

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 5TH DECEMBER, 2025

**Bill No. XIX of 2025**

**THE PREVENTION OF CRUELTY TO ANIMALS  
(AMENDMENT) BILL, 2025**

A

**BILL**

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

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

**1.** (1) This Act may be called the Prevention of Cruelty to Animals (Amendment) Act, 2025.

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.

**2.** In the Prevention of Cruelty to Animals Act, 1960 (hereinafter referred to as the principal Act), in section 2,—

Amendment of section 2.

(i) for clause (a), the following shall be substituted, namely:—

10 "(a) "animal" means any living creature other than a human being, including but not limited to all terrestrial, avian, and aquatic species;";

(ii) after clause (a), the following new clause shall be inserted, namely:—

“(bb) “bestiality” means any act where a human being voluntarily commits, attempts to commit, or abets the commission of any act with an animal that, by its nature or circumstances, is done for the purpose of sexual gratification;

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*Explanation:* For the purposes of this clause, an act shall be deemed to be for the purpose of sexual gratification if, by its inherent character or the surrounding circumstances, a reasonable person would conclude that the offender sought or intended sexual pleasure and shall include any act involving:

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(i) penetration of an animal’s anus, vagina, or urethra by a person’s penis or any other part of the person’s body;

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(ii) penetration of an animal’s anus, vagina, or urethra by any object not constituting part of a person’s body; and

(iii) sexual stimulation of an animal’s anus, vagina, penis, or urethra by any means;”;

(iii) after clause (c), the following new clause shall be inserted, namely:—

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“(cc) “community animal” means any animal born in a community for which no ownership has claimed ownership, excluding wild animals as defined under the Wild Life (Protection) Act, 1972;”;

53 of 1972.

(iv) after clause (d), the following new clauses shall be inserted, namely:—

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“(dd) “gruesome cruelty” means any act or omission that causes, or is likely to cause, extreme physical suffering to an animal, resulting in or likely to result in severe bodily harm, mutilation, or permanent disability;

*Explanation:* Without prejudice to the generality of the foregoing, ‘gruesome cruelty’ includes—

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(i) engaging in bestiality as defined under this Act;

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(ii) causing permanent damage to any part of an animal’s body or committing an act of mutilation that results in permanent or lifelong impairment, rendering the animal useless;

(iii) inflicting any injury likely to result in death or lifelong physical deformity to an animal;

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(iv) inciting any animal to fight or bait another animal;

(v) organizing, keeping, using, or managing any place for animal fighting or baiting, or permitting or offering any place for such purposes, or receiving money for the admission of any person to such a place; and

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(vi) promoting or taking part in any shooting match or competition in which animals are released from captivity for the purpose of being shot;”;

(ddd) “jurisdictional veterinarian” means a person, employed by the State Government within the local jurisdiction of the area, who holds a degree from a recognized veterinary college and is registered with the State Veterinary Council or the Veterinary Council of India;

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(*dddd*) "livestock farm" means any establishment where economically important animals are kept for the production of food for mankind;" ;

5 (v) after clause (g), the following new clause shall be inserted, namely:—

10 (gg) "poultry establishments" means any premises or operation where poultry birds, as defined by the World Organization for Animal Health, are bred, hatched, reared, housed, or otherwise managed for any commercial purpose, including but not limited to meat production, egg production, or the supply of breeding stock;";

(vi) after clause (h), the following new clauses shall be inserted, namely:—

15                   “(hh) “SPCA” means the Society for Prevention of Cruelty to Animals, established in every district in the State, in such manner as may be prescribed;

(hh) "State Board" means the State or Union territory Animal Welfare Board constituted by the State or Union territory or Central Government, as the case may be, under section 10A."

3. In the principal Act, after section 3, the following new section shall be inserted, namely,—

25           **“3A.** It shall be the duty of every person having care, charge, or custody of an animal to ensure that the animal in his or her care, charge, or custody is provided with the following five freedoms:

## Insertion of new section 3A.

## Five freedoms of animals.

- (a) freedom from thirst, hunger and malnutrition;
- (b) freedom from discomfort due to the environment;
- (c) freedom from pain, injury and disease;
- (d) freedom to express normal behavior for its species; and
- (e) freedom from fear and distress;

Provided that in the case of a community animal, the local government, such as a municipality or a panchayat, shall be responsible for ensuring these freedoms in accordance with the guidelines or standard operating procedures issued by the State Government or by the Board.”

**4. In the principal Act, in section 5, in sub-section (1) —**

(i) for clause (bq), the following shall be substituted, namely:—

40 “(ba) four persons to represent respectively the Ministries of the Central Government dealing with Home Affairs, Education, Urban Development and Health and Family Welfare, to be appointed by the Central Government;”;

(ii) after clause (bc), the following new clause shall be inserted, namely,—

45 “(bd) one person each from the animal science division of the Indian Council of Agricultural Research, and the Veterinary Council of India, to be nominated by their respective organisations, in the prescribed manner.”;

(iii) for clause (c), the following shall be substituted, namely:—

	<b>“(c) two veterinarians with diploma or degree in animal welfare and working in the said field, to be nominated by the Central Government, in the prescribed manner;”;</b>	
	(iv) in clause (d) for the words “two persons”, the words “one person” shall be substituted;	5
	(v) for clause (e), the following shall be substituted, namely:—	
	<b>“(e) three persons, to be nominated by the Central Government in the prescribed manner, from such State Boards which in the opinion of Board are actively involved in the work of resolving the difficulties at the local level and have done an extraordinary work in the field of animal welfare;”;</b>	10
	<b>(vi) in clause (f) for the words “one person”, the words “three persons” shall be substituted; and</b>	
	(vii) clause (g) shall be omitted;	15
Amendment of section 7.	5. In the principal Act, in section 7, in sub-section (2), for the words “Subject to such rules as may be made by the Central Government in this behalf;”, the words ‘Subject to the approval of the Central Government;’ shall be substituted;	
Insertion of new section 7A.	6. In the principal Act, after section 7, the following new section shall be inserted, namely:—	20
Committees of the Board.	<b>“7A. (1) The Board may constitute as many Committees or sub-Committees including an Executive Committee, as it may think fit, for discharging its duties to advise the Board on such matters as may be referred to them by the Board, from time to time.</b>	25
	<b>(2) A Committee or sub-Committee shall consist of such number of Members of the Board, as may be deemed necessary, to be nominated thereto by the Chairman of the Board, in such manner as may be prescribed by the regulations.</b>	30
	<b>Provided that a sub-Committee may also co-opt other members, if required, in such manner as may be prescribed by the regulations.”</b>	
Amendment of section 8.	7. In the principal Act, in section 8, after the word “gifts”, the words “processing fees, penalties, fines, levy or any other amount directly paid to the Board by any person”, shall be inserted.	35
Insertion of new section 8A.	8. In the principal Act, after section 8, the following new section shall be inserted, namely:—	
Annual Report, Accounts and Audit.	<b>“8A. (1) The Board shall prepare, in such form and manner and at such time of each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the Central Government, which shall cause it to be laid, as soon as may be after they are received, before each House of Parliament.</b>	40
	<b>(2) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet, in accordance with such general directions as may be issued and in such form and manner as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.</b>	45
	<b>(3) The accounts of the Board shall be audited annually by the Comptroller and Auditor-General of India or any person appointed</b>	50

by him on this behalf and any expenditure incurred by him or any person so appointed in connection with such audit shall be payable by the Board to the Comptroller and Auditor-General of India.

5 (4) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Board shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office(s) of the Board.

10 15 (5) The accounts of the Board as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf, together with the audit report thereon, duly approved by the Board in its Annual General Meeting, shall be forwarded annually to the Central Government, who shall cause the same to be laid before each House of Parliament.”

20 9. In the principal Act, in section 9,—

Amendment of section 9.

(i) for clause (h), the following shall be substituted, namely:—

“(h) to coordinate, cooperate, and supervise the general working of the SPCA, State Board and local bodies established for the purpose of preventing unnecessary pain or suffering to the animals or for the protection of animals and birds”;

25 (ii) in clause (k), after the words “to impart education”, the words “and to facilitate capacity building” shall be inserted;

(iii) after clause (l), the following new clauses shall be inserted, namely:—

30 (m) to recognize any organization registered in India that is working for animal welfare in more than one State and seeking financial or other assistance and support from the Central Government after following due process as may be prescribed;

35 (n) to review the records, annual reports or any other reports and information submitted to the Board by organisations working for animal welfare and recognized by the Board under clause (m) to section 9, the State Animal Welfare Board and the SPCA ;

40 (o) to work towards the expeditious implementation of the Act, rules and regulations made thereunder so as to prevent the unnecessary pain and suffering of the animals; and

(p) to facilitate coordination among local bodies, including police departments and any other public or private authorities, to take appropriate and expeditious action for the prevention of cruelty to animals.”

45 10. In the principal Act, for section 10, the following shall be substituted., namely:—

Amendment of section 10.

50 “10. (1) The Board shall take up, either *suo motu* or on being informed thereof, all issues arising out of matters related to the implementation of the Act, rules and regulations made thereunder, with the appropriate authorities, for expeditious action thereon.

Powers of the Board.

(2) The Board shall have the power of entry and inspection and, may for the said purpose, authorize in writing in such form and

Insertion of New  
Chapter IIA.

Establishment  
of State Board.

Composition of  
the State Animal  
Welfare Board.

manner as may be prescribed, any government official(s) or any other person acting on its behalf, to:—	
(i) inspect places or premises, when there is sufficient reason to believe that an offence under this Act, rules and regulations made thereunder has been or is being or is likely to be committed;	5
(ii) enter at any time considered reasonable by him, such places or premises, where animals are kept or sheltered for any purpose based on reports of animal cruelty or violation of any of the provisions of this Act or the rules and regulations framed thereunder; and	10
(iii) require any person to produce any or all records maintained by them, as mandated under this Act or the rules or regulations made thereunder, for inspection;	
and report to the Board their findings as a result of such entry and inspection.	15
(3) The Board may, as and when require issue necessary advisories in respect of any incident of cruelty to mitigate unnecessary suffering of animals or where cruelty to animals is involved.	20
(4) The Board may, subject to the previous approval of the Central Government make such regulations, as it may deem fit, for the administration of its affairs and for carrying out its functions and exercising the powers conferred on it under this Act.”	
<b>11. After Section 10 of the principal Act, the following new Chapter shall be inserted, namely:—</b>	25
<b>“CHAPTER IIA</b>	
<b>STATE ANIMAL WELFARE BOARD</b>	
<b>10A. (1) Every State Government and Government of a Union territory having Legislative Assembly shall, as soon as may be after the commencement of this Act, by notification in the official Gazette, establish a State Animal Welfare Board for the State or Union territory, as the case may be, with such name as may be specified in the notification of the State / Union territory Government, for the promotion of animal welfare generally in coordination with the Board and for the purpose of protecting animals from being subject to unnecessary pain or suffering, in particular:’.</b>	30
<b>Provided that in the case of a Union territory with no Legislative Assembly, the Central Government shall, as soon as may be after the commencement of this Act, by notification in the official Gazette, establish a Animal Welfare Board for the Union territory with such name as may be specified in the notification of the Central Government.</b>	35
<b>(2) Every State Board shall be a body corporate with the name specified by the State or Union territory or Central Government, as the case may be, in the notification under sub-section (1), having perpetual succession and a common seal with power, subject to the provision of this Act, to acquire, hold and dispose of property and may by its name sue and be sued.</b>	40
<b>10B. (1) The State Board shall consist of the following persons, namely—</b>	45
<b>(a) Minister, Animal Husbandry Department of the State or</b>	

Union territory Government, as the case may be, who shall be the Chairman *ex-officio*;

(b) one Member of the Legislative Assembly of the State or Union territory, as the case may be, to be nominated by the Speaker of that Assembly from amongst its members – Member;

(c) Additional Chief Secretary/Principal Secretary, Animal Husbandry Department of the State or Union territory Government, as the case may be – Member *ex-officio*;

(d) Chief Wildlife Warden of the State or Union territory, as the case may be – Member *ex-officio*;

(e) Director, Animal Husbandry Department of the State or Union territory Government, as the case may be, who shall be the Member Secretary *ex-officio*;

(f) Transport Commissioner of the State or Union territory Government, as the case may be – Member *ex-officio*;

(g) Director-General or Director, Health Department of the State or Union territory Government, as the case may be – Member *ex-officio*;

(h) Director Panchayat Department of the State or Union territory Government, as the case may be – Member *ex-officio*;

(i) Director-General of Police of the State or Union territory, as the case may be, or his representative, so authorized by him, in such manner as may be prescribed – Member *ex-officio*;

(j) Director, Urban Development Department of the State or Union territory Government, as the case may be – Member *ex-officio*;

(k) one person each from three SPCAs in the State, to be nominated by the State Government on rotation basis, in such manner as may be prescribed, so as to ensure representation of all SPCAs in the State on the State Board – Members;

(l) one person to represent registered Gaushalas / pinjrapoles to be nominated by the State Government, in such manner as may be prescribed – Member;

(m) one person from the Gauseva Aayog to be nominated by the State Government in such manner as may be prescribed – Member;

(n) five eminent persons involved in animal welfare within the State to be nominated by the State Government in such manner as may be prescribed – Member;

(o) Registrar of the State Veterinary Council – Member *ex-officio*;

(p) one representative of the State Veterinary Doctors' Association, to be nominated by the State Government in such manner as may be prescribed – Member; and

(q) one representative of the Animal Welfare Board of India, to be nominated by that Board in such manner as may be prescribed – Member.

(2) The State Board shall be constituted or reconstituted in accordance with sub-section (1), if already in existence, and in any case, not later

Terms of office and conditions of service of members of the State Board.

than three months after commencement of this Act:

Provided that any State Board functioning in any State or Union territory on the date of commencement of this Act shall continue to discharge its functions till the constitution or reconstitution of the State Board as per the provisions of this Act.

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(3) The members of the State Board shall serve in an honorary capacity and shall not draw any salary from the State Board by virtue of their appointment or nomination thereto:

Provided that the State Board may provide for travel and other incidental expenses incurred by the Members for attending meetings of the State Board, in accordance with the State Government norms.

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**10C.** (1) The term of the State Board shall be three years from the date of its constitution or reconstitution and the Chairman and other Members of the State Board shall hold office till the expiry of the term for which the State Board has been so constituted or reconstituted.

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(2) Notwithstanding anything contained in sub-section (1),—

(a) the term of office of an *ex-officio* Member shall continue so long as he holds the office by virtue of which he is such a Member; and

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(b) the term of office of a Member nominated under clause (b), clauses (k) to (n) and clauses (p) and (q) of section 10B to represent any body shall come to an end as soon as he ceases to be a member of the body in respect of which he was nominated; and

(3) Any casual vacancy(ies) arising in the State Board shall be filled up as per the provisions of this Section.

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(4) A member nominated to fill up a casual vacancy shall hold office for the remainder of the term of the State Board, from the date of his nomination.

(5) No act done or proceeding taken by the State Board shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution or reconstitution of, the State Board and in particular, and without prejudice to the generality of the foregoing, during the period intervening between the expiry of the term for which the Board has been constituted or reconstituted and its further reconstitution, the *ex-officio* Members of the State Board shall discharge all the powers and functions thereof.

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Removal of Member(s) from the State Board.

**10D.** The State Government may remove any member of the State Board who:

(a) fails to attend three consecutive meetings of the State Board without intimation in writing to the State Board; or

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(b) has been adjudged an insolvent; or

(c) becomes of unsound mind and stands so declared by a competent Court; or

(d) has been convicted and/or sentenced to imprisonment for an offence under this Act or any other law pertaining to cruelty to animals or an offence involving moral turpitude; or

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(e) has become physically or mentally incapable of performing the duties of a Member; or

(f) has submitted his or her resignation as a Member of the State Board; or

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(g) has been found guilty of corruption or misconduct.

5 **10E.** (1) Subject to such rules as may be made by the State Government in this behalf, the State Board may appoint such number of officers and other employees as may be deemed necessary for the efficient exercise of its powers and the discharge of its functions as assigned under this Act.

Secretary and other employees of the Board.

10 (2) The salaries and allowances payable to and the terms and conditions of service of such officers and other employees shall be such as may be prescribed by the State Board by regulations framed by it with the previous approval of the State Government.

15 **10F.** The funds of the State Board shall consist of grants made to it by the State Government from time to time, as well as contributions, donations, subscriptions, bequests, gifts, fees, levies and other similar payments received from any local authority or any other person.

Fund of the State Board.

20 **10G.** The State Board shall perform all or any of the following functions, but not limited to the following, namely:—

Functions of the State Board.

25 (a) ensure that the provisions of the Act and the rules and regulations framed thereunder are given widespread publicity to create adequate awareness of animal welfare amongst the general public and take all necessary steps for the strict implementation of the Act and the rules and regulations framed thereunder in the State;

30 (b) provide assistance and guidance for the functioning of the SPCAs, animal shelters, *gaushalas*, *pinjrapoles*, rescue homes, sanctuaries and the likes within the State, to ensure implementation of the provisions of the Act and the rules and regulations framed thereunder;

35 (c) exercise such functions as may be delegated to it by the Government of the State or Union Territories or by the Central Government, as the case may be, for furthering the objectives of this Act;

(d) advise the State Government or any local authority or any other relevant entity on matters related to animal welfare;

40 (e) undertake capacity-building efforts with concerned departments, institutions and individuals, as required, to strengthen the enforcement of this Act and promote best practices in animal welfare;

(f) extend financial assistance and support to animal welfare organizations that have obtained recognition from the State board after following due process as prescribed by the State Board; and

45 (g) any other function(s) as may be assigned to it by the Government of the State or Union territory or Central Government, as the case may be or by the Animal Welfare Board of India.

50 **10H.** (1) Every State Board shall prepare, in such form and manner and within such time as may be prescribed, an Activity Report incorporating therein the activities undertaken by it for the welfare of animals and the steps or measures taken by it to implement various provisions of the Act and the rules and regulations made thereunder along with an annual statement of accounts including the balance sheet, maintained and prepared in accordance with such general directions as may be issued during the previous financial year and submit a copy thereof to the Board and the State or Union territory Government or the Central Government, as the case may be, at the end of the first quarter of the next financial year.

Activity Report of the State Board.

Power of the  
State Board to  
make  
regulations.

Amendment of  
section 11.

(2) The State or the Union territory Government, shall cause the annual report under sub-section (1) along with the audited accounts of the State Board to be laid, as soon as may be after they are received, before each House of the State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House:

Provided that in the case of Union territories without a Legislative Assembly, the Central Government, shall cause the annual report along with the audited accounts of the State Board of that Union territory to be laid, as soon as may be after they are received, before each House of Parliament.

**10I.** The State Board may, subject to previous approval of the State or Union territory or Central Government, as the case may be, make such regulations as it deems necessary for the financial and administrative affairs of the State Board and for the effective discharge of its functions.”

**12.** In section 11 of the principal Act,—

(i) in sub-section (1),—

(a) clauses (l) to (o) shall be omitted;

(b) for the words “he shall be punishable, in the case of a first offence, with fine which shall not be less than ten rupees but which may extend to fifty rupees and in the case of a second or subsequent offence committed within three years of the previous offence, with fine which shall not be less than twenty-five rupees but which may extend to one hundred rupees or with imprisonment for a term which may extend to three months, or with both”, the words “he shall be punishable, in the case of a first offence, with fine which shall not be less than two thousand rupees per animal but which may extend to five thousand rupees per animal and in the case of a second or subsequent offence, with fine which shall not be less than five thousand rupees per animal but which may extend to twenty thousand rupees per animal with imprisonment for the minimum term of six months which may be extended to one year, or with both” shall be substituted.

(ii) clause (b) of sub-section (3), shall be omitted.

(iii) after sub-section (3), the following new sub-sections shall be inserted, namely:—

“(4) The investigating officer shall report each case registered under this Act to the district police headquarters in which due records of all such cases shall be maintained in such form and manner as may be prescribed:

Provided that a copy of such record shall be shared with the State Board and the State Board shall forward such record or any part thereof to the Board on a request in writing in this regard.”

(5) Any person found guilty of an offence under this section shall be prohibited from owning, keeping, having in possession, or working with animals in any capacity for a period of five years from the date of conviction:

Provided that upon conviction, any animals in the possession of the offender, not limited to those involved in the specific case for which the offender was convicted, shall be confiscated and rehabilitated as per the procedure prescribed by the Board;

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Provided also that in case of a second or subsequent offence, the prohibition under this sub-section shall extend for the lifetime of the offender;

10 13. After Section 11 of the principal Act, the following new sections shall be inserted, namely:—

15 “11A. (1) If any person commits an act of gruesome cruelty, as defined under section 2, he shall be punishable in the case of first offence with fine of fifty thousand rupees, which may extend to seventy-five thousand rupees, and in the case of a second or subsequent offence, with fine of one lakh rupees, which may extend to one lakh fifty thousand rupees or an amount equivalent to the cost of the animal, whichever is higher, as determined by the Judicial Magistrate in consultation with the jurisdictional veterinarian or with imprisonment for a term of one year, which may extend up to three years or with both:

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Provided that in the case of first offence, the offender shall be prohibited from owning, keeping, or having any animal in his or her possession for a period of ten years from the date of conviction and in the case of a second or subsequent offence, the prohibition shall extend for the lifetime of the offender.”.

55 14. In section 12 of the principal Act, for the words "one thousand rupees, or with imprisonment for a term which may extend to two years", the words "seventy-five thousand rupees or with imprisonment for a term of two years for first offence and in the case of a repeat offender, with fine of one lakh rupees or with imprisonment for a term of three years or with both", shall be substituted.

### Insertion of new sections from 11A to 11C.

Penalty for  
gruesome  
cruelty.

Penalty for killing of an animal.

Offence by  
poultry  
establishments  
and livestock  
farms.

**Amendment of  
section 12.**

Amendment of  
section 20.

**15.** In section 20 of the principal Act,—

(i) after the word “person”, the words “or institution”, shall be inserted; and

(ii) for clause (b), the following shall be substituted, namely—

“(b) commits a breach of any condition imposed by the Committee under that section; 5

such person or institution shall be punishable in the case of first offence, with fine which shall be up to five times the amount of the registration fees as per the ongoing fee structure of the Committee for the Purpose of Control and Supervision of Experiments on Animals, established under this Act and in the case of a repeat offender, with fine which shall not be less than five times the amount of the registration fees as per the ongoing fee structure of the said Committee which may extend, to ten times or with imprisonment for a term which may extend to two years or with both”. 10 15

**16.** In section 26 of the principal Act, for the words “he shall be punishable on conviction with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both”, the words “he shall be punishable on conviction with fine which may extend to twenty-five thousand rupees, or with imprisonment which may extend to six months, or with both.”, shall be substituted. 20

**17.** In section 28 of the principal Act, the following proviso shall be inserted, namely:—

“Provided that such killing is carried out in a licensed slaughterhouse which is in compliance with all applicable laws, including but not limited to the Food Safety and Standards Act, 2006; the Air (Prevention and Control of Pollution) Act, 1981; the Water (Prevention and Control of Pollution) Act, 1974; and the Environment (Protection) Act, 1986, and the rules and regulations made thereunder.” 25 34 of 2006.  
14 of 1981.  
6 of 1974.  
29 of 1986.

**18.** In section 29 of the principal Act:—

(i) sub-section (4) shall be omitted.

(ii) in sub-section (5) for the words “one hundred rupees, or with imprisonment for a term which may extend to three months”, the words “five thousand rupees, or with imprisonment for a term which may extend to six months”, shall be substituted. 35

**19.** In section 30 of the principal Act, the following proviso shall be inserted, namely:—

“Provided that if any person is charged with an offence under section 11B for the killing an animal and if the body or any part thereof is found in their possession, then it shall be presumed that such person has committed the offence with which he has been charged unless proven otherwise, and the burden of proof shall lie on the accused.” 40

**20.** For section 31 of the principal Act, the following shall be substituted, namely:—

“**31.** (1) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023,— 45 46 of 2023.

(a) an offence punishable under sections 11A, 11B and 12 of this Act shall be cognizable and non-bailable; and

(b) an offence punishable under clauses (c), (i), (j), and (k) of sub-section (1) of section 11, sections 11C and sub-section (1) of section 38 of this Act shall be cognizable and 50

Amendment of  
section 28.

Amendment of  
section 29.

Amendment of  
section 30.

Amendment of  
section 31.

(2) No person accused of an offence under sections 11A, 11B or 12 shall be released on bail or on their own bond except by an order of a Court of competent jurisdiction, and only after the Public Prosecutor has been heard and the Court has recorded a reasoned order in writing.”

**21.** In section 32 of the principal Act,—

Amendment of section 32.

(i) in sub-section (1), for the words “clause (l) of sub-section (1) of section 11 in respect of any such animal as is referred to in section 30”, the words “section 11B”, shall be substituted.

(ii) in sub-section (2), after the words “*phooka* or *doom dev* or any other operation of the nature referred to in section 12”, the words “or any act of gruesome cruelty”, shall be inserted.

(iii) after sub-section (2), the following proviso shall be inserted, namely:—

“Provided that any animal so seized under this section shall be kept in the custody of the local SPCA or recognised animal welfare organization, as per the order of the jurisdictional Magistrate in accordance with the rules framed under this Act.”

**22.** In section 34 of the principal Act,—

Amendment in section 34.

(i) after the words “State Government”, the words “or the Animal Welfare Board of India or the State Animal Welfare Board,” shall be inserted.

(ii) the following proviso shall be inserted, namely:—

“Provided that any animal so seized under this section shall be kept in the custody of the local SPCA, as per the order of the jurisdictional Magistrate in accordance with the rules made under this Act.”

**23.** In section 35 of the Principal Act, for sub-section (2) the following shall be substituted, namely:—

Amendment of section 35.

(2) The Magistrate before whom a prosecution for an offence against this Act has been instituted shall direct that the animal concerned shall be treated and cared for in an infirmary until it is fit to perform its usual work or is otherwise fit for discharge, or that it be sent to a *pinjrapole*, or, if the veterinary officer in charge of the area in which the animal is found or any other veterinary officer as may be authorised in this behalf by rules made under this Act certifies that the animal is incurable or cannot be removed without causing further suffering, the Magistrate may order its humane euthanasia:

Provided that a record of such euthanasia shall be maintained by the infirmary which shall be produced as and when required for the purpose of investigation or legal proceedings.”

**24.** In section 36 of the principal Act, for the words, “three months”, the words “twelve months”, shall be substituted.

Amendment of section 36.

**25.** In section 38 of the principal Act, —

Amendment of section 38.

(i) in sub-section (2), —

(a) clause (aa) shall be omitted.

(b) after clause (i), the following new clause shall be inserted, namely:—

“(ia) the process of according recognition any organisation working for animal welfare and seeking financial or other assistance and support from the Central

Amendment of  
section 38A.

Rules and  
regulations to be  
laid before  
Parliament and  
State  
Legislature.

Insertion of new  
sections 38 AA  
and 38AAA.

Power of Central  
Government to  
give directions.

Power of State  
Government to  
make rules.

Power to remove  
difficulties.

Government, which shall work under the general supervision and guidance of the Board.”

(ii) in sub-section (3), for the words “one hundred rupees or with imprisonment for a term which may extend to three months”, the words “fifty thousand rupees or with imprisonment for a term which may extend to two years”, shall be substituted.

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**26.** For section 38A of the principal Act, the following shall be substituted, namely: —

**“38A.** (1) Every rule made by the Central Government or by the Committee constituted under section 15 and every regulation made by the Board shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment, shall be without prejudice to the validity of anything previously done under that rule or regulation.

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(2) Every regulation made by the State Board shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

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**27.** After section 38A of the principal Act, the following new sections shall be inserted namely:—

**“38AA.** The Central Government may, as required from time to time, issue general or specific directions to the Board or the State Board for carrying out the purposes of this Act, and the Board and the State Board shall, while discharging their functions under this Act, comply with such directions.

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**38AAA.** (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

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(2) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House before that House.

**38AAAA.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the official Gazette make such provisions not consistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

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Provided that no such order shall be made after the expiry of a period of two years from the date of enactment.

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(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.”

## STATEMENT OF OBJECTS AND REASONS

The Prevention of Cruelty to Animals Act, 1960, which was enacted to prevent the infliction of unnecessary pain or suffering on animals, has served as India's primary animal welfare legislation for over six decades. While the Act laid the foundation for animal welfare legislation in India, its provisions have proven inadequate in addressing contemporary challenges, particularly due to nominal penalties, limited institutional framework, and absence of clearly defined offences and insufficient mechanisms for implementation and accountability.

The Prevention of Cruelty to Animals (Amendment) Bill, 2025 seeks to address these deficiencies through comprehensive reforms aimed at creating a modern, robust, and enforceable animal welfare regime. The Bill's primary purpose is threefold: first, to provide effective deterrence against animal cruelty through substantially enhanced penalties; second, to create strong institutional mechanisms for implementation and oversight; and third, to expand the scope of protection to address contemporary forms of cruelty while ensuring proper care for different categories of animals. The amendments are necessitated by the growing instances of animal cruelty, the need for institutional support at state levels, and the importance of aligning our animal welfare laws with evolving jurisprudence and international standards of animal protection.

The Bill strengthens institutional mechanisms through significant reforms. It restructures the Animal Welfare Board of India through amendments to Section 5, expanding representation from various Ministries and including veterinary experts. New provisions under Section 8A establishes robust financial accountability through proper accounting, auditing, and reporting mechanisms. The Board's powers are enhanced under Section 10, including authority for inspection and investigation.

A major institutional reform is the mandatory establishment of State Animal Welfare Boards through insertion of a new Chapter IIA in the principal Act. These Boards, constituted with broad representation from relevant Departments of the State Government and stakeholders, are empowered with specific functions including implementation oversight, capacity building, and coordination with law enforcement. The Bill provides for their proper funding, reporting mechanisms, and regulatory powers.

The Bill substantially strengthens deterrence through enhanced penalties. For general acts of cruelty under sub-section (1) of Section 11, the minimum fine is increased from ten rupees to one thousand rupees per animal, extending up to two thousand five hundred rupees, with imprisonment terms increased to a minimum of six months. New provisions under Section 11A introduces penalties for gruesome cruelty, including acts of bestiality, mutilation, and animal fighting, with fines up to seventy-five thousand rupees and imprisonment up to three years. Section 11B specifically addresses the killing of animals through cruel means, prescribing fines up to one lakh rupees per animal and imprisonment up to five years. Section 11C introduces specific provisions for offences by poultry facilities and livestock farms, with penalties linked to the market value of animals involved.

The Bill significantly strengthens enforcement mechanisms. It amends Section 31 to make several offences cognisable and introduces provisions regarding bail. Section 32 and Section 34 are proposed to be amended to provide for proper custody of seized animals. Section 35 is modified to ensure proper treatment and care of animals during legal proceedings. The limitation period for prosecution under Section 36 is extended from three months to twelve months, allowing adequate time for investigation and prosecution.

These comprehensive amendments are essential to modernise India's animal welfare law, ensure effective prevention of cruelty, strengthen implementation mechanisms, and align the legal framework with contemporary societal values. The Bill creates a robust structure capable of addressing both current inadequacies and future challenges in animal welfare.

Hence this Bill.

SUDHA MURTY.

## FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for enhancing the composition of the Animal Welfare Board of India in section 5 of the principal Act to make more broad-based. Clause 6 of the Bill provides for constitution of as many Committees or sub-Committees including an Executive Committee by the Animal Welfare Board of India with such number of Members of the Board nominated thereto by the Chairman of the Board and other Members co-opted thereto. Clause 11 of the Bill provides for the establishment of State Animal Welfare Boards in all States and Union territories of the country along with their composition and also providing for the travelling and other incidental charges of the Members for attending the meetings of the Board. The said clause also provides that State Board shall undertake capacity building measures to ensure proper enforcement of the Act and shall extend financial assistance and support to animal welfare organisations which obtain recognition therefrom.

The Bill, therefore, if enacted, would involve expenditure, both of non-recurring and recurring nature from the Consolidated Fund of India. However, it is not possible to estimate the exact recurring and non-recurring expenditure at this stage.

## ANNEXURE

### EXTRACTS FROM THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960 (59 OF 1960)

Constitution of the Board.

5. (1) The Board shall consist of the following persons, namely:—

(a) the Inspector-General of Forests, Government of India, *ex officio*;

(b) the Animal Husbandry Commissioner to the Government of India, *ex officio*;

(ba) two persons to represent respectively the Ministries of the Central Government dealing with home affairs and education, to be appointed by the Central Government;

(bb) one person to represent the Indian Board for Wild Life, to be appointed by the Central Government;

(bc) three persons who, in the opinion of the Central Government, are or have been actively engaged in animal welfare work and are well-known humanitarians, to be nominated by the Central Government;

(c) one person to represent such association of veterinary practitioners as in the opinion of the Central Government ought to be represented on the Board, to be elected by that association in the prescribed manner;

(d) two persons to represent practitioners of modern and indigenous systems of medicine, to be nominated by the Central Government;

[(e) one person to represent each of such two municipal corporations as in the opinion of the Central Government ought to be represented on the Board, to be elected by each of the said corporations in the prescribed manner;]

(f) one person to represent each of such three organisations actively interested in animal welfare as in the opinion of the Central Government ought to be represented on the Board, to be chosen by each of the said organisations in the prescribed manner;

(g) one person to represent each of such three societies dealing with prevention of cruelty to animals as in the opinion of the Central Government ought to be represented on the Board, to be chosen in the prescribed manner;

(h) three persons to be nominated by the Central Government;

(i) six members of Parliament, four to be elected by the House of the People (Lok Sabha) and two by the Council of States (Rajya Sabha).

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Secretary and other employees of the Board.

7. (2) Subject to such rules as may be made by the Central Government in this behalf, the Board may appoint such number of other officers and employees as may be necessary for the exercise of its powers and the discharge of its functions and may determine the terms and conditions of service of such officers and other employees by regulations made by it with the previous approval of the Central Government

Funds of the Board.

8. The funds of the Board shall consist of grants made to it from time to time by the Government and of contributions, donations, subscriptions, bequests, gifts and the like made to it by any local authority or by any other person.

9. The functions of the Board shall be—

Functions of the Board.

- (a) to keep the law in force in India for the prevention of cruelty to animals under constant study and advise the Government on the amendments to be undertaken in any such law from time to time;
- (b) to advise the Central Government on the making of rules under this Act with a view to preventing unnecessary pain or suffering to animals generally, and more particularly when they are being transported from one place to another or when they are used as performing animals or when they are kept in captivity or confinement;
- (c) to advise the Government or any local authority or other person on improvements in the design of vehicles so as to lessen the burden on draught animals;
- (d) to take all such steps as the Board may think fit for 2 [amelioration of animals] by encouraging, or providing for, the construction of sheds, water-troughs and the like and by providing for veterinary assistance to animals;
- (e) to advise the Government or any local authority or other person in the design of slaughter-houses or in the maintenance of slaughter-houses or in connection with slaughter of animals so that unnecessary pain or suffering, whether physical or mental, is eliminated in the pre-slaughter stages as far as possible, and animals are killed, wherever necessary, in as humane a manner as possible;
- (f) to take all such steps as the Board may think fit to ensure that unwanted animals are destroyed by local authorities, whenever it is necessary to do so, either instantaneously or after being rendered insensible to pain or suffering;
- (g) to encourage, by the grant of financial assistance or otherwise 1 [the formation or establishment of pinjrapoles, rescue homes, animal shelters, sanctuaries and the like] where animals and birds may find a shelter when they have become old and useless or when they need protection;
- (h) to co-operate with, and co-ordinate the work of, associations or bodies established for the purpose of preventing unnecessary pain or suffering to animals or for the protection of animals and birds;
- (i) to give financial and other assistance to animal welfare organisations functioning in any local area or to encourage the formation of animal welfare organisations in any local area which shall work under the general supervision and guidance of the Board;
- (j) to advise the Government on matters relating to the medical care and attention which may be provided in animal, hospitals and to give financial and other assistance to animal hospitals whenever the Board thinks it necessary to do so;
- (k) to impart education in relation to the humane treatment of animals and to encourage the formation of public opinion against the infliction of unnecessary pain or suffering to animals and for the promotion of animal welfare by means of lectures, books, posters, cinematographic exhibitions and the like;
- (l) to advise the Government on any matter connected with animal welfare or the prevention of infliction of unnecessary pain or suffering on animals.

10. The Board may, subject to the previous approval of the Central Government, make such regulations as it may think fit for the administration of its affairs and for carrying out its functions.

Power of Board to make regulations.

11. (1) If any person—

- (a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes or, being the owner permits, any animal to be so treated; or
- (b) 2 [employs in any work or labour or for any purpose any animal which, by reason of its age or any disease], infirmity, wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be so employed;
- (c) wilfully and unreasonably administers any injurious drug or injurious substance to any animal or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by any animal; or
- (d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering; or
- (e) keeps or confines any animal in any cage or other receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement; or
- (f) keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord; or
- (g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; or
- (h) being the owner of 1 [any animal] fails to provide such animal with sufficient food, drink or shelter; or
- (i) without reasonable cause, abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst; or
- (j) wilfully permits any animal, of which he is the owner, to go at large in any street while the animal is affected with contagious or infectious disease or, without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street; or
- (k) offers for sale or, without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment; or
- [(l) mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner; or]
- [(m) solely with a view to providing entertainment—
  - (i) confines or causes to be confined any animal (including tying of an animal as a bait in a tiger or other sanctuary) so as to make it an object of prey for any other animal; or
  - (ii) incites any animal to fight or bait any other animal; or]
- (n) \*\*\* organises, keeps, uses or acts in the management of, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes; or
- (o) promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting;

he shall be punishable, [in the case of a first offence, with fine which shall not be less than ten rupees but which may extend to fifty rupees and in the case of a second or subsequent offence committed within three years of the previous offence, with fine which shall not be less than twenty-five rupees but which may extend to one hundred rupees or with imprisonment for a term which may extend to three months, or with both].

\* \* \* \* \*

(3) Nothing in this section shall apply to—

- (a) the dehorning of cattle, or the castration or branding or nose-roping of any animal, in the prescribed manner; or
- (b) the destruction of stray dogs in lethal chambers or 1 [by such other methods as may be prescribed]; or
- (c) the extermination or destruction of any animal under the authority of any law for the time being in force; or
- (d) any matter dealt with in Chapter IV; or
- (e) the commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering.

12. If any person performs upon any cow or other milch animal the operation called phooka or <sup>2</sup>[doom dev or any other operation (including injection of any substance) to improve lactation which is injurious to the health of the animal] or permits such operation being performed upon any such animal in his possession or under his control, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to two years, or with both, and the animal on which the operation was performed shall be forfeited to the Government.

Penalty for practising  
phooka or doom dev.

20. If any person—

Penalties.

- (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.

26. If any person—

Offences.

- (a) not being registered under this Chapter, exhibits or trains any performing animal; or
- (b) being registered under this Act, exhibits or trains any performing animal with respect to which, or in a manner with respect to which, he is not registered; or
- (c) exhibits or trains as a performing animal, any animal which is not to be used for the purpose by reason of a notification issued under clause (ii) of section 22; or
- (d) obstructs or wilfully delays any person or police officer referred to in section 25 in the exercise of powers under this Act as to entry and inspection; or
- (e) conceals any animal with a view to avoiding such inspection; or
- (f) being a person registered under this Act, on being duly required in pursuance of this Act to produce his certificate under this Act, fails

without reasonable excuse so to do; or

(g) applies to be registered under this Act when not entitled to be so registered;

he shall be punishable on conviction with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

Saving as respects manner of killing prescribed by religion.

**28.** Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community.

Power of court to deprive person convicted of ownership of animal.

**29.** (1) If the owner of any animal is found guilty of any offence under this Act, the court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, make an order that the animal with respect to which the offence was committed shall be forfeited to Government and may, further, make such order as to the disposal of the animal as it thinks fit under the circumstances.

(2) No order under sub-section (1) shall be made unless it is shown by evidence as to a previous conviction under this Act or as to the character of the owner or otherwise as to the treatment of the animal that the animal, it left with the owner, is likely to be exposed to further cruelty.

(3) Without prejudice to the provisions contained in sub-section (1), the court may also order that a person convicted of an offence under this Act shall, either permanently or during such period as is fixed by the order, be prohibited from having the custody of any animal of any kind whatsoever, or, as the court thinks fit, of any animal of any kind or species specified in the order.

(4) No order under sub-section (3) shall be made unless—

(a) it is shown by evidence as to a previous conviction or as to the character of the said person or otherwise as to the treatment of the animal in relation to which he has been convicted that an animal in the custody of the said person is likely to be exposed to cruelty;

(b) it is stated in the complaint upon which the conviction was made that it is the intention of the complainant upon the conviction of the accused to request that an order be made as aforesaid; and

(c) the offence for which the conviction was made was committed in an area in which under the law for the time being in force a licence is necessary for the keeping of any such animal as that in respect of which the conviction was made.

(5) Notwithstanding anything to the contrary contained in any law for the time being in force, any person in respect of whom an order is made under sub-section (3) shall have no right to the custody of any animal contrary to the provisions of the order, and if he contravenes the provisions of any order, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

(6) Any court which has made an order under sub-section (3) may at any time, either on its own motion or on application made to it in this behalf, rescind or modify such order.

Presumption as to guilt in certain cases.

**30.** If any person is charged with the offence of killing a goat, cow or its progeny contrary to the provisions of clause (l) of sub-section (1) of section 11, and it is proved that such person had in his possession, at the time the offence is alleged to have been committed, the skin of any such animal as is referred to in this section with any part of the skin of the head attached thereto, it shall be presumed until the contrary is proved that such animal was killed in a cruel manner.

31. Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), an offence punishable under clause (l), clause (n) or clause (o) of sub-section (1) of section 11 or under section 12 shall be a cognizable offence within the meaning of that Code. Cognizability of offences.

32. (1) If a police officer not below the rank of sub-inspector or any person authorised by the State Government in this behalf has reason to believe that an offence under clause (l) of sub-section (1) of section 11 in respect of any such animal as is referred to in section 30 is being, or is about to be, or has been, committed in any place, or that any person has in his possession the skin of any such animal with any part of the skin of the head attached thereto, he may enter and search such place or any place in which he has reason to believe any such skin to be, and may seize such skin or any article or thing used or intended to be used in the commission of such offence. Power of search and seizure.

(2) If a police officer not below the rank of sub-inspector, or any person authorised by the State Government in this behalf, has reason to believe that phooka or 1 [doom dev or any other operation of the nature referred to in section 12] has just been, or is being, performed on any animal within the limits of his jurisdiction, he may enter any place in which he has reason to believe such animal to be, and may seize the animal and produce it for examination by the veterinary officer in charge of the area in which the animal is seized.

34. Any police officer above the rank of a constable or any person authorised by the State Government in this behalf, who has reason to believe that an offence against this Act has been or is being, committed in respect of any animal, may, if in his opinion the circumstances so require, seize the animal and produce the same for examination by the nearest magistrate or by such veterinary officer as may be prescribed, and such police officer or authorised person may, when seizing the animal, require the person in charge thereof to accompany it to the place of examination. General power of seizure for examination.

35. (1) The State Government may, by general or special order, appoint infirmaries for the treatment and care of animals in respect of which offences against this Act have been committed, and may authorise the detention therein of any animal pending its production before a magistrate. Treatment and care of animals.

(2) The magistrate before whom a prosecution for an offence against this Act has been instituted may direct that the animal concerned shall be treated and cared for in an infirmary, until it is fit to perform its usual work or is otherwise fit for discharge, or that it shall be sent to a pinjrapole, or, if the veterinary officer in charge of the area in which the animal is found or such other veterinary officer as may be authorised in this behalf by rules made under this Act certifies that it is incurable or cannot be removed without cruelty, that it shall be destroyed.

(3) An animal sent for care and treatment to an infirmary shall not, unless the magistrate directs that it shall be sent to a pinjrapole or that it shall be destroyed, be released from such place except upon a certificate of its fitness for discharge issued by the veterinary officer in charge of the area in which the infirmary is situated or such other veterinary officer as may be authorised in this behalf by rules made under this Act.

(4) The cost of transporting the animal to an infirmary or pinjrapole, and of its maintenance and treatment in an infirmary, shall be payable by the owner of the animal in accordance with a scale of rates to be prescribed by the district magistrate, or, in presidency-towns, by the commissioner of police:

Provided that when the magistrate so orders on account of the poverty of the owner of the animal no charge shall be payable for the treatment of the animal.

(5) Any amount, payable by an owner of an animal under sub-section (4) may be recovered in the same manner as an arrear of land revenue.

(6) If the owner refuses or neglects to remove the animal within such time as a magistrate may specify, the magistrate may direct that the animal be sold and that the proceeds of the sale be applied to the payment of such cost.

(7) The surplus, if any, of the proceeds of such sale shall, on application made by the owner within two months from the date of the sale, be paid to him.

Limitation of prosecutions. **36.** A prosecution for an offence against this Act shall not be instituted after the expiration of three months from the date of the commission of the offence.

Power to make rules. **38.** (1) The Central Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Central Government may make rules providing for all or any of the following matters, namely:—

- (a) the 1 \*\*\* conditions of service of members of the Board, the allowances payable to them and the manner in which they may exercise their powers and discharge their functions;
- [*(aa)* the manner in which the persons to represent municipal corporations are to be elected under clause (e) of sub-section (1) of section 5;]
- (b) the maximum load (including any load occasioned by the weight of passengers) to be carried or drawn by any animal;
- (c) the conditions to be observed for preventing the over-crowding of animal;
- (d) the period during which, and the hours between which, any class of animals shall not be used for draught purposes;
- (e) prohibiting the use of any bit or harness involving cruelty to animals;
- [*(ea)* the other methods of destruction of stray dogs referred to in clause (b) of sub-section (3) of section 11;
- (eb)* the methods by which any animal which cannot be removed without cruelty may be destroyed under sub-section (3) of section 13;]
- (f) requiring persons carrying on the business of a farrier to be licensed and registered by such authority as may be prescribed and levying a fee for the purpose;
- (g) the precautions to be taken in the capture of animals for purposes of sale, export or for any other purpose, and the different appliances or devices that may alone be used for the purpose; and the licensing of such capture and the levying of fees for such licences;
- (h) the precautions to be taken in the transport of animals, whether by rail, road, inland waterway, sea or air and the manner in which and the cages or other receptacles in which they may be so transported.
- (i) requiring persons owning or in charge of premises in which animals are kept or milked to register such premises, to comply with such conditions as may be laid down in relation to the boundary walls or surroundings of such premises, to permit their inspection for the purpose of ascertaining whether any offence under this Act is being, or has been, committed therein, and to expose in such premises copies of section 12 in

a language or languages commonly understood in the locality;

(j) the form in which applications for registration under Chapter V may be made, the particulars to be contained therein, the fees payable for such registration and the authorities to whom such applications may be made;

[(ja) the fees which may be charged by the Committee constituted under section 15 for the registration of persons or institutions carrying on experiments on animals or for any other purpose;]

(k) the purposes to which fines realised under this Act may be applied, including such purposes as the maintenance of infirmaries, pinjrapoles and veterinary hospitals;

(l) any other matter which has to be, or may be, prescribed.

(3) If any person contravenes, or abets the contravention of, any rules made under this section, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

38A. Every rule made by the Central Government or by the Committee constituted under section 15 and every regulation made by the Board shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment, shall be without prejudice to the validity of anything previously done under that rule or regulation.

Rules and regulations  
to be laid before  
Parliament.

RAJYA SABHA

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A

BILL

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

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*(Shrimati Sudha Murty, M.P.)*