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JEEV RAKSHA, JAN RAKSHA: RECONCILING ANIMAL WELFARE, BIODIVERSITY AND PUBLIC SAFETY IN BHARAT'S LEGAL FRAMEWORK

Suryabhan Sangram Ingle[1], Rajnandini Hindurao Sankpal[2] & Aashish Sanjay Kulkarni[3]

I. ABSTRACT

India's primary anti-cruelty statute, the Prevention of Cruelty to Animals Act, 1960, retains a penalty structure with a fine as low as ten rupees for a first offence under Section 11. This paper argues that India's animal welfare crisis and its public safety crisis are two symptoms of the same underlying failure: chronic underenforcement, alongside inadequate penalties. We trace this failure across four registers. First, ordinary cruelty, were street animals face violence with weak deterrence. Second, commercial-scale exploitation, including illegal cattle transport and wildlife poaching for meat, feathers, and body parts. Third, public safety, where dog bites and rabies prompted Supreme Court interventions culminating in the May 2026 ruling emphasising citizens' safety under Article 21 and lawful, veterinary-supervised responses. Fourth, constitutional balance, where the 2023 Jallikattu verdict shows that welfare reform must sometimes negotiate, rather than override, genuine cultural practice. Through doctrinal research, the paper examines constitutional provisions, legislation, judgments, parliamentary material, scholarship, and reported enforcement incidents. It distinguishes existing law from proposed amendments and treats reported seizures as allegations rather than convictions. These distinctions guide the paper's assessment of institutional responsibility. Drawing on Article 48's directive on cattle preservation, Article 48A's environmental mandate, and Article 51-A(g)'s duty of compassion, we argue that India does not lack the legal concept of animal welfare; it lacks consistently effective implementation. Stronger penalties alone cannot secure humane treatment or safer streets without veterinary capacity, public-health services, and administrative accountability. We conclude with an actionable reform agenda spanning

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legislative amendment, proportionate penalties for commercial offenders, review of peacock-feather trading exemptions, enforceable municipal accountability under the Animal Birth Control Rules, 2023, coordinated cruelty and bite-tracking systems, improved wildlife investigations, and sustained citizen and NGO participation, directed throughout at protecting both India's animals and her citizens.

II. KEYWORDS

Animal Welfare; Public Safety; Biodiversity; Prevention of Cruelty to Animals Act; Animal Birth Control.

III. INTRODUCTION AND RESEARCH PROBLEM

Bharat Mata has always been imagined as a mother whose soil nurtures every creature upon it, from the cattle that till her fields to the peacocks that dance in her monsoon forests. That imagination is written into the Constitution itself. Article 48 of the Directive Principles of State Policy directs the State to organise agriculture and animal husbandry on modern and scientific lines and, in particular, to take steps for preserving and improving cattle breeds while prohibiting the slaughter of cows, calves, and other milch and draught cattle.[4]

The Supreme Court, in *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*, read Article 48 together with the Fundamental Duty under Article 51-A(g) to hold that citizens owe compassion to the animal kingdom. The Court rested that conclusion on two limbs: the continuing utility of aged cattle, whose dung and urine retain agricultural and energy value, and the compassion owed to animals that have served humankind and have since ceased to be productive.[5] Article 48A extends this vision to the environment and wildlife at large, and Article 51-A(g) makes compassion for

[4] INDIA CONST. art. 48, https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2024/07/20240716890312078.pdf.

[5] State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat, (2005) 8 S.C.C. 534 (India) (reading Articles 48 and 51-A(g) together to require that "citizens must show compassion to the animal kingdom", and relying also on the continuing utility of aged cattle), https://cjp.org.in/wp-content/uploads/2022/05/State-of-Gujarat-vs.-Mirzapur-Moti-Kuresh-Kasab-Jannat.pdf#page=37.

living creatures a duty of every citizen.[6] We, the authors, write in the belief that a nation's strength is measured not only by its economic output but by how it treats its most voiceless citizens and by how safely its human citizens can walk their own streets.

The research problem is the distance between this constitutional vision and its practical enforcement. How can India protect animals, preserve biodiversity, and secure citizens' safety through a coherent legal response? Article 37 makes the Directive Principles fundamental in governance but not independently enforceable by courts; Article 21 protects life and personal liberty.[7] Compassion therefore requires legislation, resources, and accountable administration. Nor should constitutional rhetoric obscure legal limits: the 2023 Jallikattu judgment declined to extend Articles 14 and 21 to animals as constitutional rights.[8] This paper examines how existing protections and proposed reforms can work together without treating either animal suffering or human injury as expendable.

A. Research Objectives

1. The first objective is to assess whether the statutory response to animal cruelty provides proportionate deterrence, distinguishing ordinary cruelty from offences attracting stronger punishment under other legislation.
2. The second is to examine the relationship between humane dog management and public safety, with particular attention to municipal responsibility and access to treatment.
3. The third is to evaluate how wildlife enforcement and regulated cultural practices fit within the constitutional vision outlined above.

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[6] INDIA CONST. arts. 48A, 51A(g), https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2024/07/20240716890312078.pdf.

[7] INDIA CONST. arts. 21, 37, https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2024/07/20240716890312078.pdf.

[8] Animal Welfare Bd. of India v. Union of India, 2023 INSC 548 (India) (declining to extend Articles 14 and 21 to animals), https://api.sci.gov.in/supremecourt/2016/1216/1216_2016_3_1501_44624_Judgement_18-May-2023.pdf.

4. Together, these objectives support practical recommendations that connect legal duties with identifiable authorities, resources, and measures of compliance.

B. Research Questions

1. First, how far do inadequate penalties and failures of implementation explain the gap between constitutional compassion and animal protection?
2. Second, how can the Animal Birth Control framework and judicial directions protect citizens while preventing unnecessary animal suffering?
3. Third, what lessons do wildlife trade and the Jallikattu decisions offer for proportionate regulation?
4. Finally, which institutional reforms could translate these legal commitments into measurable improvements in enforcement and public safety?

C. Research Hypotheses

1. The first hypothesis is that increasing ordinary cruelty penalties is necessary but insufficient without credible investigation and enforcement.
2. The second is that animal welfare and public safety are substantially complementary when vaccination, sterilisation, lawful sheltering, and prompt treatment are properly implemented.
3. The third is that cultural accommodation can remain consistent with animal welfare only where safeguards are enforceable and subject to continuing supervision.

These are propositions for doctrinal evaluation; not statistical hypotheses tested through original field data. The analysis assesses their strengths and limitations against the legal materials and selected reported incidents.

D. Research Methodology

This paper adopts a qualitative, doctrinal method. It examines the Constitution, central and state legislation, subordinate rules, Supreme Court judgments, and parliamentary replies. Secondary materials include legal commentary, published

veterinary research, public-health guidance, and news reports of enforcement incidents. The study considers materials available up to 12 October 2026, while identifying the dates of particular official statements rather than treating them as timeless findings.

Primary texts determine the content of legal duties and judicial holdings. Reports of arrests and seizures illustrate enforcement problems but do not establish guilt, national prevalence, or causal relationships. Public-health figures are treated as reported surveillance data, with attention to their stated categories. No interviews, surveys, or independent wildlife counts were conducted. The analysis compares the adequacy of legal rules with the institutional arrangements needed to implement them. Recommendations are the authors' normative conclusions, and the hypotheses are evaluated within these evidentiary limits.

E. Literature Review

Taruni Kavuri's account of the constitutional scheme connects animal protection with Directive Principles, fundamental duties, and judicial interpretation. It provides a useful foundation for understanding compassion as a constitutional concern, although its 2020 publication predates the later Jallikattu and stray-dog decisions.[9] Reading it alongside those judgments prevents earlier statements about animal rights from being mistaken for the final contemporary position.

Alokparna Sengupta and Shreya Paropkari focus on the inadequacy of the Prevention of Cruelty to Animals Act's penalties and the campaign for legislative reform.[10] Their intervention explains the urgency of amendment, but an advocacy account cannot by itself measure the deterrent effect of higher punishment. Siddhanth Prasad and his co-authors examine the 2025 stray-dog proceedings and identify funding, personnel,

[9] Taruni Kavuri, *The Constitutional Scheme of Animal Rights in India*, ANIMAL LEGAL & HIST. CTR. (2020), https://www.animallaw.info/article/constitutional-scheme-animal-rights-india.
[10] Alokparna Sengupta & Shreya Paropkari, *Will India Finally Update Its Prevention of Cruelty to Animals Act?*, LEAFLET (July 18, 2023), https://theleaflet.in/environment/will-india-finally-update-its-prevention-of-cruelty-to-animals-act.

infrastructure, and accountability as obstacles to implementation.[11] Their analysis supports examining municipal capacity alongside judicial directions.

Veterinary evidence adds a necessary practical dimension. Reece and Chawla's Jaipur study reported declining dog numbers and recorded human rabies cases following a combined sterilisation and vaccination programme.[12] Its local observational design does not isolate the effect of sterilisation from vaccination or establish results for every Indian city. The World Health Organization identifies dog vaccination and timely post-exposure prophylaxis as central to rabies prevention and rejects culling free-roaming dogs as an effective control strategy.[13]

These materials address related problems from different perspectives. This paper brings the penalty debate, public safety, wildlife enforcement, and cultural accommodation into one framework. Its contribution is an integrated legal assessment of what each intervention can achieve, which authority must act, and what evidence would be needed to judge success. It does not infer that every failure has the same cause or that one regulatory method suits all animals and settings.

A further distinction concerns the kind of evidence each source supplies. Constitutional commentary explains principles; a judicial decision determines the dispute and directions before the Court; a veterinary study evaluates a defined programme; and an incident report records an event at a particular stage. Their value lies in combination, but their functions cannot be exchanged. A reported seizure cannot demonstrate a national conviction rate, just as a successful local programme cannot establish universal effectiveness. This distinction shapes the paper's assessment of both reform claims and administrative shortcomings.

[11] Siddhanth Prasad et al., *India's Supreme Court Tackles Issue of Stray Dogs*, HARV. ANIMAL L. & POL'Y PROGRAM (Oct. 29, 2025), https://animal.law.harvard.edu/news-article/indias-supreme-court-tackles-issue-of-stray-dogs.
[12] J.F. Reece & S.K. Chawla, *Control of Rabies in Jaipur, India, by the Sterilisation and Vaccination of Neighbourhood Dogs*, 159 VETERINARY REC. 379, 379 (2006), https://bvajournals.onlinelibrary.wiley.com/doi/10.1136/vr.159.12.379.
[13] *Rabies*, WORLD HEALTH ORG. (Sept. 17, 2026), https://www.who.int/news-room/fact-sheets/detail/rabies.

IV. RESEARCH & ANALYSIS

A. The problem of penalties frozen in 1960 rupees

India's primary anti-cruelty statute, the Prevention of Cruelty to Animals Act, 1960, has been amended, but its ordinary cruelty penalties remain strikingly low. Under Section 11, a first offence attracts a fine of ten to fifty rupees; a subsequent offence within three years attracts twenty-five to one hundred rupees, imprisonment up to three months, or both.[14] These amounts offer little credible deterrence. In *Animal Welfare Board of India v. A. Nagaraja*, the Supreme Court urged Parliament to provide effective deterrence through adequate penalties.[15]

The Draft Prevention of Cruelty to Animals (Amendment) Bill, 2022 proposed a new offence of gruesome cruelty: fifty thousand to seventy-five thousand rupees or the animal's cost, whichever is higher, or imprisonment from one to three years, or both. For intentional harm causing death, proposed Section 11B prescribed seventy-five thousand to one lakh rupees per animal or three times its cost, whichever is higher, or imprisonment from three to five years, or both.[16] These are proposed alternatives, not enacted mandatory combinations of fine and imprisonment.

More than 150 Members of Parliament and over seven hundred thousand citizens supported amendment of the Act.[17] A parliamentary reply dated 3 February 2026 stated that the proposed Bill was under examination.[18] Every week of delay weakens the promise of meaningful reform. However, the ten-rupee fine is not the entire

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[14] Prevention of Cruelty to Animals Act, No. 59 of 1960, § 11(1), INDIA CODE (1960), https://awbi.gov.in/uploads/regulations/175196958669PCA_act_1960%20with%201982%20amendment.pdf.

[15] Animal Welfare Bd. of India v. A. Nagaraja, (2014) 7 S.C.C. 547 (India) (declarations and directions, cl. (8)), https://www.casemine.com/judgement/in/5609af46e4b0149711416061.

[16] Ministry of Fisheries, Animal Husbandry & Dairying, Draft Prevention of Cruelty to Animal (Amendment) Bill, 2022, proposed §§ 11A–11B (Nov. 21, 2022), https://prsindia.org/files/parliamentry-announcement/2022-12-07/Public%20notice-Draft%20PCA%20bill-2022.pdf.

[17] Alokparna Sengupta & Shreya Paropkari, *Will India Finally Update Its Prevention of Cruelty to Animals Act?*, LEAFLET (July 18, 2023), https://theleaflet.in/environment/will-india-finally-update-its-prevention-of-cruelty-to-animals-act.

[18] LOK SABHA, Unstarred Question No. 504, *Prevention of Cruelty to Animals (Amendment) Bill*, answer (b)–(e) (Feb. 3, 2026) (Ministry of Fisheries, Animal Husbandry & Dairying, Dep't of Animal Husbandry & Dairying), https://sansad.in/getFile/loksabhaquestions/annex/187/AU504_zLWJL6.pdf?source=pqals.

criminal law: Section 325 of the Bharatiya Nyaya Sanhita, 2023 punishes mischief by killing, poisoning, maiming, or rendering an animal useless with imprisonment up to five years, a fine, or both.[19] Investigators must identify all applicable offences rather than assume that serious violence necessarily attracts only a trivial fine.

The distinction matters to the proposed solution. Increasing a statutory maximum addresses the seriousness with which the law treats an offence, but cannot ensure that a complaint is recorded, evidence preserved, or a prosecution completed. Conversely, efficient enforcement cannot make an inadequate penalty proportionate. The authors therefore treat punishment and implementation as connected requirements. Reform should also consider the animal's immediate condition: a future conviction provides little practical protection unless rescue, treatment, and suitable custody occur when the harm is discovered. Deterrence and care must remain parts of the same response.

B. Where the gap bites from the street to the supply chain

At a commercial scale, illegal cattle transport exposes animals to suffering while testing coordination between police, veterinary services, and state authorities. In December 2025, Mangaluru police reportedly seized a vehicle, a house, and adjoining cattle shed following alleged unlawful cattle transport for slaughter. The report referred to the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 and Section 11(1)(d) of the PCA Act.[20] Months earlier, in March 2025, police in the district booked persons for allegedly transporting fifteen to twenty cattle in cruel conditions; two reportedly died of their injuries.[21] In January 2024, three men were

[19] Bharatiya Nyaya Sanhita, No. 45 of 2023, § 325, INDIA CODE (2023), https://www.mha.gov.in/sites/default/files/250883_english_01042024.pdf.

[20] Naina J A, *Illegal Cattle Transportation: House and Cattle Shed Seized in Mangaluru*, DECCAN HERALD (Dec. 15, 2025), https://www.deccanherald.com/india/karnataka/mangaluru/illegal-cattle-transportation-house-and-cattle-shed-seized-in-mangaluru-3831208; Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020, No. 1 of 2021 (India), https://prsindia.org/files/bills_acts/acts_states/karnataka/2021/Act%201%20of%202021%20Karnataka.pdf.

[21] Naina J A, *Mangaluru: 3 Booked for Illegal Transportation of Cattle, 2 Cows Succumb to Injuries*, DECCAN HERALD (Mar. 28, 2025), https://www.deccanherald.com/india/karnataka/mangaluru-3-booked-for-illegal-transportation-of-cattle-2-cows-succumb-to-injuries-3467243.

arrested in Palghar, Maharashtra, over alleged unlawful transport of five buffaloes towards a slaughterhouse without fodder.[22]

These reports establish allegations and enforcement action, not convictions. They also do not prove that low fines alone caused the conduct. They nevertheless show why transport regulation must combine documentary checks with timely rescue and veterinary care. A seizure that leaves injured animals without treatment cannot fulfil the protective purpose of the law.

An effective response should follow the consignment through the stages that matter legally: the identity of the transporter, the documents relied upon, the conditions of carriage, the veterinary findings, and the destination. Each stage may call for a different inquiry. Treating every irregularity as the same offence risks both weak prosecutions and unfair accusations. The relevant state law must be identified accurately, and proof of transport cruelty must be distinguished from proof of an unlawful slaughter destination. Careful classification strengthens animal protection because it connects each allegation with the evidence needed to sustain it.

Wildlife crime tells the same story on a different canvas. The Wildlife Trust of India recorded 202 media-reported wildlife-crime incidents between April and December 2025, including twenty-nine involving tigers or leopards.[23] This is a compilation of reported incidents, not a complete national count or twenty-nine proven poaching cases. In August 2026, six arrests were reported following alleged blackbuck hunting in Bidar, Karnataka.[24] Reports from Telangana also described arrests in May 2026 concerning alleged hunting of deer and peacocks in Shadnagar and Makthal.[25] Such

[22] Press Trust of India, *Three Held for Illegally Transporting Buffaloes to Slaughterhouse in Palghar*, DEVDISCOURSE (Jan. 8, 2024), https://www.devdiscourse.com/article/law-order/2769464-three-held-for-illegally-transporting-buffaloes-to-slaughterhouse-in-palghar.
[23] *Caught in the Trade: April–December 2025*, WILDLIFE TR. OF INDIA (Feb. 9, 2026), https://www.wti.org.in/feature/caught-in-the-trade-april-december-2025.
[24] *Six Arrested for Blackbuck Hunting in Bidar; Hyderabad Residents Involved*, TELANGANA TRIB. (Aug. 20, 2026), https://www.telanganatribune.com/six-arrested-for-blackbuck-hunting-in-bidar-hyderabad-residents-involved.
[25] Asif Yar Khan, *Deer Poaching Cases Raise Concern over Suspected Venison Supply to Hyderabad*, TELANGANA TODAY (Aug. 19, 2026), https://telanganatoday.com/deer-poaching-cases-raise-concern-over-suspected-venison-supply-to-hyderabad.

examples warrant investigation of supply chains without converting allegations into findings of organised criminal guilt.

C. The peacock-feather trade and biodiversity

Our national bird, the peacock, exposes a difficult enforcement problem. The Wild Life (Protection) Act, 1972, as amended by the Wild Life (Protection) Amendment Act, 2022, protects scheduled wildlife against hunting, subject to statutory exceptions. The 2022 Act rationalised the six schedules into four, abolished the schedule for vermin, inserted a schedule for specimens listed in the Appendices to CITES, and provided for a Management Authority and a Scientific Authority to regulate international trade. The peacock remains a Schedule I species.

Sections 43(3)(a) and 44 exempt peacock tail feathers, and articles and trophies made from them, from licensing and transfer restrictions imposed on other animal articles, and Section 49A(b) excludes those feathers from the statutory definition of a scheduled animal article for the purposes of Chapter VA. Those exemptions do not authorise killing peacocks to obtain feathers.[26] The concern is whether legal trade can conceal an unlawful source.

In July 2025, Pune forest officials reportedly seized over 400 kilograms of peacock feathers and detained eleven people.[27] Earlier reports described forty-nine kilograms intercepted at Delhi airport bound for Hong Kong[28] and one hundred kilograms seized at Mumbai airport bound for Dubai.[29] Customs officially reported seizing approximately 21 lakh peacock tail feathers concealed in a consignment declared as

[26] Wild Life (Protection) Act, No. 53 of 1972, §§ 9, 11–12, 43(3)(a), 44(1), 49A(b), sched. I (as amended by Act No. 18 of 2022), INDIA CODE (1972), https://indiankanoon.org/doc/88587075.
[27] Gayatri Vajpeyee, *Wildlife Trade Busted: 11 Held with 400 kg of Peacock Feathers*, HINDUSTAN TIMES (July 5, 2025), https://www.hindustantimes.com/cities/pune-news/wildlife-trade-busted-11-held-with-400-kg-of-peacock-feathers-101751654014157.html.
[28] Press Trust of India, *Man Held with 49 kg Peacock Feather at IGI Airport*, BUS. STANDARD (Sept. 26, 2019), https://www.business-standard.com/article/pti-stories/man-held-with-49-kg-peacock-feather-at-igi-airport-119092600760_1.html.
[29] Mazhar Farooqui, *100-kg of Peacock Feathers Headed to Dubai Seized*, GULF NEWS (Apr. 24, 2019), https://gulfnews.com/uae/crime/100-kg-of-peacock-feathers-headed-to-dubai-seized-1.63528707.

plastic pipes in March 2021.[30] The CBI subsequently took over that investigation; the reported valuation exceeded five crore rupees.[31]

Seizure volume alone cannot prove that birds were killed. Investigators need evidence of origin, possession, transactions, and applicable export restrictions. Equally, wildlife offences attract substantially stronger penalties than ordinary PCA cruelty offences. Following the 2022 amendment, a general contravention under Section 51(1) carries imprisonment up to three years or a fine up to one lakh rupees, or both; an offence relating to a Schedule I animal carries imprisonment of three to seven years with a fine of not less than twenty-five thousand rupees, rising to not less than one lakh rupees on a second or subsequent offence; and a contravention of Chapter VA, which governs trade in scheduled animal articles, attracts the same term of imprisonment with a minimum fine of twenty-five thousand rupees.[32] The analytical problem therefore extends beyond low fines to traceability and proof. Reform should make lawful origin verifiable and prevent exemptions from shielding unlawful acquisition, while preserving the distinction between suspicion and established liability.

The authors' concern is therefore regulatory design, rather than an assumption that every feather in commerce represents a killed bird. A workable system must identify what records a lawful trader should possess and how an investigator can test them. Requirements that are impossible to satisfy would create uncertainty without necessarily identifying offenders. Requirements that merely accept an unsupported assertion of natural shedding would provide little assurance. Clear obligations, consistent inspections, and reasoned decisions offer a more defensible route to protecting the national bird.

[30] Press Release, Press Information Bureau, *Customs Officials Seize 21 Lakh Peacock Tail Feathers* (Mar. 19, 2021), https://www.pib.gov.in/PressReleseDetailm.aspx?PRID=1706128.
[31] Press Trust of India, *CBI Takes over Probe into Recovery of 21 Lakh Peacock Feathers Being Smuggled to China*, TRIBUNE (Apr. 2, 2021), https://www.tribuneindia.com/news/nation/cbi-takes-over-probe-into-recovery-of-21-lakh-peacock-feathers-being-smuggled-to-china-233222.
[32] Wild Life (Protection) Act, No. 53 of 1972, § 51(1) and provisos, § 51(1A) (as amended by Act No. 18 of 2022, § 32), INDIA CODE (1972), https://indiankanoon.org/doc/88587075.

D. Stray dogs and the safety of citizens

Animal welfare reform cannot mean turning away from a genuine public safety crisis. Official surveillance recorded over 3.7 million dog-bite incidents and fifty-four suspected human rabies deaths in 2024. Delhi's reported dog-bite cases rose from 17,874 in 2023 to 25,210 in 2024.[33] These figures concern reported dog bites, not exclusively stray-dog bites, and should not be treated as a complete estimate of rabies mortality.

The incident that triggered the litigation was stark: a six-year-old girl in Delhi reportedly died of rabies after a stray dog bite, prompting the Supreme Court to take suo motu cognisance in July 2025.[34] The August 11 relocation directions were modified on August 22, rather than wholly recalled. Sterilised, dewormed, and vaccinated dogs were generally to return to their locality, with exceptions for rabid, suspected rabid, and aggressive dogs.[35] November directions addressed institutional premises and highways.[36] On 19 May 2026, the Court reaffirmed citizens' safety under Article 21, maintained protections for institutional spaces, and permitted euthanasia only within legally permissible categories and veterinary safeguards.[37]

We must be honest about both halves of this story. The Animal Birth Control Rules, 2023 establish procedures for sterilisation, vaccination, handling complaints, and dealing with incurably ill or suspected rabid dogs. They cannot be read as permission for indiscriminate killing.[38] The correct path lies between the two failed extremes of

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[33] Press Release, Press Information Bureau, *Stray Dogs*, annexes I–II (Apr. 1, 2025), https://www.pib.gov.in/PressReleasePage.aspx?PRID=2117342.
[34] *In re* "City Hounded by Strays, Kids Pay Price", 2025 INSC 1018, ¶ 1 (India), https://indiankanoon.org/doc/169504571.
[35] *In re* "City Hounded by Strays, Kids Pay Price", 2025 INSC 1018, ¶¶ 2, 33(a)–(b) (India), https://indiankanoon.org/doc/169504571.
[36] *In re* "City Hounded by Strays, Kids Pay Price", 2026 INSC 506, ¶¶ 1–3 (India), https://www.sci.gov.in/sci-get-pdf/?diary_no=417062025&from=latest_judgements_order&order_date=2026-05-19&type=j.
[37] *In re* "City Hounded by Strays, Kids Pay Price", 2026 INSC 506, ¶¶ 48–49, 99, 108(H) (India), https://www.sci.gov.in/sci-get-pdf/?diary_no=417062025&from=latest_judgements_order&order_date=2026-05-19&type=j.
[38] Animal Birth Control Rules, 2023, G.S.R. 193(E), rr. 11, 15–16, GAZETTE OF INDIA, EXTRAORDINARY, pt. II, sec. 3(i) (Mar. 10, 2023) (Ministry of Fisheries, Animal Husbandry & Dairying, Dep't of Animal Husbandry & Dairying), https://cdnbbsr.s3waas.gov.in/s369dafe8b58066478aea48f3d0f384820/uploads/2025/08/2025080714313585 36.pdf.

neglect and unlawful violence. WHO guidance supports dog vaccination and prompt treatment of exposed people. The Jaipur programme offers local evidence of improvement under combined sterilisation and vaccination, without proving that sterilisation alone eliminates rabies.[39] Funding and monitoring must cover prevention and treatment together.

Public safety should be evaluated through a sequence of responsibilities. A resident must be able to report danger; the municipality must assess and respond; veterinary personnel must determine the appropriate animal intervention; and a bite victim must reach medical care without administrative delay. These functions should be coordinated without making treatment depend on resolving a dispute about feeding or ownership. Equally, removal decisions should record the reason and destination so that safety measures do not conceal cruelty. This approach makes the welfare and safety commitments operational rather than merely rhetorical.

E. Cultural practice and constitutional balance

Reform cannot be a blunt, one-size-fits-all instrument; India's constitutional history shows it must sometimes balance welfare against genuine cultural heritage. In 2014, the Supreme Court prohibited Jallikattu under the then applicable legal framework.[40] After Tamil Nadu, Karnataka, and Maharashtra introduced amendments and safeguards for their respective activities, a Constitution Bench in *Animal Welfare Board of India v. Union of India* upheld those measures in 2023. It accepted that the amended framework substantially reduced cruelty and directed strict implementation of the safeguards.[41]

The Bench's treatment of the cultural claim itself warrants notice. It held that the amended legislation overcomes the defects identified in *Nagaraja*, and it rejected that

[39] *Rabies*, WORLD HEALTH ORG. (Sept. 17, 2026), https://www.who.int/news-room/fact-sheets/detail/rabies; J.F. Reece & S.K. Chawla, *Control of Rabies in Jaipur, India, by the Sterilisation and Vaccination of Neighbourhood Dogs*, 159 VETERINARY REC. 379, 379 (2006), https://bvajournals.onlinelibrary.wiley.com/doi/10.1136/vr.159.12.379.
[40] Animal Welfare Bd. of India v. A. Nagaraja, (2014) 7 S.C.C. 547, ¶¶ 90–91 (India), https://www.casemine.com/judgement/in/5609af46e4b0149711416061.
[41] Animal Welfare Bd. of India v. Union of India, 2023 INSC 548, ¶¶ 30, 40(ii), 41–42 (India), https://api.sci.gov.in/supremecourt/2016/1216/1216_2016_3_1501_44624_Judgement_18-May-2023.pdf.

Court's finding that Jallikattu forms no part of Tamil Nadu's cultural heritage, holding that insufficient material had supported it. On the question referred in 2018, whether the practice is protected as a cultural right under Article 29(1), the Bench declined to decide whether Jallikattu belongs to the cultural heritage of Tamil Nadu, reasoning that the legislature had already recorded that finding and that the judiciary would not displace it.

Genuineness is therefore a legislative determination on this approach, and the Bench left to the legislature the separate question whether animals' statutory protections should be raised to constitutional rights. That deference is nevertheless bounded, because it attaches to a legislative finding accompanied by enforceable safeguards. Were another legislature to record a similar finding for a different activity, the accommodation would stand or fall on whether inspection, recorded compliance, and corrective intervention actually operate, which is what the third hypothesis means by continuing supervision.[42]

The lesson for reform is that welfare and heritage need not be enemies. However, the judgment does not create an unrestricted exemption for anything described as tradition. Its reasoning depends on the altered statutory framework and safeguards. The authors therefore favour regulated accommodation supported by inspection, recorded compliance, and corrective intervention when conditions fail. A cultural justification should initiate careful assessment, not end scrutiny of suffering.

F. Enforcement failure and evaluation of the hypotheses

Behind the incidents lies a recurring question: who is responsible for implementing the law? In May 2026, the Supreme Court documented deficiencies in Animal Birth Control infrastructure and implementation.[43] It directed district-level centres and adequate availability of anti-rabies vaccines and immunoglobulin in government

[42] Animal Welfare Bd. of India v. Union of India, 2023 INSC 548 (India) (declining to determine the cultural-heritage question referred under Article 29(1), and holding that the State amendments overcome the defects identified in *A. Nagaraja*), https://api.sci.gov.in/supremecourt/2016/1216/1216_2016_3_1501_44624_Judgement_18-May-2023.pdf.

[43] *In re* "City Hounded by Strays, Kids Pay Price", 2026 INSC 506, ¶¶ 87–89 (India), https://www.sci.gov.in/sci-get-pdf/?diary_no=417062025&from=latest_judgements_order&order_date=2026-05-19&type=j.

medical facilities.[44] A parliamentary answer of 3 February 2026 also stated that the requested PCA case and punishment information was not maintained centrally, because implementation rested with state enforcement authorities. The same answer described the draft Bill as under examination, a formulation that marks continuity with the earlier stakeholder-consultation stage rather than a change of status.[45] The central record has since improved in one respect. The National Crime Records Bureau's *Crime in India 2024*, released in May 2026, listed offences under the Act separately for the first time, recording 9,039 cases and 10,312 arrests during 2024.[46] National crime statistics nevertheless remain distinct from a ministerial record of prosecutions and punishments, which the February 2026 answer confirms is not compiled.

Specialised oversight provides another example of institutional responsibility. The Committee for Control and Supervision of Experiments on Animals is constituted under Section 15 of the PCA Act to oversee animal experimentation and prevent unnecessary suffering.[47] Its membership count alone cannot establish nationwide inspection capacity. What matters is whether registration, inspection, reporting, and corrective action actually function.

The first hypothesis is supported as a legal assessment: stronger penalties require capable enforcement. The second finds qualified support because humane prevention and human treatment pursue compatible objectives, while dangerous situations still require lawful intervention. The third is supported by the conditional character of

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[44] *In re* "City Hounded by Strays, Kids Pay Price", 2026 INSC 506, ¶ 108(B), (F) (India), https://www.sci.gov.in/sci-get-pdf/?diary_no=417062025&from=latest_judgements_order&order_date=2026-05-19&type=j.

[45] LOK SABHA, Unstarred Question No. 504, *Prevention of Cruelty to Animals (Amendment) Bill*, answer (a) (Feb. 3, 2026) (Ministry of Fisheries, Animal Husbandry & Dairying, Dep't of Animal Husbandry & Dairying), https://sansad.in/getFile/loksabhaquestions/annex/187/AU504_zLWJL6.pdf?source=pqals.

[46] Nat'l Crime Records Bureau, Ministry of Home Affairs, *Crime in India 2024* (released May 6, 2026) (recording offences under the Prevention of Cruelty to Animals Act, 1960 separately from other special and local laws for the first time), https://www.ncrb.gov.in/crime-in-india.html.

[47] *Introduction*, COMM. FOR CONTROL & SUPERVISION OF EXPERIMENTS ON ANIMALS, https://ccsea.gov.in/Content/57_1_Introduction.aspx (last visited Oct. 13, 2026); Prevention of Cruelty to Animals Act, No. 59 of 1960, § 15, INDIA CODE (1960), https://awbi.gov.in/uploads/regulations/175196958669PCA_act_1960%20with%201982%20amendment.pdf.

cultural accommodation. None establishes a quantified causal effect. The evidence instead supports an institutional conclusion: legal obligations need named administrators, adequate facilities, reliable records, and consequences for unjustified non-compliance.

The limits also identify a future research agenda. Comparable district records could examine whether staffing, veterinary capacity, and prosecution practices correspond with improved outcomes. Programme evaluations should report their coverage, duration, and methods before attributing changes to a particular intervention. Until such evidence is available, the strongest conclusion is narrower than a claim that one measure will solve the crisis. The law supplies substantial obligations, but their practical value depends on implementation that can be inspected and assessed. A responsible reform agenda must make that assessment possible.

V. SUGGESTIONS AND RECOMMENDATIONS

First, Parliament should complete consideration of the 2022 reform proposal and enact proportionate penalties reflecting severity, repetition, and commercial gain. The authors endorse the bands proposed in the 2022 draft as a floor rather than a ceiling. Fifty thousand to seventy-five thousand rupees with one to three years' imprisonment for gruesome cruelty, and seventy-five thousand to one lakh rupees with three to five years for intentional killing, sit coherently beside Section 325 of the Bharatiya Nyaya Sanhita, which permits imprisonment up to five years, and beside the post-2022 wildlife penalties, where an offence against a Schedule I animal carries three to seven years. Those ceilings are proportionate for individual offenders but remain too low for organised commercial cruelty, where profit may exceed the maximum fine. Any penalty scale should accordingly be subject to periodic statutory review, so that it does not freeze as the 1960 figures did. Clear definitions should distinguish ordinary neglect from deliberate serious harm. Legislative review must coordinate PCA offences with the Bharatiya Nyaya Sanhita, avoiding confusion about applicable charges while preserving procedural safeguards.

Second, commercial enforcement should connect transport checks, veterinary examination, and prosecution. Police should record the animals' condition, secure

relevant documents, and arrange care immediately. Courts and administrators should track custody and treatment so that rescue does not become prolonged neglect. Profit-linked penalties should rest on proved financial evidence and reasoned judicial assessment.

Third, Parliament should review the peacock-feather exemptions in Sections 43(3)(a), 44, and 49A(b), and require workable proof of lawful origin. Traders should retain transaction records capable of inspection. Any restriction should address both illegal acquisition and the risk of laundering unlawful feathers through lawful trade, with clear rules and an opportunity to contest enforcement action.

Fourth, municipal authorities should publish funded, time-bound plans for sterilisation, vaccination, shelter capacity, and complaint response. Targets should measure completed services and animal outcomes, not merely budgets announced. Veterinary teams must follow lawful assessment procedures, while institutional safety measures and emergency responses should receive priority. Monitoring by the High Courts, through their supervisory jurisdiction over local authorities, should be the vehicle for sustained administrative performance, supporting that performance rather than substituting for it.

Fifth, India needs coordinated, searchable records linking cruelty complaints, case outcomes, dog bites, and rabies surveillance. Existing health systems should be strengthened and connected with municipal and enforcement records, avoiding unnecessary duplication. Published statistics should distinguish allegations, prosecutions, convictions, suspected disease, and confirmed cases. Personal details of victims and complainants must be protected.

Sixth, forest departments require trained investigators, forensic support, and effective cooperation with police and Customs. Investigative powers should be clarified where necessary, with lawful authorisation and privacy safeguards. Seizure totals should be accompanied by information on prosecution outcomes so that enforcement success is assessed through evidence and accountability.

Seventh, citizen and NGO participation should be actively supported through awareness programmes, lawful feeding arrangements, adoption, and reporting

mechanisms. Communities should be discouraged from purchasing unlawfully sourced wildlife products and from responding to fear through violence. Participation must assist professional services without transferring the State's responsibilities to volunteers.

Monitoring should distinguish the number of animals handled from the quality of care delivered. A district could report whether captured dogs received veterinary assessment, whether vaccination records are complete, whether treatment facilities had stock shortages, and whether complaints received a documented response. Wildlife enforcement reports could similarly track the movement from seizure to investigation and final disposal. These proposed measures would expose practical gaps without treating higher seizure figures alone as evidence of success.

Implementation should begin with a public baseline of available staff, facilities, pending complaints, and treatment capacity. Authorities should then assign responsibility, publish realistic deadlines, and explain missed targets. Independent review should examine both service quality and lawful procedure. This sequence would make accountability continuous and allow resources to follow demonstrated local needs.

Finally, cultural safeguards require continuing supervision, and Article 48's cattle-preservation vision should be paired with modern, humane transport and care. These recommendations pursue the same constitutional commitment: protection that can be demonstrated in the lives of animals and citizens.

VI. CONCLUSION

This paper concludes that India's legal order must hold both commitments at once: that a citizen bitten by a rabid stray deserves justice and safety, and that the stray dog, the transported cow, the poached blackbuck, and the plucked peacock deserve a law that means what it says. Measured against the materials examined, the first hypothesis is supported, because stronger penalties are necessary but insufficient without credible investigation and enforcement. The second is qualified, because welfare and public safety are substantially complementary, yet dangerous situations still require lawful intervention.

The third is supported, because cultural accommodation remains consistent with welfare only where safeguards are enforceable and subject to continuing supervision. These are doctrinal assessments within the evidentiary limits stated in the methodology, not quantified causal findings. The penalty for a first offence under Section 11 has stood at ten to fifty rupees for six decades, with twenty-five to one hundred rupees and imprisonment up to three months for a repeat offence within three years, and that scale no longer deters. The Constitution supplies the necessary direction through Articles 48, 48A, 51-A(g), and 21, although the Directive Principles are not independently enforceable and the 2023 Constitution Bench declined to extend Articles 14 and 21 to animals.

The priority reforms are therefore legislative and administrative: a proportionate and periodically revised penalty scale, enforceable municipal accountability under the Animal Birth Control Rules, 2023, verifiable proof of lawful origin in the wildlife trade, and coordinated records linking cruelty complaints, prosecutions, dog bites, and rabies surveillance. What remains is the political will to fund, enforce, and legislate what the courts, the citizens, and the Constitution have already required.

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