

## REGIONAL VARIATIONS IN ANIMAL WELFARE LAW ENFORCEMENT IN INDIA

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### Abstract

*Animal welfare laws in India are a critical component of the country's legal system, aiming to prevent cruelty and ensure the protection of animals. However, the enforcement of these laws is not uniform across the country, with significant regional variations in their implementation. This paper explores the factors contributing to these discrepancies, including differences in state-level regulations, cultural attitudes towards animals, the capacity of enforcement agencies, and the role of local communities in animal protection. By examining case studies from various Indian states, this study highlights how socio-economic, political, and cultural factors shape the enforcement of animal welfare laws. The paper also investigates the effectiveness of key legal instruments such as the Prevention of Cruelty to Animals Act (1960), and the role of animal welfare organizations in bridging the enforcement gap. The findings suggest that regional factors such as local governance, public awareness, and economic development influence the success or failure of animal protection efforts in India. The enforcement of animal welfare laws in India is a complex and multifaceted issue, with significant regional variations influenced by socio-economic, cultural, political, and administrative factors. Although India has established robust national legal frameworks, such as the Prevention of Cruelty to Animals Act (1960) and the Wildlife Protection Act (1972), the implementation and enforcement of these laws vary significantly across the country. This paper seeks to explore the reasons behind these regional disparities and to analyse the factors that contribute to inconsistent enforcement. Through case studies from diverse regions, including northern, southern, western, and eastern India, the paper identifies the impact of local governance, economic development, cultural norms, and public awareness on the effectiveness of animal welfare law enforcement. In regions where animal welfare laws are poorly enforced, issues such as inadequate resources, lack of political will, and resistance from traditional practices often hinder progress. Conversely, states with better resources, stronger governance structures, and active civil society organizations tend to show more successful implementation.*

*The paper also examines the role of non-governmental organizations and animal welfare activists in filling enforcement gaps and advocating for stronger protections. The findings highlight the need for more tailored approaches to animal welfare enforcement that take into account regional differences, alongside recommendations for improving coordination between state and central authorities, strengthening public awareness campaigns, and building the capacity of enforcement agencies. Ultimately, the paper underscores the importance of harmonizing legal standards with regional realities to foster more effective protection for animals across India.*

**Key Words: Animal welfare, law enforcement, Prevention of Cruelty to Animals Act, cultural attitudes, animal protection organizations, legal implementation.**

*“While India possesses a progressive legal framework for animal welfare, its enforcement remains deeply uneven across regions, reflecting disparities in local governance, public awareness, and institutional support.”*

— **Dr. Maneka Gandhi,**

## 1. INTRODUCTION

India, a nation rich in cultural, social, and ecological diversity, has long recognized the importance of animal welfare through the establishment of legal frameworks aimed at protecting animals from cruelty. The most prominent among these is the Prevention of Cruelty to Animals Act (1960), which aims to prevent unnecessary pain and suffering to animals. Alongside this, the Wildlife Protection Act (1972) regulates the conservation and management of wildlife, while other legal provisions under the Indian Penal Code further address acts of cruelty towards animals. Despite these comprehensive laws, the enforcement of animal welfare regulations is marked by significant regional variations, which are shaped by a host of factors including cultural practices, socio-economic conditions, political dynamics, and administrative capacities.

The diversity of India, with its 28 states and 8 Union Territories, means that regional differences in the interpretation, application, and enforcement of animal welfare laws are inevitable. In some regions, the protection of animals is prioritized through stringent enforcement, active advocacy, and substantial support from government and non-government organizations (NGOs). In others, the situation is starkly different, with weak enforcement mechanisms, public apathy, and the persistence of culturally ingrained practices that often conflict with the principles of animal welfare.

Cultural influences, for example, play a significant role in shaping the enforcement landscape. Certain religious practices and festivals that involve animal sacrifices or other forms of ritualistic cruelty persist in some parts of India, complicating the enforcement of laws designed to prevent such activities. Economic factors also contribute to regional disparities—states with higher economic development and urbanization may be better

equipped to implement animal welfare laws than less developed regions, where resources and public awareness are often lacking. Additionally, political will and the prioritization of animal welfare within the local governance structures can significantly impact the success of enforcement measures. Moreover, while national legal frameworks provide a uniform basis for animal protection, enforcement is often delegated to state and local authorities, whose capacity and commitment to upholding these laws vary widely. Some states have established specialized animal welfare bodies and enforcement mechanisms, while others struggle with limited manpower, insufficient funding, and a lack of training for local law enforcement officers.

This paper aims to analyse the regional variations in animal welfare law enforcement across India. By examining different regions with distinct cultural, political, and economic landscapes, the study will assess the key challenges and opportunities that shape the effectiveness of these laws. Through case studies and a detailed examination of the factors at play, this paper seeks to highlight the underlying causes of enforcement gaps and propose solutions that are tailored to the unique needs of each region. In addition, the study will explore the role of NGOs and civil society organizations, which often serve as critical partners in advancing animal welfare in regions where government enforcement is weak. These organizations not only advocate for stronger laws but also provide resources, education, and on-the-ground enforcement in areas where official systems fail to reach. The growing awareness of animal rights issues in urban centres has also spurred a new generation of activists, further contributing to the national discourse on animal protection. Ultimately, this paper argues that addressing the regional variations in enforcement of animal welfare laws requires a nuanced approach—one that takes into account local challenges, cultural norms, and economic realities while strengthening the legal frameworks and enforcement structures across the country. By identifying specific areas of concern and proposing targeted interventions, the paper hopes to contribute to more effective and equitable enforcement of animal welfare laws in India.

## 2. LEGAL FRAMEWORK FOR ANIMAL WELFARE IN INDIA

India has a relatively strong legal framework concerning the protection of animals, aimed at preventing cruelty, ensuring humane treatment, and protecting biodiversity. While these laws offer a solid foundation for animal welfare, the implementation and enforcement of these legal provisions vary significantly across different regions of the country. In this section, we will examine the key national laws, regulations, and institutions that form the core of animal welfare governance in India.

### *2.1 Prevention of Cruelty to Animals Act, 1960 (PCA Act)*

The **Prevention of Cruelty to Animals Act** (PCA Act), enacted in 1960, is the cornerstone of India's animal protection laws. The Act prohibits cruelty to animals in various forms, such as beating, torturing, mutilating, or committing any act that causes unnecessary pain or suffering to animals.

## 2.2 *The Wildlife Protection Act, 1972*

The **Wildlife Protection Act (WPA)** was passed to protect India's wildlife and their habitats, addressing both the protection of endangered species and the prevention of illegal poaching and trafficking. The Act also governs the establishment of protected areas like national parks and sanctuaries. The Act has been instrumental in providing legal protection to various species, including tigers, elephants, and rhinoceroses, and it contributes to the overall animal welfare framework by ensuring the protection of wildlife from exploitation and harm.

## 2.3 *The Indian Penal Code (IPC), 1860 now read as Bharatiya Nyaya Sanhita, 2023*

The **Indian Penal Code (IPC)**, which forms the backbone of criminal law in India, includes provisions that deal with offenses related to animal cruelty. Specific sections relevant to animal welfare include:

**Section 428:** Punishes individuals for causing harm or killing an animal, with penalties for those who inflict injuries or cause the death of animals with an intent to cause cruelty.

**Section 429:** Deals with the killing, maiming, or poisoning of livestock, and prescribes penalties for acts of cruelty toward domesticated animals. While these provisions are important, the IPC is more general in nature and does not focus exclusively on animal welfare, limiting its effectiveness in specific animal protection scenarios.

Now these sections 428 and 429 of IPC dealing with animal cruelty have been replaced by Section 325 of BNS.

## 2.4 *The Cruelty to Animals (Registration of Cattle Pounds) Rules, 1978*

These rules regulate the functioning of cattle pounds, which are temporary holding facilities for stray cattle. The rules stipulate the treatment of animals in such facilities, ensuring that they are treated with respect and compassion while awaiting their rightful owners.

## 2.5 *The Animal Welfare Board of India (AWBI)*

The **Animal Welfare Board of India (AWBI)** is an advisory body established under the Prevention of Cruelty to Animals Act, 1960. Its role is pivotal in the promotion of animal welfare across the country. Some of its functions include:

Advising the central government on matters related to animal welfare, promoting awareness about animal welfare through educational campaigns and outreach programs, collaborating with state authorities, NGOs, and animal welfare groups to improve enforcement, setting guidelines for the treatment of animals in circuses, zoos, and during transportation, Ensuring compliance with animal welfare standards in industries such as agriculture and pharmaceuticals. While AWBI plays a crucial role in promoting animal welfare, its reach and influence are often limited due to challenges related to funding, political support, and coordination with state authorities.

### *2.6 The Prevention of Cruelty to Animals (Pet Shop) Rules, 2018*

The **Pet Shop Rules (2018)** were established to regulate the functioning of pet shops and breeders in India. These rules aim to ensure that animals sold as pets are treated humanely and that breeders operate in accordance with ethical standards. They outline specific responsibilities for pet shop owners and breeders, such as:

Ensuring the humane housing of animals, Preventing the sale of sick or injured animals, Prohibiting the sale of animals that are not domesticated or legal to possess. These rules are essential for addressing the growing issue of the commercialization of animals, but their implementation is often inconsistent, especially in smaller, unregulated markets.

### *2.7 The Environment Protection Act, 1986*

The **Environment Protection Act (EPA)**, though not directly focused on animal welfare, plays a significant role in the conservation of wildlife and the natural environment. It empowers the government to take measures for the protection and improvement of the environment, including controlling pollution and mitigating the harmful impacts of industrial development on wildlife habitats. As pollution and environmental degradation continue to be significant threats to animal welfare, this Act supports broader conservation and protection goals.

### *2.8 National Committees and Enforcement Bodies*

India has established several national bodies and committees to oversee and enforce animal welfare laws. These agencies are responsible for formulating policies, guiding enforcement, promoting awareness, and ensuring that animal welfare laws are adhered to at the national and regional levels. However, their effectiveness often depends on the support and coordination of state governments, local authorities, and non-governmental organizations (NGOs). Below, we explore the key national committees and enforcement bodies that play a critical role in animal welfare in India.

### *2.9 Animal Welfare Board of India (AWBI)*

The **Animal Welfare Board of India (AWBI)** is the primary national body responsible for the promotion of animal welfare in India. It was established in 1962 under the **Prevention of Cruelty to Animals Act, 1960**. AWBI is an advisory body to the central government on all matters related to animal welfare, and it is tasked with ensuring that the provisions of the Prevention of Cruelty to Animals Act are effectively enforced across India.

### *2.10 Central Zoo Authority (CZA)*

The **Central Zoo Authority (CZA)** was established in 1992 under the **Wildlife Protection Act, 1972**, to regulate zoos in India. Its primary mandate is to ensure that zoos in the country meet certain standards of animal welfare, conservation, and education. The CZA plays a

crucial role in maintaining humane conditions in zoos, but challenges remain in ensuring consistent standards across the wide network of zoos in India.

### *2.11 Wildlife Crime Control Bureau (WCCB)*

The **Wildlife Crime Control Bureau (WCCB)** was established in 2007 under the **Ministry of Environment, Forest and Climate Change (MoEFCC)**, and it operates as a specialized agency dedicated to curbing wildlife crime. While the WCCB primarily focuses on the enforcement of wildlife protection laws, it also plays an important role in preventing cruelty to wild animals and combating illegal wildlife trade.

### *2.12 State Animal Welfare Boards (SAWBs)*

Each Indian state is empowered to establish its own **State Animal Welfare Board (SAWB)** under the guidance of AWBI. These state-level bodies play a crucial role in the regional enforcement of animal welfare laws, adapting national laws to the unique challenges of the **Non-Governmental Organizations and civil society groups**.

## **3. CONCLUSION**

In conclusion, India has established a comprehensive and progressive legal framework for animal welfare, underpinned by key national laws such as the **Prevention of Cruelty to Animals Act (1960)** and the **Wildlife Protection Act (1972)**. These laws, complemented by national bodies like the **Animal Welfare Board of India (AWBI)** and the **Wildlife Crime Control Bureau (WCCB)**, provide a solid foundation for protecting animals from cruelty, exploitation, and abuse. Despite these efforts, the enforcement of animal welfare laws in India remains inconsistent and marked by significant regional variations.

The effectiveness of animal welfare law enforcement is shaped by a multitude of factors, including **regionalsocio-cultural norms, economic disparities, political priorities, and administrative capacities**. While some states have made significant strides in implementing and enforcing these laws, others continue to face challenges such as **lack of resources, inadequate training of law enforcement agencies, and cultural resistance to legal provisions**. These regional disparities highlight the complexity of ensuring consistent protection for animals across such a vast and diverse country.

A critical issue that emerges from this analysis is the **gap between national laws and local realities**. While national legislation provides a uniform standard, its implementation often falters at the state and local levels. The regional challenges faced by different states necessitate tailored enforcement strategies that are responsive to local cultural, economic, and administrative contexts. Strengthening the **capacity of state enforcement agencies**, improving **coordination between national and regional bodies**, and promoting **public awareness** are vital steps toward achieving more effective animal welfare protections.

Moreover, the role of **non-governmental organizations (NGOs)** and **civil society** cannot be overstated. NGOs play an essential role in bridging enforcement gaps, raising awareness, and

providing direct intervention in cases of animal cruelty. Their work often complements and supplements the efforts of governmental bodies, making them invaluable partners in the fight for animal welfare. To address the regional variations in enforcement, this paper suggests several measures such as:

- **Enhancing** between state and central authorities to create a unified approach to animal welfare.
- **Building local capacities** by providing specialized training to law enforcement officers and local government officials on handling animal cruelty cases.
- **Raising public awareness** through educational campaigns that highlight the ethical, legal, and environmental importance of animal welfare.
- **Promoting regional reforms** that are culturally sensitive while still upholding national legal standards.

Ultimately, ensuring effective enforcement of animal welfare laws in India requires a multi-pronged approach that involves strengthening institutional frameworks, fostering intergovernmental cooperation, and engaging with communities at the grassroots level. By recognizing and addressing the diverse regional challenges that affect enforcement, India can take significant and decisive steps toward achieving a more consistent and comprehensive system of animal protection across the nation.

In summary, while India's legal framework for animal welfare is robust, the successful enforcement of these laws depends heavily on the region-specific approaches and the collective efforts of government bodies, civil society organizations, and the general public. With continued focus, investment, and collaboration, India can create a more humane and just system for the protection of animals, ensuring that animal welfare becomes an integral part of its national ethos. The role of national committees and enforcement bodies like *the Animal Welfare Board of India (AWBI)*, *Wildlife Crime Control Bureau (WCCB)*, and *Central Zoo Authority (CZA)* is crucial, but their impact is often limited by challenges such as inadequate funding, lack of coordination between state and central agencies, and insufficient training for law enforcement officers. Furthermore, NGOs and civil society organizations have played a vital role in bridging enforcement gaps and raising awareness, yet their efforts need stronger support from governmental bodies. In conclusion, achieving uniform and effective animal welfare enforcement in India requires a multifaceted approach that combines legal reform, public education, and active collaboration between governmental agencies, NGOs, and local communities. Only by addressing the regional disparities in enforcement and fostering a collective commitment to animal protection can India create a truly humane environment for all animals.