

# Animal Abuse in India: A cause of concern in the last decade

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## ABSTRACT

Animals have, since time immemorial been exploited by mankind. It is imperative to mention as to how animal resources have been misused due to their vulnerability and helplessness. The diverse wildlife of India has created multiple biodiversity hotspots, yet human encroachment on forest areas has been consistent, thereby increasing the Man-Animal conflict. The magnitude of animal abuse is vast and can be generally categorized as the abuse of both terrestrial and marine animals, ill-treatment of performing animals and cruelty towards smaller animals usually found in and around the human habitat. The present paper analyzes cruelty towards wildlife, performing animals and other smaller animals in the last decade in India and the need to look forward to man-animal consonance for a better future for all.

**Key words :** Animal abuse, Environment, Victim, Wildlife crime.

## Introduction

The environment is a heterogeneous composition of diverse living and non-living organisms interacting with each other. Animals have always been of vital assistance to mankind and especially in the Indian Culture are worshipped ritually all over the country. Patil (2011) explains that ancient Scriptures have essentially proved that animals, birds and sea creatures were considered to be an integral part of the environment, being equal partners with human beings (<https://www.esamskriti.com/e/Culture/Indian-Culture/Animals-in-Indian-Culture-create-an-inclusive-universe-1.aspx>). Yet, incidences on cruelty towards animals in India irrespective of domestic, wildlife or stray speak to the contrary. The recent crime trend portrays the swift rise in animal cruelty cases where animals are victimized in innumerable ways. India has always been proactive in the protecting animals and pre-

vention of cruelty towards them, having enacted legislations for the same. However, the statistics reflect a different picture, notifying a clear rise in the brutal acts against animals for the purpose of trade, testing or reasons best known to the perpetrator.

## Animal Abuse and Victimization: A brief overview of the concepts

A Victim is any person who has suffered any harm, loss, injury or killed as a result of being a subject to crime, accident, or any specific event or action. In the present context, animals are predicated as victims against whom acts of cruelty is perpetrated. Animal victimization by human beings irrespective of them being domestic or wild, is consistent. Animals from the wild are put in captivity for human recreation such in zoos, circuses etc and are known as “performing animals”. Inhuman treatment is often witnessed against performing animals but is not limited to that sphere only. Animal abuse is exten-

sive as animals irrespective of their characteristic features are subjected to cruelty in various forms. Animal Cruelty entails any use or treatment of animals which are needlessly cruel, irrespective of whether such act is against law (<https://www.thoughtco.com/what-is-animal-abuse-127601>). Seksel (2004) reiterates how the term abuse is defined as maltreatment which includes physical and psychological maltreatment of a person or animal or harmful practices synonymous with mistreatment, injury or damage (<https://www.canadianveterinarians.net/pdf/sekselbehavabuse.pdf>).

### **Legislations for the Protection of Animals against Abuse and Cruelty**

The Constitution of India in the 42<sup>nd</sup> Amendment in 1976 has integrated provisions relating to protection of the environment by adding the new provision of Article 48A under the Directive Principles of State Policy and Article 51 A(g) under Fundamental duties. Some other primary enactments for the protection of animals against abuse are as follows:

- The Indian Penal Code of 1860
- Prevention of Cruelty to Animals Act, 1960
- Wildlife (Protection) Act, 1972
- Transport of Animals Rules, 1978
- Animal Birth Control (Dogs) Rules, 2001 and The Performing Animals (Registration) Rules 2001

### **Theoretical Perspectives on Animal Abuse**

Animal Abuse can accurately be linked to the typology of Violent Crime, White Collar Crime and Organized Crime. Incidences of cruelty on animals reiterates the sick and barbaric mentality of human beings and their profit gaining motive. The theory which can be latched on to animal abuse concerning the present study is Rational Choice Theory and Routine Activity Theory. Rational Choice Theory has been developed by Derek Cornish and Ronald Clarke in the late 1970s who assumed that crime is a purposive behaviour by the offender designed to meet the needs.

Routine Activity was developed by Lawrence E. Cohen and Marcus Felson in 1979 who explained how a criminal event requires a motivated offender who has the opportunity to act on those motivations. This opportunity or ability to carry out a crime, in turn, involves two elements. First there must be a suitable target for the offender and second

there must be an absence of guardian capable of preventing the violation. They chose guardian instead of police as they wanted to bring into light all the possible means by which a target can be guarded (<https://link.springer.com/content/pdf/10.1007%2Fs12117-012-9173-1.pdf>).

### **Methodology Adopted**

The present study examines animal abuse and the manner in which animals are victimized by human actions. It has incorporated the method of Content Analysis with reference to Animal Abuse in India in the last decade. Content Analysis is a research technique for the objective, systematic, and quantitative description of manifest content of communication research procured through linguistic expression, written or oral (Swain, 2007).

For the purposes of the study, twenty news reports have been analyzed chronologically from 2009 onwards. The study makes a humble attempt to explore human actions purporting to the cruelty towards animals in the last decade in India and the need to look forward to man-animal consonance for a better future for all.

### **A Summary of Twenty incidents in the Last Decade on Animal Abuse**

The news reports selected for the study include diverse articles relating to wildlife crime and animal abuse. Excerpts from the reports have been compiled in the following:

- **“Wildlife racket busted : tiger, otter skins seized.”** Retrieved from *The Economic Times*, November 7, 2009.

“Seven persons arrested from Maharashtra and Delhi with a seizure of Tiger and Otter skins along with tiger bones. Such arrests is being considered as a major achievement as the agencies hope that it shall help in nabbing the head honchos in the wildlife racket.” (<https://m.economictimes.com/news/environment/flora-fauna/wild-life-racket-busted-tiger-otter-skins-seized/articleshow/5207515.cms>)

- **“Man arrested for possessing elephant tusks in Mumbai.”** *The Times of India*, October 13, 2010.

“A 40 year old sweeper was arrested from Dadar in Central Mumbai for allegedly possessing two elephant tusks collectively worth Rs. 4 lakhs.” (<https://m.economic times.com/news/environment/flora->

fauna/man-arrested-for-possessing-elephant-tusks-in-mumbai/articleshow/6741051.cms)

➤ **"Rare snakes rescued in central & North Delhi." The Times of India, October 28, 2011.**

"Ten rare snakes were rescued in separate raids conducted by police and an NGO- People for Animals in central and north Delhi. The raids took place in Jama Masjid area and Shahadra leading to the discovery of nine two headed sand boas and one cobra along with a 600ml bottle of snake venom of Rs. 1.5 crore." (<https://timesofindia.indiatimes.com/city/delhi/Rare-snakes-rescued-in-central-North-Delhi/articleshow/10513954.cms>).

➤ **Bengal foresters suspect jumbos being poisoned. The Indian Express, February 25, 2011.**

"Three elephants were found dead in the area in December and January and they were poisoned to death as reported by the forest officials. Forest officials allege the animals were killed mostly by hostile locals, whose crops and houses get damaged owing to the migration." (<http://archive.indianexpress.com/news/bengal-foresters-suspect-jumbos-being-poisoned/754593/>).

➤ **"14 Bird species on the verge of extinction." The Economic Times, March 26 2012.**

It was reported that at least 14 species of birds are facing the threat of extinction due to extensive use of pesticides, poaching and loss of habitat (<https://economic-times.indiatimes.com/news/environment/flora-fauna/14-bird-species-on-verge-of-extinction-in-india/articleshow/12416350.cms?from=mdr>).

➤ **"39 Rhinos killed in 10 months in Kaziranga National Park." The Hindu, Business Line, October 5, 2012.**

Reported that 39 Rhinos have been killed in Kaziranga National Park within a span of 10 months in the year 2012. The poachers target the one-horned rhinoceros which is a rare species for its prized horn which is priced within the range of Rs 40-90lakh in the international market and the demand by the buyers is in plenty (<https://www.thehindubusinessline.com/news/39-rhinos-killed-in-10-months-in-kaziranga-national-park/article23086781.ece>).

➤ **23 peacocks found dead in Rajasthan. The Times of India, June 18, 2013.**

Carcasses of 17 peacocks, 5 male and 12 female were found in Nagarfort area in Tonk District. Forensic experts of the forest department suspect that the peacocks died on consumption of poisoned food grains, the samples of which had been collected." (<https://timesofindia.indiatimes.com/home/environment/flora-fauna/23-peacocks-found-dead-in-Rajasthan/articleshow/20650028.cms>).

➤ **Poachers go online to sell wildlife species. The Times of India, May 16, 2014.**

Another uncanny report was that of the sale of jackal cubs online. Officials of the Animal Welfare Board of India have confirmed receiving several reports on wild animals trade online through recognized websites (<https://economic-times.indiatimes.com/news/environment/flora-fauna/poachers-go-online-to-sell-wildlife-species/articleshow/35175857.cms>).

➤ **Three chimpanzees rescued from animal trader's house." The Times of India, January 23, 2014.**

Three chimpanzees listed endangered by the International Union for Conservation of Nature and five marmosets, another exotic species, were rescued by Customs officials from the house of an animal dealer in Baguiati. Reportedly, the dealer had procured the chimps almost six months ago from Bangladesh and had plans to sell them to a private zoo in South India." (<https://timesofindia.indiatimes.com/city/kolkata/Three-chimpanzees-rescued-from-animal-traders-house/articleshow/29227452.cms>).

➤ **Threatened Tortoise and Turtles rescued from Kolkata, two held. The Times of India, The Economic Times, August 7, 2015.**

71 Threatened tortoise and turtles being rescued from animal traders' house. They belonged to four different species, two of which are categorized as "protected" under Schedule I of the "Wildlife (Protection) Act, 1972" and the other two categorized as threatened. They were described as Indian Tent Turtles, 44 in number, 27 star tortoise which is protected under Schedule IV, A single Crowned river turtle and 4 pond turtle, both declared as "Protected" under the Wildlife (Protection) Act, 1972 (<https://economictimes.indiatimes.com/news/environment/flora-fauna/threatened-tortoises->

turtles-rescued-from-kolkata-two-held / articleshow/48382102.cms?from=mdr).

- **“Acid Attack on Monkey: Rs 50,000 reward for information of attack.”** DNA, February 22, 2016.

“A monkey was rescued by the Resqink Association of Wildlife Welfare from Tusletpada in Bhandup after being attacked with an acid-like chemical, but succumbed to the injuries. This prompted Humane Society International-India, an animal rights NGO to declare a reward of Rs 50,000 for any information leading to the identification, arrest and conviction of the persons responsible for the incident.” (<https://www.dnaindia.com/India/report-acid-attack-on-monkey-rs-50-thousand-reward-for-information-on-attack-2180600>).

- **“Beagles rescued from lab in Bengaluru: This exposes the cruel, rampant practice of animal testing.”** First Post, May 20, 2016.

42 beagles within the age 2-4 years, bred and kept alive in captivity were released from the confines of their cages. These dogs were a target to animal testing conducted by a Pharmaceutical Testing Laboratory in Bengaluru in the year 2016 (<https://www.firstpost.com/india/beagles-rescued-bengaluru-adoption-animal-testing-2790734.html>).

- **“Banned By Law, Cockfighting Spawns A Multi-Crore Betting Business In Andhra Pradesh.”** The Huff Post, January 13, 2017.

Blood sports which are quite regulated in India, Cockfighting, another traditional recreation is much in vogue in Andhra Pradesh, during Sankranti. “Despite the order directed by the Hon’ble High Court of Hyderabad, upholding the ban on blood sport prevalent in Andhra Pradesh and Telengana, it was reported that the roosters were sold online on e-commerce platform OLX for extortionate rates which was later removed by the company” ([https://www.huffingtonpost.in/2017/01/12/banned-by-law-cockfighting-spawns-a-multi-crore-betting-business\\_a\\_21654094/](https://www.huffingtonpost.in/2017/01/12/banned-by-law-cockfighting-spawns-a-multi-crore-betting-business_a_21654094/)).

- **“Madhya Pradesh: Cow escapes from farmer’s shed, gets ‘raped’ by drunk Man.”** The Times of India, March 27, 2017.

“In Bhopal, a 50-year-old man was arrested and sent to jail for sexually abusing a cow in Betul district of Madhya Pradesh. It was reported from Betul town on March 19, where the accused was spotted in the

unnatural act by three women. The cow, police said, had escaped from a farmer’s shed. He was charged under section 377 (unnatural sex) of IPC and not under Prevention of Cruelty to Animals Act, 1960.” (<https://timesofindia.indiatimes.com/city/bhopal/Madhya-Pradesh-Cow-escapes-from-farmers-shed-gets-raped-by-drunk-man/articleshow/51574465.cms>).

- **“In Kashmir, animals too fall prey to ‘enforced’ disappearances.”** Kashmir Observer, June 11, 2017.

“A Hangul, an endangered Kashmir red stag that had been tagged with a satellite collar by wildlife scientists in 2013. The decision to fit satellite collars on a group of Hangul at Dachigam Park was taken to find out the causes of extinction of the species, but ironically, the lone sample for the research remains untraced.” (<https://kashmirobsrver.net/2017/local-news/kashmir-animals-too-fall-prey-enforced-disappearances-19050>).

- **“Two-year undercover study reveals cruel side of India’s dairy industries.”** The Hindustan Times, November 25, 2017.

“According to a two-year nationwide study by Pune animal protection group Animal Equality, dairy industries’ practices violate the Prevention of Cruelty to Animals (PCA) Act, 1960, Transport Rules, 1978, Slaughterhouse Rules, 2001, and various high court and Supreme Court orders.” (<https://www.hindustantimes.com/mumbai-news/two-year-undercover-study-reveals-cruel-side-of-india-s-dairy-industries/story-7icLDyv1Rq2tVV2kbYKccN.html>).

- **Civet Cat Killed in Chhattisgarh Police Training School; animal rights group files complaint.** The Times of India, June 22, 2018.

“A formal complaint against a few police officials was been lodged with the Chhattisgarh forest department by a Mumbai based animal rights group, after it was found out that a protected wildlife species, civet cat, had been brutally beaten and shot dead inside the Rajnandgaon based police training school in Chhattisgarh.” (<https://timesofindia.indiatimes.com/city/raipur/civet-cat-killed-in-chhattisgarh-police-training-school-animal-rights-group-files-complaint/articleshow/64700888.cms>).

- **“Hyderabad: Forester’s kin steal seized tiger**



**skin, held." Deccan Chronicle, January 15, 2018.**

"The mystery over a tiger skin missing after it was seized by forest officials in 2016 has been solved with the arrest of two persons on Sunday. The two accused happen to be the wife of a forest officer and her brother, the police said." (<https://www.deccanchronicle.com/nation/crime/150118/hyderabad-foresters-kin-steal-seized-tiger-skin-held.html>).

➤ **8 booked for sex with goat in Haryana's Nuh town in Mewat. The Times of India, July 29, 2018**

Eight men from a village near Haryana's Nuh town in Mewat have been booked for having forcible and unnatural sex with a goat while intoxicated. According to local police officials, the crime reportedly took place on July 25 late evening at Maroda village (<https://timesofindia.indiatimes.com/city/gurgaon/8-booked-for-sex-with-goat-in-nuh/articleshow/65182511.cms>).

➤ **Kolkata: Carcasses of 15 puppies found dumped on NRS Hospital premises. The Indian Express, January 15, 2019**

Carcasses of 15 puppies were found dumped on the premises of Neel Ratan Sarkar Hospital in Kolkata's Sealdah Sunday, triggering protests by animal lovers and outrage on social media. While two puppies and a dog were found alive, one of the puppies had died by the time it was brought to a veterinary hospital in Belgachia (<https://indianexpress.com/article/cities/kolkata/kolkata-carcasses-of-15-puppies-found-dumped-on-nrs-hospital-premises-5538672/>).

### Analyzing the Incidents

The news reports include an array of incidents on animal cruelty, both domestic and wild. Investigation by foresters has led them to suspect elephants being poisoned by poachers by Thymate, a strong pesticide which is used by local farmers (<http://www.wpsi-india.org/news/08052012.php>). Poisoning is not limited to terrestrial animals but the avian population also. Man-Animal conflict often leads to cruelty towards animals where hostile locals do not cooperate with the forest officials. The wildlife trade racket is extensive as monetary influx is visibly high with involvement of highly influential people. Inad-

equately skilled staff, deficiency in staff population, lack of proper equipment for the protection of wildlife and security of the staff is a reason of concern. The low rate of conviction and least amount of penalty along with lax behaviour of the law enforcement officials cause a steep rise in animal abuse.

Incidentally, in numerous cases, the involvement of militant groups, resistant groups increase the instances of wildlife crime. Moreover, India's borders aid in the flow of illegal migrants which further accentuates illegal trade of animal and animal articles. Technological advancement has introduced novel strategies of online trade, making it difficult to locate the actual perpetrator. Reptiles and smaller animal are targeted as they grab minimum attention and yet procure a good amount.

The general incompetence of Regulatory bodies and insatiable greed of some people still encourages the demand for illegal breeding of animals for testing. The Bureau of Indian Standards has approved of removing the mentioning of animal testing from the country's cosmetic standards. Modern Non Animal Testing alternatives have been mandated to replace the cruel test on animals (<https://industries.ul.com/news/india-bans-cosmetics-animal-testing>). According to The Pharmacy Council of India, all institutions under it have to register with the Committee for Control and Supervision of Experiment of Animals (CPCSEA) and implement the guidelines provided for animal experimentation ([http://www.hwassociation.org/conf/HWC-2015/papers/41ID\\_HWC2015.pdf](http://www.hwassociation.org/conf/HWC-2015/papers/41ID_HWC2015.pdf)).

Sexual assault on domestic animals has been reported numerous times as these animals make easy target owing to their meekness. Inexperienced men, in dairy farms, use unsterile equipment for carrying out artificial insemination in dairy animals and the calves snatched away from their mothers within days after birth. The animals are brutally beaten with sticks, kept chained and are later on sold off to slaughterhouses once there is decline in milk production (<https://www.hindustantimes.com/mumbai-news/two-year-undercover-study-reveals-cruel-side-of-india-s-dairy-industries/story-7icLDyv1Rq2tVV2kbYKccN.html>).

### Remedial Measures to combat Animal Abuse

India's permeability with the bordering countries like Bangladesh, Nepal, Myanmar is extensively assisting in illegal wildlife trade. The consecutive reason is the diverse and mobile population, espe-

cially in Metropolitan cities, which is swiftly transforming India into a transit for transnational illegal wildlife trade. Technological advancement has introduced the use of advanced arms and ammunition by poachers which posed challenges for forest security officials.

Procedures like Artificial Insemination through unhygienic means by inexperienced workers needs to be curtailed. Though more reported incidents on animal abuse does not necessarily mean increased incidences of abuse against animals, it may also point at a rise in the reporting rate of such cases. Still, awareness of animal rights among the people is still lagging behind in India.

The Law enforcement agencies need to include more trained and adept personnel strictly to deal with cases of wildlife crime and animal cruelty. The links in the enforcement chain such as probability of detection, arrest, prosecution and conviction needs to be strengthened (Nurse, 2016). Animal abuse and violent crimes are related directly as people supporting or advocating animal rights are often targeted and victimized by the ruthless poachers. This calls for proper protection to be provided to the complainant, so that the people do not stay quiet over incidents of animal cruelty and report it to the concerned authority. Such procedure shall restore the faith of people and help protect the animal rights. Compassion for all living creatures has been enlisted as a Fundamental duty in our Constitution. Therefore it is crucial for us to modulate the existing

dynamics for creating a safe haven for animals in India.

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