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PHARMACEUTICAL JURISPRUDENCE

UNIT 4

TOPIC :

- **Prevention of Cruelty to animals Act-1960** : Objectives, Definitions, Institutional Animal Ethics Committee, CPCSEA guidelines for Breeding and Stocking of Animals, Performance of Experiments, Transfer and acquisition of animals for experiment, Records, Power to suspend or revoke registration, Offences and Penalties

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Prevention of Cruelty to Animals Act, 1960

- The Prevention of Cruelty to Animals (PCA) Act, 1960 was enacted by the Government of India to prevent unnecessary pain and suffering to animals and to ensure their humane treatment, especially in laboratories where animals are used for experimental and educational purposes.
- The Act also provides for the establishment of the Animal Welfare Board of India (AWBI) and the Committee for the Purpose of Control and Supervision of Experiments on Animals (CPCSEA) to regulate the use of animals in scientific research and education.

Objectives of the Act

The main objectives of the Prevention of Cruelty to Animals Act, 1960 are:

1. To prevent unnecessary pain, suffering, or cruelty to animals.
2. To regulate experimentation on animals used for scientific or educational purposes.
3. To ensure humane treatment, care, and housing of animals.
4. To establish CPCSEA for control and supervision of animal experimentation.
5. To promote alternatives to animal experimentation wherever possible.
6. To lay down duties and responsibilities for breeders, researchers, and institutions.
7. To prescribe penalties for those found guilty of cruelty or violation of CPCSEA guidelines.

Important Definitions

Term	Definition
Animal	Any living creature other than a human being.
Experiment	Any procedure performed on an animal for scientific, educational, or medical research purposes that may cause pain, suffering, or death.
Cruelty	Any act that causes unnecessary pain or suffering to an animal (e.g., beating, overloading, mutilating, neglecting).
Institution	Any college, university, hospital, or research center using animals for education or experimentation.
CPCSEA	Committee for the Purpose of Control and Supervision of Experiments on Animals — a statutory body under the Ministry of Fisheries, Animal Husbandry & Dairying.

Institutional Animal Ethics Committee (IAEC)

Each institution conducting animal experiments must establish an Institutional Animal Ethics Committee (IAEC) under CPCSEA guidelines.

Composition of IAEC

- 1 biological scientist
- 1 scientist in charge of animals
- 1 veterinarian
- 1 scientist from a different biological discipline
- 1 CPCSEA nominee
- 1 socially aware member (non-scientist)
- 1 representative from AWBI or a similar organization

Functions of IAEC

1. Review and approve experimental proposals before execution.
2. Ensure ethical justification for animal use.
3. Assess pain and distress levels and suggest humane endpoints.
4. Monitor animal housing, feeding, and health care.
5. Maintain records of experiments and report to CPCSEA.
6. Recommend alternative methods to animal use when available.

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CPCSEA Guidelines (Committee for the Purpose of Control and Supervision of Experiments on Animals)

The CPCSEA, established under Section 15 of the PCA Act, 1960, regulates use of animals for experiments, breeding, and stocking.

A. Breeding and Stocking of Animals

- Institutions must be registered with CPCSEA to breed or house experimental animals.
- Housing facilities must provide:
 - Adequate space, ventilation, temperature control, and hygiene.
 - Proper feeding, watering, and veterinary care.
- Overcrowding and poor maintenance are strictly prohibited.
- Breeding records must be maintained for species, age, sex, and health status.

B. Performance of Experiments

- Experiments must be performed only under IAEC approval.
- Anaesthesia must be used for all painful procedures unless justified otherwise.
- Experiments should cause the least pain and distress possible.
- Post-experimental care and humane euthanasia must be provided.
- No animal should be used for multiple painful experiments.
- Preference must be given to lower phylogenetic species (e.g., mice before dogs or monkeys).

C. Transfer and Acquisition of Animals

- Animals may only be procured from registered breeders or CPCSEA-approved suppliers.
- Transfer of animals between institutions requires CPCSEA permission.
- The receiving institution must ensure adequate housing and veterinary facilities.
- Animals should be transported humanely and safely to minimize stress.

D. Records and Documentation

Institutions must maintain detailed records of:

1. Source and number of animals acquired.
2. Purpose and type of experiments performed.
3. Names of researchers conducting experiments.
4. Use of anaesthesia, analgesia, and euthanasia.
5. Disposal of animals after experiments.
6. Annual reports submitted to CPCSEA for inspection.

Records should be preserved for at least 3 years and made available during inspections.

E. Power to Suspend or Revoke Registration

- The CPCSEA has the authority to:
 - Inspect animal houses and laboratories at any time.
 - Suspend or cancel registration of any institution that violates rules or guidelines.
 - Impose restrictions until corrective measures are taken.
 - Initiate legal proceedings for cruelty or negligence.
- Institutions found guilty cannot perform animal experiments until re-registered.

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Offences and Penalties

Nature of Offence	Penalty (First Offence)	Penalty (Subsequent Offence)
Infliction of unnecessary pain or suffering	Fine up to ₹50	Fine up to ₹100 or imprisonment up to 3 months or both
Use of animals for experiments without registration or IAEC approval	Fine and suspension of registration	Cancellation of registration and imprisonment up to 6 months
Neglect, starvation, or improper housing of animals	Fine up to ₹100	Fine up to ₹500 or imprisonment up to 3 months
Obstruction of CPCSEA officials during inspection	Fine or imprisonment as decided by court	Increased penalty on repetition

Salient Features of the Act

1. Regulates use of animals for experiments.
2. Mandates registration of animal houses and breeders.
3. Requires approval of IAEC for all experiments.
4. Empowers CPCSEA to monitor and inspect institutions.
5. Promotes alternatives to animal testing where possible.
6. Ensures proper care, handling, and euthanasia of animals.
7. Prescribes penalties for cruelty or non-compliance.