarly, The Cruelty to Animals

⁹ Rebecca Furtado, *Cruelty against animals in India*, IPLEADERS, (Jul 27, 2016) <https://blog.ipleaders.in/cruelty-animals-india/>.

¹⁰ Kalpesh & Nakoda Tirath, *Why Animals Matter: A religious and philosophical perspective*, THINK DIFFERENTLY ABOUT SHEEP, (2007), https://www.think-differently-about-sheep.com/Why_Animals-Rights_Matter_Jainism_Ahimsa_and_Animal_Rights.htm.

¹¹ Pratik Chakrabarti, *Beasts of Burden: Animals and Laboratory Research in Colonial India*, NCBI, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2997667/>

¹² MITTRA & PEARY CHAND, LIFE OF COLESWORTHY GRANT, FOUNDER AND LATE HONOURARY SECRETARY OF THE

Act, 1876 was opposed by both British and Indian officials act due to the increase in anti-vivisection movement which had first found roots in Britain. However, the draconian act remained in power for 110 years after which it was replaced by Animals (Scientific Procedures) Act, 1986.¹³

IV. PRESENT LEGAL FRAMEWORK

Post the independence of India from colonial rule, diverse animal protection jurisprudence emerged which combined the British Laws and ideologies of different social, economic and political factors which are *sui generis* to India owing to its extreme diversity.

A. DOMESTIC LEGAL FRAMEWORK

As a rudimentary step to progress, the existent legal regime in this regard is to be analysed to gauge the legislative vacuum and lacunae in implementation. The animal welfare laws in India are to be strengthened and given greater amount of penal powers to deter widespread crimes against animals. The domestic legal structure governing animal welfare is furnished as follows:

1) The Constitution of India

Article 48 and 48-A of the Directive Principles of State Policy provide for organisation of agriculture and animal husbandry, and that the State shall in particular endeavour to take steps

CALCUTTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, 10- 28(1881).

¹³ Wayback Machine, *The history of the NAVS*, WAYBACK MACHINE, (Jan, 2007).

for preserving and improving the breeds, and prohibiting the slaughter, of cows etc. Further, The State shall endeavour to protect and improve the environment and to safeguard the forests and the wildlife of the country. Article 51-A provides for protection and improvement of the natural environment and compassion for living creatures as the fundamental duty of every Indian citizen.

2) Section 428 & 429 of the Indian Penal Code

Sections 428 and 429 of the Indian Penal Code make it illegal to maim or cause injury to any animal with a monetary value greater than ₹ 10. Further, purposefully injuring or killing of dogs, cats, and cows on the street and throwing of acid on cows has been made illegal under the code. Offenders can be reported to the local animal protection group and police station and a case filed under the above-mentioned Sections. Punishment is a fine of ₹ 2000 and may include imprisonment extending up to five years.¹⁴

3) Prevention of cruelty to animals Act,1960

Sec 3 lays down the duties of the persons having charge of animals to take all reasonable measures to ensure the well-being of such and prevention of infliction of any unnecessary pain or suffering on such animals. Section 11 prohibits cruel treatment of animals in forms such as causing unnecessary pain, administration of injurious drug/medicine, confinement, abandonment, failure to provide food, water, and shelter, shooting an animal

etc. All violations of Section 11 are punishable with a fine of ₹ 100 and/or up to three months in jail. Section 12 prohibits injecting of any substance to improve lactation. Section 22 deals with registration and restriction on exhibition and training of animals and bans performances by animals. Under the provisions of this act, a private individual under the provisions of Section 43 of Cr.P.C. can detain or cause to detain such individual involved in any such act. It has been repealed after the Animal Welfare Act, 2011 came into force.

4) Committee for the Control and Supervision of Experiments on Animals (CPCSEA)

Animal experimentation in India is overseen by the Committee for the Control and Supervision of Experiments on Animals (CPCSEA), the committee formed for this purpose under the Prevention of Cruelty to Animals Act, 1960. It functions with the power to prevent any “unnecessary pain and suffering” during experimentation of animals. Some of its primary functions include Registration of establishments conducting animal experimentation or breeding of animals, Selection and appointment of nominees in the Institutional Animal Ethics Committees of registered establishments, approval of Animal House Facilities on the basis of reports of inspections conducted by CPCSEA, permission for conducting experiments involving use of animals, recommendation for import of animals for use in experiments, action against establishments

¹⁴ NCIB, *Animal Laws in India*, NCIB, <https://www.ncib.in/pdf/animals-law.pdf>.

in case of violation of any legal norm/stipulation.¹⁵

5) CPCSEA Guidelines for Laboratory Animal Facility

The CPCSEA brought guidelines for laboratory animal facility in 2003 with an intention of assuring quality maintenance and safety of animals used in laboratory studies while conducting bio medical and behavioural research and testing with the basic objective of providing specifications that will enhance animal well-being, quality in the pursuit of advancement of biological knowledge that is relevant to humans and animals. The effect of implementation of guidelines of the Committee for the Purpose of Control and Supervision of Experiments on the Animals (CPCSEA) on the utilization of the laboratory animals in pharmacy institution for academic purpose was analysed and the results showed that the implementation of CPCSEA guidelines in pharmacy institution decreased the number of laboratory animals utilised for academic purpose.¹⁶

6) The Breeding of and Experiments on Animals (Control and Supervision) Rules,1998 (amended in 2001 and 2006)

¹⁵Alt Tox Org., *India Legislation & Animal Welfare Oversight*, ALT TOX, (Jan 25, 2016), <http://alttox.org/mapp/regulatory-policy/india-programs-policies/india-legislation-animal-welfare-oversight/>

¹⁶Mahesh Noosenoor, *Impact of CPCSEA guidelines*, RESEARCHGATE, (Jan 2015), https://www.researchgate.net/publication/290459609_Impact_of_'CPCSEA'_guidelines_on_laboratory_animals_use

These rules published in 15th November,1998 and amended in 2001 and 2006,emphasize on the registration of establishments prior to conduct of experimentation and breeding, inspection of animal house facilities, maintenance of registers for documenting information in the animal house facilities, permission of conduct of experiments from IAECs and CPCSEA, conditions for the conduct of experiments, conditions for breeding animals, conditions for undertaking contract research, composition of Institutional Animal Ethics Committee and Power of CPCSEA to suspend or revoke registration of any establishment.¹⁷

7) Institutional Animal Ethics Committee (IAEC)

"Institutional Animals Ethics Committee" means a body comprising of a group of persons recognized and registered by the Committee for the purpose of control and supervision of experiments on animals performed in an establishment which is constituted and operated in accordance with procedures specified for the purpose by the Committee. IAEC will review and approve all types of research proposals involving small animal experimentation before the start of the study. For experimentation on large animals, the case is required to be forwarded to CPCSEA in prescribed manner with recommendation of IAEC. IAEC is required to monitor the research throughout the study and after completion of study through periodic

reports and visit to animal house and laboratory where the experiments are conducted. The committee has to ensure compliance with all regulatory requirements, applicable rules, guidelines, and laws.

8) Standard Operating Procedures (SOP) for Institutional Animal Ethics Committee (IAEC)

The objective of SOP is to contribute to the effective functioning of the Institutional Animal Ethics Committee (IAEC) so that a quality and consistent ethical review mechanism for research on animals is put in place for all proposals dealt by the Committee as prescribed by the CPCSEA under PCA Act 1960 and Breeding and Experimentation Rules 1998. SOP is a detailed guideline describing the procedure for investigators/researchers to design an animal experimentation according to national and international norms to avoid the unnecessary sufferings and pain to animals for proposed research.¹⁸

9) Wild Protection Act,1972

Wildlife Protection prohibits sacrifice of animals, infliction of any form injury to animals, capturing, and killing, poisoning or trapping of wild animals. In the case of wild birds and reptiles, the act also forbids disturbing or damaging their eggs. It also prohibits taxidermy which is the preservation

of the dead animal in the form of a trophy, preserved skin etc.¹⁹

10) The Drugs and Cosmetics Act,1940

It regulates the imports, manufacture, and distribution of drugs in India and was based on the recommendations of the Chopra committee formed in 1930. The drugs under the act are taken to include a wide variety of therapeutic substances, diagnostics and medical devices which includes any article intended to be rubbed, poured, sprinkled or sprayed on introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting the attractiveness, or altering the appearance etc.²⁰ The test ban in India was finalized when the Drugs and Cosmetics Rules (Second Amendment) 2014 was notified. Any violation of the Drugs and Cosmetics Act by any person, corporate manager, or owner is liable for punishment for a term which may extend from 3 to 10 years or shall be liable to a fine which could be ₹ .500 to ₹.10,000, or both. This decision mandated the use of modern non-animal alternative tests to replace invasive tests on animals. Therefore, any manufacturer interested in testing new cosmetic ingredients or finished products must first seek the approval from India's regulator

¹⁸ Sanjay Gandhi Postgraduate Institute of Medical Studies, Standard Operating Procedure, SANJAY GANDHI POSTGRADUATE INSTITUTE OF MEDICAL STUDIES, (2016), http://www.spggi.ac.in/res_a/ANIMAL_ETHICS_SOP.pdf.

¹⁹India Today, *Wildlife Protection Act 1972 was passed on this day: About the Act and how it changed*, INDIA TODAY,(Aug, 2018) <https://www.indiatoday.in/education-today/gk-current-affairs/story/wildlife-protection-act-1972-enacted-on-this-day-know-about-the-act-and-its-changes-1319842-2018-08-21>.

²⁰ National Health Portal, *Drugs and Cosmetics Act*, NATIONAL HEALTH PORTAL, (Nov, 2017), https://www.nhp.gov.in/drugs-and-cosmetics-act_mtl.

Central Drug Standards Control Organisation. A manufacturer will be given approval to test only after complying with the BIS non-animal standards.

B. INTERNATIONAL POSITION

India is a party to international treaties *inter alia* such as Convention on International Trade in Endangered Species of Flora and Fauna, Convention of Migratory Species of Wild Animals, International Commission for the Regulation of Whaling. But, the emulative animal welfare regimes of several foreign countries can be adopted by India. In this regard, Austrian law on animal welfare provides strict penalties for acts of cruelty against pets. Countries like Switzerland and Sweden consider the nature of animals and dignity of work that is assigned to animals within their legal system. Germany stands proudly as the first country to afford Constitutional protection to the animals.²¹ On an international perspective, global commitment can be amassed through mutual co-operation between the countries through formulation of a suitable convention and its ratification. Such an initiative would also drive industries that use animals, to protect animals.²²

²¹ Meenu Katariya, *8 Countries With the Strictest Animal Welfare Laws In The World That India Can Take Cues From*, SCOOPWHOOP, (Nov. 2, 2018, 9:52 AM), <https://www.scoopwhoop.com/countries-with-strict-animal-welfare-laws-in-the-world/>.

²² World Animal Protection, *Back a Universal Declaration on Animal Welfare*, WORLD ANIMAL PROTECTION, <https://www.worldanimalprotection.org.in/together>

Further, one could safely attempt to infer that the problem of animal welfare and peaceful existence requires persevered analysis through sustainable scientific data and equipment. This can be overcome through reliable surveys, formulation of appropriate policies based on the findings of the surveys and constant monitoring of the outcome, in collaboration with NGOs that are genuinely and closely working for animal welfare. Further, such data can be used to thwart *inter alia* international smuggling, poaching, and online crimes against animals by amassing global co-operation.

C. PANACEA

The profound analysis of the domestic and international perspective of animal welfare laws in India enables ruminations about discovering a possible panacea for this conundrum. The following constitute possible solutions to accomplish animal welfare in India:

1) Pressing need for stricter punishments

The penalty charged and punishments for crimes against animals are paltry sums which are flabbergasting and disproportionate to the crimes committed.²³ Furthermore, the priority given to any such crimes against animals is lesser than the other crimes during the very process of reporting and investigating the said

[-we-can-move-world-protect-animals/back-universal-declaration-animal-welfare?from=international_en](#).

²³ Bharat Amratlal Kothari vs Dosukhan Samadkhan Sindhi & Ors, (2010) 1 SCC 234 (India).

issue which results in undue delay and inefficiency. Therefore, higher priority and speedy redressal is to be achieved in the protection of animal rights. Such events act as vistas to the glaring truth of impractical and inefficient implementation of laws. To overcome such a longstanding hurdle, there is a need to assess the issue at hand with an unbiased perspective and to formulate and implement legal remedies with an aim to correct the injustice. There is a necessity to strive tirelessly in this regard until and unless the justice is delivered.

2) Speedy and sensitised system of justice delivery and training

According to mental-health professionals and law-enforcement authorities, people who commit acts of cruelty towards animals often also move on to hurt humans as well. Additionally, in a study of domestic violence victims, 60 per cent of women said that their abusive partners had harmed or killed their dogs or other animals.²⁴ This is a stern indicator which must coax the society to take any form of violence against animals seriously.

The gang rape of a pregnant goat in Haryana²⁵ & the heart rending slaughter of a pregnant

²⁴PETA, *After PETA India Filed FIR against the gang rape and murder of a pregnant goat*, PETA, (July, 2018) <https://www.petaindia.com/blog/fir-filed-against-gang-rape-of-goat/>.

²⁵ Web Desk, *Pregnant Goat Dies After 8 Men Gang- Rape it in Haryana*, INDIA TODAY, (July 28, 2018), <https://www.indiatoday.in/india/story/pregnant-goat-dies-after-8-men-gang-raped-it-in-haryana-1299168-2018-07-28>.

elephant²⁶ shook the nation, a number of incidents *inter alia* have come to light including killing of eight puppies by a woman in Bengaluru, sexual abuse of a female stray dog by a security guard, killing of a monkey & a puppy by medical students are merely some gruesome incidents that come to the limelight. If any offence of such nature were to be perpetrated against humans, the punishments would have been stricter. But, the system has not acted as a deterrent simply because humans consider the suffering of animals due to such offences as inferior to that of themselves which makes humanity hang its head in shame. Thus, the most effective deterrent would be for the matter to be considered and investigated with the same gravity as that against humans. Further, the police authorities must be imparted training to deal effectively with such cases.

3) Establishment of stronger healthcare facilities for animals

As is evident in every criminal act, a well-trained and dedicated healthcare system can not only enable recuperation of the affected, but, also aide in the detection of the offender through collection of evidence. But, there has been a sharp decline in the number of veterinary doctors in India, over the years and those who stay in the profession prefer a more

²⁶ PTI, *Elephant Death Case: One Arrested, Efforts on to Nab More Accused, Says Forest Minister*, THE ECONOMIC TIMES, (June 05, 2020, 07:18 PM), <https://economictimes.indiatimes.com/news/politics-and-nation/one-arrest-made-in-the-killing-of-pregnant-elephant-in-kerala/articleshow/76212177.cms>.

profitable practice over service to the society.²⁷ Further, the amount of thrust that the animal healthcare sector requires is deficient. A possible solution to overcome this predicament is by roping in the private sector in veterinary education and practice. Further, a substantial amount is to be earmarked from the State funds for animal welfare and allied activities.

4) Building an animal friendly virtual world

Internet has taken over the whole world and *interalia*, undesirably enabled a vent for criminals to inflict torture upon helpless animals aided by the social media etc. Further, virtual and social media platforms have also witnessed constant surfacing of videos and pictures portraying killing, abusing, and sexual violence, commercial gore against animals for entertainment. This is an axiomatic frightening development which has laid bare the inevitable necessity for stringent laws to be formulated as well as their effective implementation to be put into practice. Such a step would not only provide the required acceleration to the initiative of cleaning up of animal negative content begun by organisations such as PETA, but also, reduce perpetration of such heinous acts.

5) Balancing of conflicting interests

²⁷ Harish Damodaran, *30 Crore Cattle and rising, but where are the country's vets?*, THE INDIAN EXPRESS, (Dec. 15, 2014), <https://indianexpress.com/article/india/india-others/30-crore-cattle-and-rising-but-where-are-the-countrys-vets/>

While considering issues such as Jallikattu,²⁸ Kambala etc. there is a need to holistically analyse the matter from various different perspectives as in such cases, the cultural, societal, religious, and demographic threads are intricately woven inextricably. Even a minor inconsideration in deciding such cases can result in violent rifts, and complicated tangles, thus, destructing societal peace as well as security due to undesirable forms of destruction. Such events act as vistas to the glaring truth of impractical and inefficient implementation of laws. To overcome such a longstanding hurdle, there is a need to assess the issue at hand with an unbiased perspective and to formulate and implement legal remedies with an aim to correct the injustice. There is a necessity to strive tirelessly in this regard until and unless absolute justice is delivered.

6) The utopian solution of veganism

Veganism is most often misconstrued as a synonym to vegetarianism. But, as per the definition of vegan by Merriam Webster's Dictionary, vegan is "a strict vegetarian who consumes no food (such as meat, eggs, or dairy products) that comes from animals also as one who abstains from using animal products (such as leather)". In the modern world, Vegan trend has quadrupled between 2012 and 2017, according to Google search²⁹ and India took the first spot with

²⁸ Animal Welfare Board of India v. Nagaraja & Ors., (2014) 7 SCC 547(India).

²⁹The Vegan Society, *Statistics*, THE VEGAN SOCIETY, (2019) <https://www.vegansociety.com/news/media/statistics>

veganism encompassing 27% of the population.³⁰ In this light, upon unearthing the roots of veganism, it is found that Gandhi's principles gave rise to veganism though he did not call it „veganism“. ³¹This was done with the intention of putting an end to cruelty practiced in dairy industry, where the females are mainly reared for the sole purpose of milk production and the males are slaughtered for meat.³² However, rigidity in its practice has led to an extreme obsession resulting in malnutrition, anaemia and deaths of infants due to sole reliance on vegan diet by vegan parents.³³

Therefore, despite that veganism when analysed superficially may come across as a possible solution to the current exploitation of animals and thus enable a co-existence between man and nature. Instead if the entire world managed to turn vegan, billions of farm animals will be slaughtered, abandoned or committed to sanctuaries if they are unable to return and survive in their natural habitat. Additionally, there exist a good number of animals that are unnaturally being bred with

help of bio-technology and chemicals etc. which will be unable to survive in its natural habitat. A temporary progress in this direction is the concept of creation of artificial meat which must be further developed and promoted to provide an easy alternative to meat as it shows promise of bringing *de nova* positive developments to the current situation.³⁴

7) Movement on rudimentary levels

As pertinently opined by Dalai Lama- “It is not enough to be compassionate- you must act”, every model of social transformation begins with changes on the rudimentary levels. Institutions that impart education can serve manifold purposes in this regard by firstly, instilling empathy in young minds and providing for practical platforms to the students to channelize kindness towards their fellow beings. Formation of clubs and associations in schools, colleges and local areas brings about social reformation, prevents crimes, increases sensitivity towards the misery of animals and ensures a peaceful society.

8) Minimalism

If practiced in the right spirit, minimalism can work wonders beyond its messily painted insubstantial image of being a millennial fad.

³⁰ Elizabeth Flock, *Being Vegan in India*, FORBES INDIA, (Sept, 2009), <http://www.forbesindia.com/article/recliner/being-vegan-in-india/4482/1>

³¹ John Davis, *Gandhi- And the Launching of Veganism*, VEGSOURCE, (Mar, 2020) <https://vegsource.com/john-davis/gandhi---and-the-launching-of-veganism.html>

³² YUAL NOAH HARARI, *SAPIENS – A BRIEF HISTORY OF HUMANKIND*, 107-110 (2014).

³³ Deanna Paul, *Florida Couple Arrested for Manslaughter After 18-Month Old Son Dies of Malnourishment*, THE WASHINGTON POST, (Nov.23, 2019), <https://www.washingtonpost.com/nation/2019/11/22/baby-kept-vegan-diet-died-his-parents-have-been-charged-with-manslaughter/>.

³⁴ Tom Ireland, *The Artificial Meat Factory- The Science of your Synthetic Supper*, SCIENCE FOCUS, (May, 2019) <https://www.google.com/amp/s/www.sciencefocus.com/future-technology/the-artificial-meat-factory-the-science-of-your-synthetic-supper/amp/>.

³⁵Minimalism brings about a crucial shift from mass production of unnecessary goods at the cost of nature to strategic production and supply mechanism. It embraces the culture of going green through prioritisation of necessity over wants.³⁶ Minimalistic lifestyle can manifest itself in food habits, clothing, and buying preferences etc. and ensure living in harmony with nature. It's benefits to longevity and quality of life has been immensely lauded by the authors in their book *Ikigai*.³⁷

9) Rendering support to NGOs

Animal welfare and protection programmes are undertaken commendably by NGOs at grassroot levels. They understand the ecological diversity, needs of the local species and the best methods of ensuring peaceful co-existence. Public support in the activities of NGOs by way of active volunteering, encouragement, fund donations among others can ensure widespread and effective action. The vision of Animal welfare throughout the country can be accomplished only through the integrated action of government, NGOs and citizens.

10) Increasing awareness of the existing laws

³⁵ Christopher Murray, *Minimalist Living: Minimalism Just a Fad? Or Can It Really Help You Solve All Your Financial Problems?*, MONEYUNDER30, (May 17, 2020), <https://www.moneyunder30.com/minimalist-living>.

³⁶ Jessica Sattelberger, *Minimalist Lifestyle: Be More Animal-Friendly And Sustainable For Less*, WTVOX, (Dec. 13, 2019), <https://wtvox.com/lifestyle/minimalist-lifestyle-be-more-animal-friendly-and-sustainable-for-less/>.

³⁷ HECTOR GARCIA & FRANCESC MIRALLES, *IKIGAI* 76- 100 (Heather Cleary trans., Penguin Books, 2017).

Additionally, unawareness of animal laws has remained as an insurmountable obstacle leading to ineffective implementation of Animal Welfare mechanism. Hence, the first step towards protection of animals must begin with a thorough understanding of violence against animals, steps to prevent the same and the legal provisions whose help can sought in this regard. In the process of gleaning such knowledge, the mismatch between the existence of good laws and their actual implementation is axiomatic and adequately reflects our inability to effectively solve the problem of animal rights violations. The panacea to this conundrum involves not only in equipping oneself with the practical know-how of the theoretical knowledge but also working alongside the government and likeminded communities to achieve animal welfare. However, the need to empathise and be aware of animal rights should not be limited to those who are a part of the system that enforces the law but rather should be made known to the common man as it is the latter who is better equipped with effectively nipping the injustice against animals in the bud.

V. CONCLUSION

Thus, it is axiomatic that the hypothesis formed for the instant paper is answered affirmatively. Conclusively, emphasis is placed upon Vandana Shiva's pertinent reflection that "In nature's economy, the currency is not money, it is life", which must form the vision of India. In the many decades

following of its independence, India has abandoned valuable attributes such as mercy, empathy and harmony in the quest of economic development. Today, when the State claims to have soundlessly slipped its fidgety feet into welfare role, both animals and humans must be endowed with a dignified life that can be brought only by a considerate administration. Public accountability and social conscience need to kindle empathy. Change must be brought at the grass root levels to tackle the conundrum of dealing with diverse species. Further, the emulative international practices must be imbibed along with removal of legal lacunae. Therefore, a determined action of legislature, executive, judiciary and public is required to ensure welfare and protection of animals.