

1. This extract is taken from *Animal Welfare Board of India v. A. Nagaraja*, (2014) 7 SCC 547 : (2014) 3 SCC (Cri) 136 : 2014 SCC OnLine SC 433 at page 585

42. Sections 3 and 11, as already indicated, therefore, confer no right on the organisers of Jallikattu or bullock cart race, but only duties, responsibilities and obligations, but confer corresponding rights on animals. Sections 3, 11(1)(a) and (o) and other related provisions have to be understood and read along with **Article 51-A(g) of the Constitution which cast fundamental duties on every citizen to have “compassion for living creatures”**. Parliament, by incorporating Article 51-A(g), has again **reiterated and re-emphasised the fundamental duties on human beings towards every living creature**, which evidently takes in bulls as well. **All living creatures have inherent dignity and a right to live peacefully and right to protect their well-being which encompasses protection from beating, kicking, overdriving, overloading, tortures, pain and suffering, etc.** Human life, we often say, is not like animal existence, a view having anthropocentric bias, forgetting the fact that animals have also got intrinsic worth and value. Section 3 of the PCA Act has acknowledged those rights and the said section along with Section 11 cast a duty on persons having charge or care of animals to take reasonable measures to ensure well-being of the animals and to prevent infliction of unnecessary pain and suffering.

Compassion

67. Article 51-A(g) states that it shall be the duty of citizens to have compassion for living creatures. In *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat* [(2005) 8 SCC 534] , this Court held that by enacting Article 51-A(g) and giving it the status of a fundamental duty, one of the objects sought to be achieved by Parliament is to ensure that the spirit and message of Articles 48 and 48-A are honoured as a fundamental duty of every citizen. Article 51-A(g), therefore, enjoins that it was a fundamental duty of every citizen “to have compassion for living creatures”, which means concern for suffering, sympathy, kindness, etc., which has to be read along with Sections 3, 11(1)(a) and (m), 22, etc. of the PCA Act.

Humanism

68. Article 51-A(h) says that it shall be the duty of every citizen to develop the scientific temper, humanism and the spirit of inquiry and reform. Particular emphasis has been made to the expression “humanism” which has a number of meanings, but increasingly designates as an inclusive sensibility for our species. Humanism also means, to understand benevolence, compassion, mercy, etc. Citizens should, therefore, develop a spirit of compassion and humanism which is reflected in the Preamble of the PCA Act as well as in Sections 3 and 11 of the Act. To look after the welfare and well-being of the animals and the duty to prevent the infliction of pain or suffering on animals highlights the principles of humanism in Article 51-A(h). Both Articles 51-A(g) and (h) have to be read into the PCA Act, especially into Section 3 and Section 11 of the PCA Act and be applied and enforced.

2. This extract is taken from *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*, (2005) 8 SCC 534 : 2005 SCC OnLine SC 1552 at page 570

67. This reasoning is further strengthened by Article 51-A(g) of the Constitution. The State and every citizen of India must have compassion for living creatures. Compassion, according to the *Oxford Advanced Learner's Dictionary* means "a strong feeling of sympathy for those who are suffering and a desire to help them". According to the *Chambers 20th Century Dictionary*, compassion is "fellow-feeling, or sorrow for the sufferings of another; pity". Compassion is suggestive of sentiments, a soft feeling, emotions arising out of sympathy, pity and kindness. The concept of compassion for living creatures enshrined in Article 51-A(g) is based on the background of the rich cultural heritage of India the land of Mahatma Gandhi, Vinobha, Mahaveer, Buddha, Nanak and others. No religion or holy book in any part of the world teaches or encourages cruelty. Indian society is a pluralistic society. It has unity in diversity. The religions, cultures and people may be diverse, yet all speak in one voice that cruelty to any living creature must be curbed and ceased. A cattle which has served human beings is entitled to compassion in its old age when it has ceased to be milch or draught and becomes so-called "useless". It will be an act of reprehensible ingratitude to condemn a cattle in its old age as useless and send it to a slaughterhouse taking away the little time from its natural life that it would have lived, forgetting its service for the major part of its life, for which it had remained milch or draught. We have to remember: the weak and meek need more of protection and compassion.

3. This extract is taken from *T.N. Godavarman Thirumalpad v. Union of India*, (2002) 10 SCC 606 : 2002 SCC OnLine SC 1024 at page 627

31.Today, the State and the citizen are under a fundamental obligation to protect and improve the environment, including forests, lakes, rivers, wildlife and to have compassion for living creatures.