

An Analysis of Animal Rights

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Abstract-Animals are the part of the society. They are very useful still human never respect them and give them love which should be given to them. They can't speak and share their grief to the world. Animal rights are for the benefit of animals and to respect their existence in the society. Selling of animals and their body parts, earning money from such activities is illegal.

Key Words-Animals, Obligation, Prevention, Cruelty, opportunity, Rights, cruelty.

ANIMAL RIGHTS

Today in this era, everyone is so self-centred that they don't even know the correct meaning of the term human being. People are so busy in their work life that they don't even have time to search it around there what going on , what's happening they are just busy with their mind-sets and are so self-centred that they don't even want to pay attention . If I say that in this technological world everyone has a great impact over social media rather the originality it would not be wrong. Everyone want to show himself or herself as the trending and you can say the very big social influencer and there are ways of showing this such as posting pictures with nature and showing attention towards stray dogs and pretending to be as a good human being in front of the society. I am no one to criticise such points but the main thing is that some of them are truly doing all this for the animals while a large number of people just have a kind of fun or you can say to be pretending in front of society what they are not.

Animal it just not a word if we take this in a simple word animal is a emotion , it is kind of human being who feels the same , who took the same air and same water so then what is different ? the difference is of emotion that is they feel the same but they can't speak , they tolerate more than us but can never say because it just natural we can't do anything in this respect but at least we can reduce their problems which we often create .some of us are unknown of this fact that we directly and indirectly depend on the animals and infect it is quite impossible to survive without their presence but still we have a very less

caring attitude towards them and we don't pay as such attention towards them as it is supposed to be especially this generation.

Animal do have their rights and this we can say that still our society is unique and we have those laws which truly are very beneficial for everyone. It has been said that the modern animal rights movement is the first social reform movement initiated by philosophers. The Australian philosopher Peter Singer and the American philosopher TOM REGAN deserve special mention, not just because their work has been influential but because they represent it so greatly. The most important consequences of this view are that animals have long been categorised as "legal things" not as "legal persons" have rights of their own, legal things do not. They exist in the law solely as the object of the rights of legal persons – may exercise property rights. This status, however often affords animals the indirect protection of laws intended to preserve social morality or the rights of animal owners, such as criminal anticruelty statutes or civil statutes that permit owners to obtain compensation. In the 3rd or 4th century CE, the roman jurist hermodgenianus wrote, "Hominum causa omne jus constitutum" (all law was established for men's sake). The law is made for men and allows no fellowship or bonds of obligation between them and the lower animals."

Now let's discuss what are exact Animal right and are they followed?

With the increasing amount of animal cruelty in India, animal lover should be aware of these rules:

1: The Delhi High court states that there are no laws that prohibit people from feeding stray dogs. the thing is that stray dogs are considered as kind of threat or kind of fear which they are not but still what we can do in this regard everyone has different-different prospective.

2: It is wrong to feed poisonous food to stray animals – if any person is doing such things feeding the animal or pets any kind of poisonous food to them that would be considered as the criminal offence and the person will be charged under the section 11 of the prevention of cruelty to animals Act 1960.

3: It is illegal to maim or cause any injury to any animal – Section 428 and 429 of the Indian penal code and the cruelty to Animal Act of 1960 make it illegal to maim or cause injury to any animal. It is also illegal for vehicles to purposefully injure dogs, cats and cows on the streets.

4: The animal welfare board of India issues IDs for people who feed stray animals – people who really want to help stray dogs so now they have IDs and they can do it in a lawful manner.

5: The implementation of these rules largely depends on the NGOs. – Basically NGOs plays very important role here they have abilities and can help in implementing such rules in the society.

Nevertheless there are always good as well as bad side of everything such as PETA it stands for Prevention of Cruelty to Animals Act 1960. Is a woefully out-dated law that imposes fines so low that they have virtually no deterrent effect? The ministry of environment and forests has drafted a new law – the animal welfare Act, 2011 that would dramatically increase the penalties for animal abuse. It is dedicated to establishing and defending the rights of animals.

THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960

The basic cruelty law of India is contained in the Prevention of Cruelty to Animals Act 1960. The objective of the Act is to prevent the infliction of unnecessary pain or suffering on animals and to amend the laws relating to the prevention of cruelty to animals. The Act defines “animal” as any living creature other than a human being.

- Encouragement of financial assistance, rescue homes and animal shelters for old animals.
- Advising the government on medical care and regulations for animal hospitals.
- Imparting education and awareness on humane treatment of animals.
- Advising the central government regarding general matters of animal welfare.

The Act enumerates different variants of cruelty to animals under Section 11 as the following actions:

1. Beating, kicking, overriding, overloading, torturing and causing unnecessary pain to any animal.
2. Using an old or injured or unfit animal for work (the punishment applies to the owner as well as the user).

3. Administering an injurious drug/medicine to any animal.
4. Carrying an animal in any vehicle in a way that causes it pain and discomfort.
5. Keeping any animal in a cage where it doesn't have reasonable opportunity of movement.
6. Keeping an animal on an unreasonably heavy or short chain for an unreasonable period of time.
7. Keeping an animal in total and habitual confinement with no reasonable opportunity to exercise.
8. Being an owner failing to provide the animal with sufficient food, drink or shelter.
9. Abandoning an animal without reasonable cause.
10. Willfully permitting an owned animal to roam on streets or leaving it on the streets to die of disease, old age or disability.
11. Offering for sale an animal which is suffering pain due to mutilation, starvation, thirst, overcrowding or other ill-treatment.
12. Mutilating or killing animals through cruel manners such as using strychnine injections.
13. Using an animal as bait for another animal solely for entertainment.
14. Organizing, keeping, using or managing any place for animal fighting.
15. Shooting an animal when it is released from captivity for such purpose.

An additional leeway provided by the Act is that under Section 28, nothing contained in the Act shall render it an offence to kill any animal in a manner required by the religion of any community. Considering the diversity of religions and traditions in India, this Section was considered imperative.

Treating animals cruelly is punishable with a fine of Rs. 10 which may extend to Rs. 50 on first conviction. On subsequent conviction within three years of a previous offence, it is punishable with a fine of Rs. 25 which may extend to Rs. 100 or imprisonment of three months or with both. Performing operations like Phooka or any other operations to improve lactation which is injurious to the health of the animal is punishable with a fine of Rs. 1000 or imprisonment up to 2 years or both. The government further has the power to forfeit or seize or destroy the animal. Contravention of any order of the committee regarding experimentation on animals is punishable with a fine up to Rs. 200.