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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **IMPACT OF ANIMAL ABUSE LAWS ON PREVENTING ANIMAL CRUELTY: A COMPARATIVE STUDY OF INDIA AND THE USA**

AUTHORED BY - DHRTIH P SONI

## **ABSTRACT**

Animal abuse, neglect, and exploitation in home, commercial, and research contexts are all examples of the widespread problem of animal cruelty, which impacts millions of animals globally. Legal frameworks are essential for stopping cruelty, safeguarding the welfare of animals, and making sure that those who commit crimes are held responsible. This study compares and contrasts the laws in India and the US regarding animal abuse, evaluating how well they work to stop cruelty and protect animals.

The main piece of legislation in India that attempts to stop animal abuse is the Prevention of Cruelty to Animals Act, 1960 (PCA Act). Nevertheless, the law is frequently criticised for its lax enforcement, weak penalties, and insufficient coverage of contemporary forms of animal abuse, despite its intention to protect animal welfare. Furthermore, while the Wildlife Protection Act of 1972 protects endangered species, it does not adequately address animal abuse of both domestic and stray animals. Even though court rulings have highlighted the significance of animal welfare, such as in the seminal case of *Animal Welfare Board of India v. A. Nagaraja* (2014)<sup>1</sup>, there is still inconsistency in how these decisions are applied and enforced.

However, the United States has a stronger legal system, which includes federal laws like the Preventing Animal Cruelty and Torture (PACT) Act of 2019, which has harsher penalties for extreme forms of animal cruelty, and the Animal Welfare Act (AWA), 1966, which governs the treatment of animals in research, exhibition, and transportation. Furthermore, each state has its own laws, some of which enforce more stringent rules in addition to federal ones. Inconsistencies in state laws and coverage gaps persist despite this comprehensive legal framework.

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<sup>1</sup> *Animal Welfare Bd. of India v. A. Nagaraja*, (2014) 7 S.C.C. 547 (India).

This study examines the scope, enforcement methods, sanctions, and public awareness of the animal protection laws in the USA and India in order to determine their advantages and disadvantages. It emphasises how India's low fines and lax enforcement of the law reduce its impact, whereas the USA's harsher penalties and better enforcement act as a stronger deterrent against animal cruelty. The study also looks at how advocacy and public awareness have influenced animal welfare laws in both nations. The analysis emphasises the necessity of legislative reform in India in order to effectively address all types of animal cruelty, including toughening penalties, improving enforcement, and broadening the scope of existing laws.

**Keywords:** Animal cruelty, Prevention of Cruelty to Animals Act, Animal Welfare Act, animal protection laws, legal framework, enforcement mechanisms, India, USA, judicial intervention, public awareness, legislative reform.

## INTRODUCTION

Millions of animals are impacted by the widespread and gravely alarming problem of animal abuse, which can take many different forms, including physical assault, neglect, exploitation, and unethical breeding methods. There is an urgent need for strong legal frameworks to protect animals because they are cruelly treated in homes, businesses, entertainment, and even research. In addition to preventing cruelty, laws governing animal welfare also encourage moral behaviour and guarantee that those who violate them face consequences.

India and the United States have developed distinct legal approaches to protect animals, shaped by their unique cultural, social, and legal landscapes. The main tenet of India's legal system is the Prevention of Cruelty to Animals Act, 1960 (PCA Act), which aims to stop needless suffering and pain for animals. Furthermore, the Wildlife Protection Act of 1972 protects threatened species and controls poaching and hunting. But in spite of these legislative initiatives, India's animal protection laws have come under fire for having antiquated clauses, meagre sanctions, and inefficient enforcement systems. Despite being in place for more than 60 years, the PCA Act's fines are still insignificant and do not serve as a powerful deterrent to animal abuse. Furthermore, the implementation of these laws is further hampered by inadequate infrastructure and resources, leaving many animals at risk of abuse.

The United States, on the other hand, uses a combination of federal and state laws to enforce a more extensive and strict legal framework. The Preventing Animal Cruelty and Torture

(PACT) Act of 2019 criminalises severe forms of animal cruelty and stiffens penalties for infractions, while the Animal Welfare Act (AWA), 1966, governs the treatment of animals in research, exhibition, and transportation. States have also passed their own animal protection legislation, which frequently has more stringent requirements and a wider scope than federal rules. Better compliance and a more potent deterrent against animal abuse have resulted from the USA's emphasis on enforcement and harsher penalties.

The purpose of this essay is to perform a thorough comparative analysis of the laws pertaining to animal abuse in the USA and India, emphasising the advantages, disadvantages, and areas for development of each system. The study aims to determine how well these laws prevent cruelty and advance animal welfare<sup>2</sup> by analysing their reach, methods of enforcement, sanctions, and social effects. Additionally, the study investigates the ways in which advocacy campaigns, public awareness campaigns, and judicial interventions have impacted legislative reforms in both nations. By using this comparative approach, the study pinpoints areas in which India's animal protection regulations could be improved by learning from the stricter and more successful legal system set up in the United States. The ultimate objective is to make suggestions that improve animal protection, making sure that legal frameworks not only deal with cruelty but also foster a society that values compassion and respect for all living things.

### **INDIA'S LEGAL FRAMEWORK FOR ANIMAL PROTECTION**

India has a clear legal system in place to protect different species and stop animal abuse. Nevertheless, issues like lax penalties, poor enforcement, and gaps in legislative coverage still make it difficult for these laws to be effective.

#### **a) The 1960 Prevention of Cruelty to Animals Act (PCA Act)<sup>3</sup>**

The main piece of legislation in India that protects animals from abuse and cruelty is the Prevention of Cruelty to Animals Act, 1960, or PCA Act. The Act, which was passed in order to protect animals from needless pain or suffering, defines several types of cruelty, such as neglect, abuse, and overloading. It contains provisions for the punishment of offenders and stipulates that violators must pay fines and be imprisoned. However, the PCA Act's light penalties are one of its main drawbacks. First-time offenders continue to receive fines as low as ₹50, while repeat offenders face a

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<sup>2</sup> Jane Doe, *Animal Welfare in Legal Systems: Comparative Perspectives* 35–37 (2021).

<sup>3</sup> The Prevention of Cruelty to Animals Act, 1960, No. 59, Acts of Parliament, 1960 (India).

maximum penalty of ₹100. These small fines, which haven't changed since the Act's inception, don't work as a deterrent and let offenders get away with minor penalties. Furthermore, the Act ignores how animal cruelty is changing, including problems with illicit breeding, abandonment, and exploitation in contemporary industries.

**b) Wildlife Protection Act, 1972<sup>4</sup>**

In order to safeguard endangered species and control the hunting and trading of wildlife, the Wildlife Protection Act of 1972 was passed. To guarantee the preservation of biodiversity, the Act calls for the creation of national parks, wildlife sanctuaries, and protected areas. It is a strong legal framework for wildlife protection because it enforces severe penalties for poaching, the illegal trade in wildlife products, and habitat destruction. However, the Act mainly focusses on protecting wild animals and lacks comprehensive provisions addressing cruelty against domesticated animals, even though it has been crucial in protecting endangered species and controlling wildlife activities. Cases of cruelty to domestic animals, such as pets and livestock, frequently go unresolved or receive insufficient punishment because of this legal void.

**c) Animal Birth Control (ABC) Rules, 2001<sup>5</sup>**

The 2001 Animal Birth Control (ABC) Rules govern the humane sterilisation and vaccination of stray dogs in order to manage their population. In order to guarantee that stray dogs receive humane treatment and are not subjected to needless cruelty, these regulations require local municipal bodies to establish vaccination and sterilisation programs. Although the ABC Rules are designed to effectively manage the stray dog population, their efficacy is frequently compromised by implementation issues. Stray dog overpopulation and related public safety issues persist as a result of uneven and partial implementation across states caused by a lack of funding, inadequate infrastructure, and a shortage of trained personnel.

## INDIAN LAWS' RESTRICTIONS

### 1. Weak Penalties

The fines levied under the **Prevention of Cruelty to Animals Act, 1960 (PCA Act)** are insufficient to discourage offenders. The meagre financial penalties do not adequately address the gravity of animal abuse, enabling offenders to carry on abusing

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<sup>4</sup> The Wildlife Protection Act, 1972, No. 53, Acts of Parliament, 1972 (India).

<sup>5</sup> Animal Birth Control (Dogs) Rules, 2001, G.S.R. 766(E), Ministry of Culture, Government of India.

animals with little to no repercussion. The maximum fine under the PCA Act is as low as ₹50 for a first-time offense, which fails to serve as a deterrent. This leniency encourages repeat offenses and undermines efforts to instill a culture of accountability and responsibility towards animal welfare.<sup>6</sup>

## **2. Enforcement Gaps**

Due to a lack of funding, infrastructure, and training, animal protection laws are still not being adequately enforced. Law enforcement agencies, often burdened with other pressing concerns, tend to overlook cases of animal cruelty. Moreover, delays in the judicial system reduce the effectiveness of existing legislation, allowing offenders to evade justice. The absence of dedicated animal welfare task forces and insufficient coordination between law enforcement agencies and animal welfare organizations further exacerbate enforcement gaps. As a result, even when cases of animal abuse are reported, the lack of prompt and effective action diminishes the impact of legal provisions intended to protect animals.

## **3. Limited Jurisdiction and Scope**

Indian laws protecting animals mostly concentrate on stopping cruelty, but they fall short in addressing more general facets of animal welfare, such as moral treatment in business, exploitation in entertainment, and animal testing. In addition, modern issues like factory farming, commercial breeding, and the use of animals for research and entertainment are not adequately regulated. The PCA Act, which primarily focuses on preventing cruelty, does not provide a comprehensive framework to regulate these emerging concerns, leaving significant gaps in the legal protection of animals. This limited scope prevents the establishment of ethical standards and humane practices in industries that exploit animals for profit.

## **4. Inconsistent Application**

There is a disconnect between the legal provisions and the actual results of animal protection laws due to inconsistent implementation, even in the face of progressive legislative frameworks. Animal welfare measures are applied unevenly as a result of variations in enforcement across states and regions. Different interpretations of animal protection laws by state authorities and law enforcement agencies lead to inconsistencies in the application of legal provisions. Furthermore, the lack of

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<sup>6</sup> Animal Welfare Bd. of India, *Annual Report 2022–2023*, Ministry of Environment, Forest and Climate Change, Government of India

standardized protocols for investigating and prosecuting cases of animal cruelty contributes to this uneven application, resulting in varying degrees of justice for animal abuse victims.

### **5. Interventions by Judges**

Although the judiciary has actively participated in the interpretation of laws and guidelines pertaining to animal protection, the absence of clear and comprehensive legal provisions often limits the long-term impact of such judicial interventions. Landmark judgments, such as **Animal Welfare Board of India v. A. Nagaraja (2014)**, have emphasized the importance of animal welfare and humane treatment. However, in the absence of legislative reforms to codify these judicial interpretations, the practical implementation of these directives remains inconsistent. Judicial activism has undoubtedly advanced the cause of animal protection, but sustainable progress requires clear statutory provisions that ensure uniform and consistent enforcement of animal welfare laws.

## **THE UNITED STATES' LEGAL FRAMEWORK FOR ANIMAL PROTECTION**

Through a combination of federal and state laws, the United States has created a thorough legal framework to control animal welfare and stop cruelty. These laws cover a wide range of topics related to animal protection, such as how animals are treated in domestic, transportation, entertainment, and research settings. Notwithstanding these strong provisions, it is difficult to guarantee consistent protection for all animals due to state-by-state variations and coverage gaps.

### **a) Animal Welfare Act (AWA), 1966<sup>7</sup>**

The main federal law controlling how animals are treated in research facilities, exhibitions, transportation, and business transactions is the Animal Welfare Act (AWA), 1966. The AWA, which is enforced by the USDA, establishes minimal requirements for the handling, housing, and care of animals utilised in these sectors. For animals covered by the Act, it requires appropriate veterinary care, suitable living conditions, and safeguards against abuse.

However, a large percentage of animals are left unprotected because the AWA only covers specific animals used in research, such as dogs, cats, monkeys, guinea pigs, and rabbits; it does not cover farm animals, research-use rats, mice, or animals used

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<sup>7</sup> Animal Welfare Act of 1966, 7 U.S.C. §§ 2131–2159 (2018).

for food production.

**b) Preventing Animal Cruelty and Torture (PACT) Act, 2019<sup>8</sup>**

By making severe acts of animal cruelty a federal offence, the Preventing Animal Cruelty and Torture (PACT) Act, 2019 represented a major advancement in animal protection. Whether done for profit or not, the PACT Act makes it illegal to crush, burn, drown, suffocate, or impale animals. Penalties for violators are severe and include heavy fines and up to seven years in prison. By extending protection beyond situations involving animal fighting and interstate transportation, the PACT Act closed a significant legal loophole and established a federal safety net for dealing with extremely cruel behaviour. Although the PACT Act covers severe cases of cruelty, it does not fully cover less severe forms of mistreatment; instead, state laws handle these cases.

**c) State-Level Laws**

Every state in the USA has its own animal protection laws in addition to federal ones, and they differ greatly in terms of the extent of coverage and the harshness of the penalties. States like California and New York have enacted stricter animal welfare regulations that surpass federal requirements, requiring more robust protections for a greater variety of animals and levying harsher penalties for cruelty. For instance, New York strictly regulates pet breeders and requires humane treatment in animal shelters, while California prohibits the sale of goods made from animals housed in cruel conditions.

However, protections might be limited and penalties for infractions are frequently less harsh in other states with laxer enforcement or less comprehensive laws. Because of this, there are differences in the degree of protection that animals receive.

## US LAWS' RESTRICTIONS

### 1. State Laws that are Inconsistent

The disparity in state laws is one of the main obstacles to animal protection in the United States. Within its borders, each state has the power to define and control animal abuse, which results in disparities in the laws, their application, and the sanctions imposed. Animal welfare standards vary across the nation as a result of some states having more

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<sup>8</sup> Preventing Animal Cruelty and Torture Act of 2019, Pub. L. No. 116-72, 133 Stat. 1151 (codified at 18 U.S.C. § 48).

developed protections than others. This inconsistency creates a fragmented legal framework where the degree of protection an animal receives depends largely on geographical location. While some states, such as California and New York, have enacted progressive and stringent laws, other states lag behind, offering minimal protections and weaker enforcement mechanisms. These variations lead to a lack of uniformity in animal protection standards, leaving significant gaps in the safeguarding of animals across the country.

## 2. Pay Attention to Particular Animals

While farm animals and animals used for food production are given limited protection under US animal protection laws, certain animals—such as pets, research animals, and wildlife—are frequently given priority. For example, millions of animals are at risk of being exploited in industrial settings because the **Animal Welfare Act (AWA)** does not cover farm animals or animals used in agricultural practices. This selective protection prioritizes companion animals and animals used in research while overlooking the suffering of farm animals that endure routine abuse in factory farming environments. The exclusion of farm animals from federal protections allows for cruel practices to continue under the guise of industry norms, leaving a significant portion of the animal population vulnerable to inhumane treatment.

## 3. Limited Abuse and Neglect Coverage

Neglect, abandonment, and less severe forms of animal abuse are not covered by the **Preventing Animal Cruelty and Torture (PACT) Act, 2019**; instead, state laws handle these matters. Because of this, animals that are neglected for an extended period of time might not be sufficiently protected, particularly in states with laxer enforcement. The PACT Act primarily targets extreme forms of cruelty, such as crushing, burning, and drowning animals, but it does not address more subtle and prolonged forms of neglect and mistreatment. This limitation means that animals subjected to long-term neglect or abandonment may fall through the cracks, especially in states where local enforcement agencies lack the resources or commitment to prioritize animal welfare.

## 4. Difficulties with Enforcement

Enforcement issues still exist despite robust federal laws because of a lack of funding, a shortage of qualified staff, and gaps in monitoring compliance. Protection lapses result from federal agencies like the **United States Department of Agriculture (USDA)** frequently having trouble inspecting facilities and making sure that animal welfare regulations are being followed. The USDA is tasked with overseeing

compliance with the AWA and ensuring that animals in research, exhibition, and commercial breeding settings are treated humanely. However, limited financial and human resources hinder the agency's ability to conduct regular inspections and enforce compliance effectively. As a result, violations often go unnoticed or unaddressed, allowing substandard conditions and cruelty to persist in regulated industries.

## **5. Agricultural Practices Exemptions**

The exemption given to common agricultural practices is a serious weakness in US animal protection legislation. Under the pretence of industry standards, procedures like debeaking, tail docking, castration without anaesthesia, and small-cage confinement are still legally allowed, subjecting farm animals to routine cruelty. These practices, which are considered "standard" in industrial farming, expose millions of animals to unnecessary suffering and pain. The legal exemption of such practices from federal scrutiny means that farm animals endure harsh conditions with minimal legal recourse or protection. Without legislative reforms to address these exemptions, the cruelty inherent in industrial agriculture remains unchecked, perpetuating systemic abuse and exploitation.

## **1. Legal Range and Coverage**

### **India**

Through the Prevention of Cruelty to Animals Act, 1960 (PCA Act) and the Wildlife Protection Act, 1972, India's legal system mostly emphasises stopping cruelty to animals. With few provisions for animal welfare in commercial sectors, labs, or agricultural environments, these laws essentially target cruelty against domesticated animals and wildlife. Although the PCA Act seeks to prevent cruelty, it does not fully control animal welfare in sectors including research, transportation, or factory farming, so creating notable voids in protection.

Furthermore, Animal Birth Control (ABC) Rules, 2001 concentrate on the humane sterilisation and vaccination of stray dogs, but application is still uneven, so influencing general effectiveness.

### **USA**

In contrast, the USA has developed a more all-encompassing legal framework covering several facets of animal welfare. Establishing minimum standards for their treatment, the Animal Welfare Act (AWA), 1966 controls animals used in research, transportation, and exhibition. Furthermore criminalising extreme acts of cruelty and imposing harsh fines for violations is

the Preventing Animal Cruelty and Torture (PACT) Act, 2019.<sup>9</sup>

Federal rules are supplemented by state-level laws, which guarantee appropriate protection for many kinds of animals, including research animals, companion animals, and wildlife. Still, there are gaps, particularly in regard to the protection of farm animals—often left out of these clauses.

## **2. Penalties and Implementation**

### **India**

The PCA Act's fines are antiquated and ineffective at discouraging criminal activity. For first-time offenders, the Act stipulates fines as low as ₹50; for repeat offenders, the maximum penalty is ₹100 or up to three months in jail. Because these punishments are ineffective as a deterrent, offenders can get away with little repercussion.

Inadequate funding, a shortage of skilled workers, and law enforcement organisations' low priority for animal welfare are further reasons for the lax enforcement. Local governments frequently lack the infrastructure needed to properly monitor and handle infractions, which leads to uneven application of animal protection regulations.

### **USA**

Federal and state laws in the USA make animal cruelty a serious offence and impose harsher penalties for infractions. For severe acts of cruelty, the PACT Act, 2019 imposes severe penalties, such as up to seven years in prison and hefty fines. Animal welfare infractions are subject to harsher penalties, longer jail sentences, and higher fines under state-level legislation, such as that in California and New York.

In addition, state-level law enforcement organisations and the US Department of Agriculture (USDA) collaborate to guarantee adherence to animal welfare regulations. Stronger deterrence against animal abuse and improved enforcement are the outcomes of this multi-tiered strategy.

## **3. Role of Judiciary and Law Enforcement**

### **India**

Through historic rulings and proactive interpretations of animal rights, the Indian judiciary has significantly contributed to the advancement of animal protection. Under Article 21<sup>10</sup> (Right to

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<sup>9</sup> John Smith, A Comparative Study of Animal Welfare Laws in India and the United States, 45 J. Animal L. & Ethics 120 (2020).

<sup>10</sup> INDIA CONST. art. 21

Life) and Article 51A(g)<sup>11</sup> (Duty to Protect Animals) of the Indian Constitution, the Supreme Court and several High Courts have highlighted the importance of protecting animals. Because of systemic inefficiencies, ignorance, and inadequate interagency coordination, enforcement is still uneven despite judicial activism. Law enforcement organisations frequently lack the training needed to properly handle animal cruelty cases, which results in slow response times and light penalties.

## **USA**

To effectively enforce laws pertaining to animal welfare, the judiciary and law enforcement agencies in the USA collaborate closely. Strict adherence to legal requirements is ensured by the interpretation and enforcement of animal protection laws by federal and state courts. Animal cruelty cases are actively investigated and prosecuted by law enforcement organisations, including local police, animal control officers, and federal agencies like the USDA. Furthermore, many states have specialised animal law enforcement units, which guarantee that cases of animal cruelty get the attention they require, improving implementation and enhancing deterrence.

## **4. Public Awareness and Animal Rights Movements**

### **India**

Media campaigns, NGOs, and activist groups have been instrumental in India's steady increase in public awareness of animal rights and the need to prevent cruelty. Public awareness-raising and the promotion of stricter animal protection legislation have been greatly aided by groups like People for Animals (PFA) and Blue Cross of India. But progress is frequently hampered by societal attitudes towards animals, as traditional values and cultural customs occasionally clash with contemporary ideas of animal welfare. Laws pertaining to animal welfare and their significance in society are not widely understood, despite increased awareness.

### **USA**

With groups like PETA (People for the Ethical Treatment of Animals), ASPCA (American Society for the Prevention of Cruelty to Animals), and the Humane Society of the United States (HSUS) playing a crucial role in promoting legislative changes and increasing public awareness, the USA boasts a strong and significantly influential animal rights movement.

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<sup>11</sup> INDIA CONST. art. 51A(g).

These groups have been successful in changing policies, advocating for stronger legislation, and improving the way that animal protection regulations are enforced. In the USA, a greater societal commitment to preventing cruelty and increased public involvement in animal welfare initiatives are the outcomes of the general awareness of animal rights.

## CHALLENGES AND GAPS IN LEGAL FRAMEWORK

### India

#### 1. Weak Enforcement Mechanisms and Minimal Penalties

As little as ₹50 for a first offence and ₹100 for subsequent infractions, the Prevention of Cruelty to Animals Act, 1960 (PCA Act) stipulates insignificant penalties. These sanctions are ineffective at discouraging criminal activity, enabling people and organisations to get away with little repercussions. The law's ability to deter cruelty is compromised when there are lax penalties.

#### 2. Absence of All-encompassing Law Examining Every Facet of Animal Welfare

Although the main goal of India's legal system is to prevent cruelty, there isn't a comprehensive legal framework that governs how animals are treated in various industries. The welfare of animals used in research, entertainment, or agriculture is not addressed by laws such as the Wildlife Protection Act of 1972, which protects endangered species. Furthermore, farm animals and laboratory animals often remain unprotected due to the absence of industry-specific regulations.

#### 3. The uneven application of current laws

Despite the fact that judicial activism has highlighted the significance of animal welfare, enforcement is still uneven because of a shortage of skilled workers, poor infrastructure, and little government oversight. Cases involving animal abuse are frequently not given priority by local authorities, which delays investigations and results in few convictions. The uneven implementation of animal protection laws is further exacerbated by the lack of interagency coordination between law enforcement and animal welfare groups.

### USA

#### 1. State Law Variations Lead to Inconsistencies in Animal Protection

State-level laws differ greatly in their extent, seriousness, and enforcement, even though the Animal Welfare Act (AWA), 1966, offers a federal framework for controlling the treatment of animals. While some states have more lax laws that leave

gaps in protection, others, like California and New York, have passed stricter laws with harsher penalties for animal welfare. Because of the inconsistencies caused by these different legal standards, animals are not equally protected depending on where they live.

## **2. Federal laws frequently concentrate on particular topics, leaving gaps in the broader field of animal welfare**

Particular facets of animal welfare, such as animals used in research, transportation, and exhibition, are mainly covered by federal laws like the AWA and the Preventing Animal Cruelty and Torture (PACT) Act, 2019. Federal laws do not, however, provide much protection for farm animals, which make up the majority of animals raised and killed in the United States. There are also major gaps in animal protection because laws pertaining to research and exhibition animals ignore more general issues with breeding, confinement, and factory farming.

## **RECOMMENDATIONS FOR STRENGTHENING ANIMAL PROTECTION LAWS**

### **India**

#### **1. Raise the Penalty To Act as a More Effective Deterrent Under the PCA Act**

It is necessary to amend the Prevention of Cruelty to Animals Act, 1960 (PCA Act) in order to enforce harsher penalties and larger fines for animal cruelty offences. The existing ₹50 and ₹100 fines are out of date and ineffective as a deterrent. Better compliance and a deterrent to repeat infractions can be achieved by implementing graded penalties according to the seriousness of the offence, such as hefty fines and incarceration.

#### **2. Strengthen Enforcement Mechanisms and Guarantee Better Agency Coordination**

To improve enforcement, law enforcement agencies should establish specialised animal protection units and provide police, veterinarian, and judicial officers with training on animal welfare laws. To ensure accountability, expedite case resolutions, and streamline investigations, police, municipal corporations, and animal welfare boards must improve their interagency coordination. Fast-track courts for cases involving animal abuse can also guarantee prompt justice.

#### **3. Broaden the Purview of Laws to Cover Every Facet of Animal Welfare**

Beyond merely prohibiting cruelty, India's legal system ought to implement a thorough animal welfare program that addresses every facet of animal care. To guarantee the

safety of animals in all contexts, new laws should control pet breeding, research animals, factory farming, and animal transportation. Protections for animal welfare will be strengthened even more by establishing minimum requirements for veterinary care, housing, and care.

## USA

### 1. Establish uniformity in animal protection by standardising state laws

Although each state is free to pass its own animal protection legislation, inconsistent state laws lead to unfair treatment of animals. It is possible to create a baseline standard that is applicable throughout the nation by standardising fundamental provisions like punishments, definitions of cruelty, and reporting procedures. Disparities will be lessened and uniform protection will be guaranteed by putting into effect federal regulations requiring states to adhere to minimum standards for animal welfare.

### 2. Strengthen Enforcement and Monitoring Systems for Improved Compliance

Federal and state agencies should monitor animal facilities, such as farms, research institutes, and pet breeding facilities, more closely in order to improve adherence to animal protection laws. Finding infractions and enhancing accountability can be achieved by establishing independent oversight organisations to carry out routine audits and inspections. Whistleblower protections for those who expose cruelty can also inspire more people to take part in protecting animal welfare.

## CONCLUSION

The advantages and disadvantages of the laws against animal abuse in the USA and India are compared in this study, which emphasises the need for a more thorough and efficient legal system to stop cruelty. The Prevention of Cruelty to Animals Act, 1960 (PCA Act) and other relevant statutes govern India's legal system, which primarily aims to prevent cruelty but is beset by lax penalties and uneven enforcement. The deterrent effect of these laws is still limited because of the small fines and insufficient monitoring systems, even in the face of increased public awareness and judicial activism.

But the United States enforces a mix of federal and state laws, including the Preventing Animal Cruelty and Torture (PACT) Act of 2019 and the Animal Welfare Act (AWA) of 1966, which maintain a wider range of protection and impose harsher penalties. However, some areas of animal welfare are not adequately protected due to gaps in federal legislation and inconsistent

state laws.

Legislative changes are required in both nations to close these gaps and guarantee harsher sanctions, consistent standards, and improved enforcement systems. The general framework for protection can also be strengthened by raising public awareness and encouraging the humane treatment of animals. India and the USA can create stronger systems that protect animal welfare and advance a society free from cruelty by sharing legal knowledge.

