

Bill No. LXVIII of 2023

THE PREVENTION OF CRUELTY TO ANIMALS
(AMENDMENT) BILL, 2023

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further to amend the Prevention of Cruelty to Animals Act, 1960.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Prevention of Cruelty to Animals (Amendment) Act, 2023.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

59 of 1960

10 2. In section 20 of the Prevention of Cruelty to Animals Act, 1960, in clause (b), for the words “with fine which may extend to two hundred rupees,”, the words “with imprisonment for a term which may extend to 6 months and with fine which may extend to one lakh rupees,” shall be substituted.

Amendment of Section 20.

STATEMENT OF OBJECTS AND REASONS

The crime of practising cruelty towards animals is an offence, which is directed towards harming or taking away the lives of innocent creatures with whom we share our world. Cruelty towards animals is, in most cases, an action resulting from a gross perversion of the mind of the person committing the offence and is an act that is violent as well as sadistic in nature. Animals around us need our protection as they are beings unable to communicate or express their pain. While human beings have the intellectual and logical facilities to seek justice against torture, the same is not available to animals, who are helpless and dependent on whoever has their custody. We are a country with a rich cultural history of compassion towards animal life and even our ancient texts provide for a special place for animals in our society. Notable texts like the Jataka Tales have even used animals as a medium for instilling righteous and moral values in children. We have always recognized that animals are sentient beings, who exhibit qualities often attributed to humans such as love, grief, pain, attachment, emotional intelligence and loyalty. When laws of our country provide for exemplary punishment against torture of human beings, it is also essential that cruelty towards animal life be punished in a manner that not only penalizes the offender proportionate to their crimes but also acts as a deterrent for any potential offenders. Currently, the extant law, i.e., the Prevention of Cruelty to Animals Act, 1960, only provides for a penalty of two hundred rupees if found guilty of the crime of inflicting torture and cruelty towards animals. While that sum might have been an exemplary penal amount in 1960, the evolution of our society as well as present circumstances demonstrates that a harsher penalty is warranted. Individuals guilty of inflicting cruelty and torture on animals should not be allowed to do so and escape by paying a meagre penalty of just two hundred rupees. Cruelty towards animals can happen across a spectrum of severity and our judiciary should have the provision of imposing the penalty of imprisonment as well as enhanced exemplary fine in cases of wanton and sadistic infliction of cruelty on and torture of animals.

The objective of the proposed Bill emanates from our responsibility as a civilized society towards protecting animals and punishing wanton torture and cruelty inflicted on them by individuals of a sadistic bent. Such cruelty when demonstrated in front of children also influences the way they look at animals and can influence their minds with the horrible notion that torturing animals is acceptable and that it can even be an activity for fun and entertainment. Imposing harsher penalties for cruelty towards animals will not only ensure adequate punishment for such crimes but will also positively influence our society into understanding that animals are emotional sentient beings, whose innocent lives deserve to be respected and protected from torture and cruelty.

Hence, this Bill.

SAKET GOKHALE

ANNEXURE

*EXTRACT FROM THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960
(59 OF 1960)*

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Penalties

20. If any person—

- (a) contravenes any order made by the Committee under section 19; or
- (b) commits a breach of any condition imposed by the Committee under that section;

he shall be punishable with fine which may extend to two hundred rupees, and, when the contravention or breach of condition has taken place in any institution, the person in charge of the institution shall be deemed to be guilty of the offence and shall be punishable accordingly.

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RAJYA SABHA

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to amend the Prevention of Cruelty to Animals Act, 1960.

(Shri Saket Gokhale, M.P.)