

LEGALFOXES LAW TIMES

Are the animal laws strong enough to protect them?

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In developing countries like India. Everyone is busy in creating more jobs, developing new technologies and developing everything can. But while we getting ready with technological development, we are seeing new records of inhumanity not only with people but also with animals. However one more thing is this is not happening in the developing countries but also in the developed countries like USA .In North America the hunting is not illegal.

In this age where so many species of animals are on the verge of extinction and many are endangered, there are no strict steps taken neither by the government or the others. Even some countries believe that hunting is good practice to maintain to balance.¹North America claims that their hunting practices have been improved a lot as compared to the 1800's and they have introduced certain principles which they call as "North American Model of Wildlife Conservation" and there are seven features which make them distinct. Can we really call a country like this a developed country? ²According to a report less than 5% of the U.S population takes part in the hunting in which almost 40 percent of hunters slaughter and main millions of animals on public land every year and there are certain more estimates which tells poachers kill animals illegally .During hunting many animals endure prolonged painful deaths. This occurs because of the many reasons like usage of archeries, which injure them badly and they suffer a painful death and there are many other ways due to which animals suffer severe injuries and die a painful death. A British study of deer hunting found that 11 percent of deer who'd been killed by hunters died only after being shot two or more times and that some wounded deer suffered for more than 15 minutes before dying. Hunting disturbs movement and hibernation designs and

¹<https://www.fws.gov/hunting/north-american-model-of-wildlife-conservation.html>

² <https://www.peta.org/issues/wildlife/wildlife-factsheets/sport-hunting-cruel-unnecessary/>

wrecks families. For creatures, for example, wolves, who mate forever and live in affectionate nuclear families, chasing can decimate whole networks. The pressure that chased creatures endure brought about by dread and the unpreventable boisterous clamors and other bustle that seekers make additionally seriously bargains their typical dietary patterns, making it difficult for them to store the fat and vitality that they need so as to endure the winter. There are various others ways in which hunting is destroying our ecosystem.

Now coming back to a country like India where hunting is banned by the government under Wildlife (Protection) Act, 1972 but there are reports that still shows that illegal hunting was going on in around 23 states of about 114 mammal species³. And these are just the rough reports in reality nobody really knows that how many animals are being poached or hunted every day. Just for mere cash some are destroying our ecosystem and nobody is taking a strict action to stop.

Even if we leave the topic of poaching and hunting for time being things like national parks and zoo scare me. While most of the people see that these are the places where the animals are protected but still we can see people visting these places just to see. In national parks where they are tried to keep in natural environment the continuous vehicle sound and pollution must be disturbing their living in ways. Sometimes it seems like it has become more of a business rather than protection. Similar kind of scenario is with the zoo's where various variety of animals are being caged and kept long away from their natural environment , just for educational purposes. Some zoos don't even have a proper supply of food and water for them. Continuously we are destroying their environment by mining or by creating roadways or railways due to which the wild animals are forced to come out of their habitat. ⁴A recent report clearly states that hat 49 elephants were killed in Railway accidents between 2016-18 (nine in 2015-16, 21 casualties in 2016-17 and 19 in 2017-18). In the same 3-year period, three tigers were killed in road accidents while eight tigers were mowed down by trains. Three lions died in a train accident in the Amerli district of Gujarat in December 2018. Prior to this, 10 lions died in railway and road accidents between 2016-2018. Another danger is hanging electric wires which become a big threat for the wildlife due to which around 461 elephants were electrocuted in different parts of the country.

³ <http://www.wti.org.in>

⁴ <https://www.thehindu.com/sci-tech/energy-and-environment/moefcc-provides-numbers-on-wildlife-killed-in-accidents/article25986499.ece>

In our country various animals suffer from cruelty which vary widely from beating them to death or by throwing them live In fire or even worst by raping them and there certain reports that need to be entertained here itself

- 5 men dragged a dog tied to one of their bikes for two kilometres
- A drunk man killed a stray dog by standing on it for over an hour
- A man kicked puppy to death, then assaulted a woman for lodging complaint
- A Mumbai man was arrested for raping a stray dog
- Four stray dogs were burnt alive, 16 others poisoned in Pune's Baner

19,028 animal cruelty cases⁵ were reported in Mumbai over 5 years but not a single arrest .These are very few that has been reported and many reports like this go unnoticeably. And it's really a question is our humanity dead? And if we will search there is a whole list of this kind of cases. This things are happening just because our law is not that strong to hold them or to stop them from this kind of activities. The Prevention of Cruelty to Animals Act, 1960 was amended back in 1982 which imposes a maximum penalty ofRs50, however there has been an amendment I year 2011 but it is still undergoing ratification. Though many people and NGO's are taking part to save animals from these kind of incidents but still it's not enough. Article 51 (G) states the following: "It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures."

Similar hot topic that is always covered by the media "Jallikattu" which Cleary shows how our law is failing miserably. In this event Exhausted and dehydrated animals were forced to participate in jallikattu after standing in queues the night before for as long as 16 hours without adequate shelter or sufficient water and feed. They were yanked roughly by nose ropes, causing their nostrils to bleed, and many collapsed from exhaustion and dehydration after the events. Such abuse at jallikattu events leads to severe injuries, including broken bones, and even to the death of humans as well as bulls. From January 2017 to the end of April 2019, at least 43 humans, 14 bulls and one cow were killed, as calculated from news reports. The actual numbers are likely higher. Exacerbating the problem is the fact that none of the regulations hold

⁵<https://www.hindustantimes.com/mumbai-news/19-028-animal-cruelty-cases-in-mumbai-over-5-years-not-a-single-arrest/story-71BzHW03ONSXiKhu8FN0HL.html>

jallikattuorganizers or bull abusers suitably accountable or liable for punishment⁶. This loophole in the legislation gives them a free pass to continue abusing bulls and putting humans in harm's way.

Another issue that many people facing are stray cattle's. Most of these cows come from illegal or unregistered roadside dairies and cattle sheds, many are actually left by owners because they become old, stop giving milk or they cannot afford them any further. Non-milking cattle are also left loose to save on their feed. The owners, after milking the cattle, let them loose so that they can graze outside. Non-milking cattle are also left loose to save on their feed. They block the way and at night time its quite hard for the drivers to spot the cattle that lead to major accidents.

The world animal protection organization has given India- C grade⁷ for animal protection which clearly states that there is a big gap in the laws that need to be filled

Conclusion-

All the above mentioned scenarios clearly states that there is need of more strict laws and more people on the ground to control all these events. The orders given by the court on should be made Mandatory for all the people. Longer duration of imprisonment and high amount of fine should be introduced. More shelter homes and sterilization programs should be introduced. And I read somewhere in an article that "Where these street dogs are born is where they belong", from my side this isn't true they can also be adopted and taken care of And India needs to absorb some of animals laws from other countries. And in certain countries a crossing has been made for the animals to cross the jungle and the reports shows that it really works ,so why not to adopt that kind of techniques.

⁶<https://www.petaindia.com/features/latest-jallikattu-investigation-proves-laws-fail-bulls/>

⁷https://api.worldanimalprotection.org/sites/default/files/api_india_report_0.pdf