



Animal Welfare in India: From Constitutional Values to the Five Freedoms

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Animal welfare is no longer understood only as preventing cruelty or physical injury. It includes the overall physical and mental well-being of animals and the conditions in which they are kept, transported, used or managed. The internationally accepted definition described in the assignment considers animal welfare in relation to the physical and mental state of an animal in the conditions in which it lives and dies. India has a large livestock population and considerable biological diversity. Therefore, animal welfare has implications not only for individual animals but also for food security, public health, sustainable agriculture, biodiversity and environmental protection. Dairy farms, gaushalas, slaughterhouses and other animal-related establishments can generate dung, urine, wastewater, odour and greenhouse-gas emissions, making proper management important for both animal welfare and environmental protection.

Constitutional Foundation of Animal Welfare

The Constitution of India provides an important foundation for animal welfare and environmental protection. Three provisions are particularly relevant: Article 48, Article 48A and Article 51A(g).

Article 48 directs the State to organise agriculture and animal husbandry on modern and scientific lines and to take steps for preserving and improving animal breeds. Scientific livestock management is therefore closely connected with animal health, productivity and welfare.

Article 48A, introduced through the 42nd Constitutional Amendment in 1976, directs the State to protect and improve the environment and safeguard forests and wildlife. This is important because wildlife protection depends on healthy ecosystems and habitats.

Article 51A(g) establishes a Fundamental Duty of citizens to protect and improve the natural environment and to have compassion for living creatures. Thus, animal welfare is not solely the responsibility of government agencies; citizens also have a constitutional responsibility toward living creatures and the environment.

Prevention of Cruelty to Animals Act, 1960

The Prevention of Cruelty to Animals (PCA) Act, 1960 is the principal central legislation dealing with the prevention of unnecessary pain and suffering to animals in India. It replaced the earlier 1890 legislation and established a more comprehensive legal framework for animal protection.

The Act also provided for the Animal Welfare Board of India (AWBI). The Board has responsibilities that include advising the government on animal welfare legislation, reviewing animal protection laws, promoting animal welfare organisations and supporting Societies for Prevention of Cruelty to Animals.

The legislation also provides a regulatory framework for areas such as animal experimentation, transportation, performing animals, slaughterhouses and pet shops. These

areas are particularly important because practical animal welfare is strongly influenced by handling, housing, transportation and slaughter practices.

The Five Freedoms

1. Freedom from Hunger and Thirst

Animals should have continuous access to sufficient, nutritious and appropriate feed and clean, safe drinking water. Proper nutrition and hydration are essential for maintaining normal growth, health, production and overall well-being.

2. Freedom from Discomfort

Animals should be provided with a suitable and comfortable living environment. Adequate shelter, appropriate flooring, sufficient resting space, ventilation and protection from extreme weather conditions help animals remain comfortable and reduce environmental stress.

3. Freedom from Pain, Injury and Disease

Animals should be protected from preventable injuries, pain and diseases through proper housing, hygiene and preventive healthcare. Regular observation, timely diagnosis and appropriate veterinary treatment are important for maintaining good health and minimising suffering.

4. Freedom to Express Normal Behaviour

Animals should have adequate space and suitable facilities that allow them to perform normal species-specific behaviours. Proper housing, social interaction and opportunities for movement and natural activities contribute to better physical and behavioural welfare.

5. Freedom from Fear and Distress

Animals should be managed in a manner that minimises unnecessary fear, anxiety and psychological stress. Gentle handling, appropriate transportation, suitable housing and avoiding harsh treatment can help animals remain calm and maintain positive welfare.

These principles were included among the proposed reforms in the Draft Prevention of Cruelty to Animals (Amendment) Bill, 2022.

The Five Freedoms provide a simple way of understanding that animal welfare is much broader than merely avoiding physical abuse. A healthy animal requires adequate nutrition, comfortable housing, appropriate healthcare, opportunities for normal behaviour and protection from unnecessary fear and distress.

A Landmark Judicial Development

The Supreme Court's decision in *Animal Welfare Board of India v. A. Nagaraja & Others* (2014) is an important development in Indian animal welfare jurisprudence. The case concerned activities including Jallikattu and bullock-cart events. The Court recognised important welfare considerations and referred to the Five Freedoms in the context of Sections 3 and 11 of the PCA Act. The judgment also highlighted concerns regarding inadequate penalties for cruelty. This judgment contributed to a broader understanding of animal welfare, moving discussion beyond simple physical protection toward consideration of the overall welfare and interests of animals.

Need for Stronger Implementation

The assignment identifies several challenges in the present framework. One important issue is the inadequacy of penalties under the PCA Act. It also discusses the Draft Prevention of Cruelty to Animals (Amendment) Bill, 2022, which proposed substantial changes, including stronger penalties, recognition of the Five Freedoms and provisions concerning State Animal Welfare Boards.

However, legislation alone cannot guarantee animal welfare. Effective implementation requires:

- trained personnel,
- appropriate infrastructure,
- public awareness,
- veterinary support,

- responsible animal handling,
- effective enforcement and
- cooperation between government agencies and communities.

Conclusion

Animal welfare in India has developed from a narrow concern about cruelty into a broader concept involving health, housing, nutrition, behaviour, environmental conditions and responsible management. Constitutional provisions, the PCA Act, judicial decisions and welfare institutions together provide an important framework. The future of animal welfare will depend not only on stronger laws but also on their effective implementation and on developing a culture of responsible and compassionate animal management.

Reference

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