

Supreme Court to fix harsh penalty for killing strays

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NEW DELHI: In a shot in the arm for animal lovers, the Supreme Court has agreed to examine an anomaly in law that discriminates between a stray animal and a pet, stipulating a paltry fine of Rs 50 for the killing of a stray while a similar offence against a house pet can attract a jail term of up to five years.

The Indian Penal Code does not specifically recognize offences against animals and crimes like killing or maiming, which are dealt under the category of offences against “property” of people and this excludes stray animals as they are not “assets”. This means that killing stray cattle, for example, is covered under the Prevention of Cruelty to Animals Act which prescribes a fine of Rs 50.

“It does not behove a civilized society that the only punishment for hacking a puppy to death is a paltry Rs 50 fine and no jail term. It flies in the face of our Constitutional duty under Article 51A (g), which enjoins us to have compassion for all living beings and not just humans,” advocate Prashant Bhushan, standing for an NGO, told a bench of Justices Dipak Misra and Siva Kirti Singh.

Pet animals are also being discriminated under IPC as per their deemed value. While Section 428 provides for maximum of two-year jail term for killing or maiming animal of the value of Rs 10, the punishment is up to a five-year jail term if such offence is committed against animals of Rs 50 or more.

Taking into account these patently antiquated and unfair yardsticks, the SC on Thursday agreed to hear a plea seeking stringent law for crime against stray animals by introducing a separate provision for such offences.

The bench issued notice to the Centre seeking its response for harsher punishment for animal cruelty and to regulate pet shops.