



BALANCING PUBLIC SAFETY AND ANIMAL WELFARE: A LEGAL ANALYSIS OF JUDICIAL DIRECTIONS ON STRAY DOG MANAGEMENT IN INDIA

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ABSTRACT

This paper examines how India currently finds itself at a difficult crossroads. The growing population of stray dogs has sharpened the tension between public safety and the rights of animals. The Supreme Court's recent order of November 7, 2025, marks a notable shift: where earlier judgments leaned toward compassion, even framing the feeding of stray dogs as a constitutional duty under Article 51A(g), the Court now places greater weight on safety and administrative control. Feeding is no longer considered a protected right; instead, restrictions and removal from crowded or sensitive areas are being encouraged. Article 21, which guarantees the right to life, must be read not only in terms of human safety but also in light of the dignity owed to animals. The Animal Birth Control (ABC) Rules, designed to manage stray populations through sterilisation and vaccination, remain under-implemented, hampered by administrative inertia and lack of infrastructure. The result is a widening gap between principle and practice. The article also examines global experiences, such as examining Bhutan's successful sterilisation in contrast with Turkey's reliance on culling, which failed to solve the problem and deepened mistrust between communities and authorities. Closer to home, the IIT Delhi case illustrates how removal-based strategies often backfire as displacing dogs disrupts territorial stability, undermines rabies immunity, and paradoxically increases human-animal conflict.

Keywords: Right to Feed, Stray Dog Jurisprudence, Article 21, Public Safety.

INTRODUCTION

The dog is a gentleman; I hope to go to his heaven, not man's."

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– *Mark Twain.*

Dogs have always held a revered place in the world's history and culture. As some of the earliest animals to coexist with humans, they are often depicted in sacred texts as loyal companions to sages and mystical figures. In various Indian religious traditions, offering food to animals is seen as a virtuous act. Dogs are also sometimes depicted in divine roles, serving as celestial mounts or being symbolically associated with deities, such as the goddess Durga, who is occasionally illustrated with the head of a dog.¹

Yet, this spiritual significance contrasts sharply with the reality of modern India, where stray dog populations have grown significantly. Questions frequently arise about who is responsible for feeding, caring for, managing their welfare, and accountable for the harm caused by them. Despite their sacred associations, dogs are also viewed by many as filthy animals unfit for domestic spaces. As one walks through major Indian cities, the sight of numerous street dogs is common, and it is evident that these animals often face hostility from the public.² Instances of abuse and death of these animals are unfortunately common in the country.

This article provides a closer examination of how India currently addresses its stray dogs under the law. It doesn't just stop at what the rules say; it also discusses what's happening on the ground and how recent court decisions are affecting the lives of these animals. Are we heading in the right direction, or is there a better way? To find answers, we examine what other countries are doing and identify which ideas might be effective here.

Ultimately, the article proposes practical, long-term solutions for managing stray dogs that balance the interests of both humans and animals. These ideas aim to bring together clear laws, responsible communities, and humane care, enabling both humans and street dogs to live safely and peacefully side by side.

THE SUPREME COURT'S RECENT ORDERS ON STRAY DOGS

Due to rising public safety and health concerns linked to an uncontrolled stray dog population, causing everything from traffic disruptions and hygiene issues to pedestrian distress, and in

¹D Kamińska-Jones, 'Multiple Roles of Dogs in India: culture, art and the colonial context' (2020) 9(1) Art Orient <https://doi.org/10.11588/ao.2020.1.16115> accessed 10 May 2025; [11, 30.1.2, 32.4, 138, 156]

² *ibid*

tragic cases, even human death,³ the Supreme Court has stepped in. Over the years, it has issued multiple rulings aimed at striking a balance between public health and animal welfare. Yet, recent judgments have shown a clear shift: earlier, the court upheld certain rights, such as feeding stray dogs under the established case *Dr Maya D. Chablani v. Radha Mittal & Ors.*,⁴ as fundamental, but now that stance is being quietly edged out in favour of public safety. In essence, the Court is repositioning earlier compassion-driven precedents to make way for stricter, population-control-driven interpretations.

On November 7, 2025, the Supreme Court took a decisive step to address fast-growing fears around stray dog attacks, especially those that involve children, through its order in the suo motu case titled “City Hounded by Strays, Kids Pay Price.”⁵ This came after the Court’s earlier directions on August 11 and 22, which had sparked intense debate. The initial August 11 order, calling for the blanket removal of stray dogs across Delhi-NCR without return, triggered public and expert pushback for being both impractical and contrary to the ABC Rules, 2023. The Court course-corrected on August 22, limiting removal only to sensitive, high-risk areas and directing that any action be aligned with humane sterilisation protocols, not mass confinement.

The recent order mandates clearing dogs from vulnerable public spaces, such as schools, busy transit zones, and busy roads, while also pushing for robust sterilisation systems and banning street feeding on open roads. Institutional spaces have been told to secure their perimeters, and all States/UTs must follow suit, not just Delhi. It establishes a clear accountability framework: appointing Nodal Officers, establishing safe feeding zones away from pedestrians, conducting regular audits, ensuring anti-rabies provisions in hospitals, and clearing dogs from highways to prevent fatal accidents. The Court has warned that non-compliance may lead to contempt. In short, the measures aim to protect public safety without entirely discarding humane principles.

The judiciary's order mandates the establishment of special surveillance units along national highways. These monitoring teams are entrusted with maintaining constant vigilance and publicising emergency contact information to ensure prompt reporting of incidents involving stray animals. Further, the court ordered that all cattle found wandering on public roads should

³ A Singh, ‘Gone to the Dogs: A Public Health Nuisance on an Educational Campus in India’ (2025) 15(1) JPHR 3 <http://article.sapub.org/10.5923.j.phr.20251501.03.htm> accessed 10 May 2025.

⁴ *Dr Maya D Chablani v Radha Mittal & Ors* (2005) 8 SCC 534.

⁵ *In Re: "City Hounded by Strays, Kids Pay Price"* Suo Moto WP (C) 5/2025 (SC, India).

be relocated to appropriate holding facilities.⁶ Additionally, dogs identified as dangerous or harmful are also required to be relocated to separate facilities.

BACKGROUND AND HISTORY

Long before 1890, colonial India's local laws did not address the practice of feeding animals as a legal matter. Everything changed with the Prevention of Cruelty to Animals Act, 1890. For the first time, cruelty toward animals became illegal. The law shielded them from abuse, abandonment, or harm, setting up penalties for offenders. Awareness around the issue increased, which eventually led to a need for shelters and sanctuaries. After independence, reforms strengthened animal welfare laws, with a focus on ensuring a dignified standard of living. By 1962, this progress had led to the creation of the Animal Welfare Board of India, a landmark in the advancement of animal rights.⁷

LEGAL FRAMEWORK

Article 21 of India's Constitution secures the Right to Life, ensuring that nobody can lose their life or freedom without due legal process. As the "procedural foundation" for life and liberty, it encompasses survival essentials, including food, shelter, and necessities. The Supreme Court has broadened it to include animals. In *Animal Welfare Board of India v. A. Nagaraja & Others*⁸ (commonly known as the Jallikattu decision), The Court affirmed that animals also possess a right to life with dignity and intrinsic value. It held that the protection under Article 21 applies to all species necessary for ecological balance, and that humane treatment is required even where lawful human use is permitted.

The Court noted: "Every species has a right to live, unless legally overridden. Article 21 protects ecological life, not just humans. For animals, 'life' means more than survival: inherent value, honour, kind treatment."

⁶ 'Supreme Court orders removal of stray dogs from schools, hospitals, other public institutions; directs NHAI to clear cattle from highways' *The Hindu* (Delhi, 23 March 2024)

<https://www.thehindu.com/news/national/supreme-court-orders-removal-of-stray-dogs-from-schools-hospitals-other-public-institutions-directs-nhai-to-clear-cattle-from-highways/article70251263.ece> accessed 11 May 2025.

⁷ J T Doe, 'The Future of Legal Authority' (2025) 20(3) Eur Legal Rev 2500867

<https://www.tandfonline.com/doi/full/10.1080/13880292.2025.2500867> accessed 10 May 2025.

⁸ *Animal Welfare Board of India v A Nagaraja & Ors* (2014) 7 SCC 547 (SC).

LEGAL FRAMEWORK AND STRAY DOG MANAGEMENT IN INDIA

Article 48 mandates the protection and improvement of animal husbandry and prohibits the slaughter of certain animals.

Article 48A, introduced in 1976, directs the State to protect forests and wildlife, linking environmental protection to the right to health under Article 21 (*M.C. Mehta v. Union of India*).⁹

Article 51A(g) places a fundamental duty on citizens to show compassion toward all living creatures, a duty emphasised by the Supreme Court in the *Nagaraja* judgment.¹⁰

Article 243(W) assigns municipalities the responsibility of managing stray animals, including dog population control.

Animal Birth Control (ABC) Rules, 2023, under the Prevention of Cruelty to Animals Act, adopt the Capture-Sterilise-Vaccinate-Release (CSV) model as the main strategy for humane stray dog management.

National Action Plan for Dog-Mediated Rabies Elimination (NAPRE) 2030, led by the Ministry of Health, aims to eliminate human rabies deaths through effective vaccination and sterilisation of stray dogs.

Together, these constitutional provisions and statutory frameworks demonstrate a judicial and legislative commitment to balancing public safety with humane treatment and animal welfare, which is crucial for addressing the challenges posed by stray dogs in India.¹¹

ADMINISTRATIVE AND LOGISTICAL CHALLENGES IN IMPLEMENTATION

The practical implementation of judicial directives has encountered significant obstacles. The major problem is the confusion caused by overlapping responsibilities among different government bodies, such as municipal corporations, animal husbandry departments, and NGOs. Organisations like the Society for the Prevention of Cruelty to Animals (SPCA) are supposed to play a key regulatory role, but they often lack the legal power, resources, and

⁹ *M C Mehta v Union of India* (1987) AIR 1987 SC 1086.

¹⁰ Doe (n 1)

¹¹ Vision IAS, 'Supreme Court issued directions to remove stray dogs from key public spaces' (Vision IAS, 8 November 2025) <https://visionias.in/current-affairs/news-today/2025-11-08/polity-and-governance/supreme-court-issued-directions-to-remove-stray-dogs-from-key-public-spaces> accessed 11 May 2025;

manpower to enforce the rules effectively. On top of that, many local welfare committees exist only in name, without actually putting in place the necessary systems like safe feeding zones or proper shelters for animals. This systemic chaos creates a huge gap between what the courts order and what actually happens on the ground.¹²

Adding to the mess is the legal ambiguity surrounding terms like "aggressive dog," which aren't clearly defined in law or previous rulings. This forces authorities to make decisions based on personal judgment, which can differ from one area to another. As a result, harmless dogs are sometimes wrongly labelled as dangerous, while real threats are overlooked. Furthermore, some recent court rulings contradict earlier ones, which adds to the confusion and inconsistency in enforcement. This legal instability poses a significant barrier to developing a clear, humane, and effective approach to managing street dog populations.¹³

NEGATIVE IMPLICATIONS AND CRITICISMS OF THE ORDER

"It will not solve the community dog conflict; it will inflame it," is a stated opinion regarding the recent directives and orders of the Supreme Court's decision. When judicial mandates are practically impossible to implement, they cease to function as law and instead become forms of administrative harm. Municipal bodies instructed to "remove dogs" without any designated facilities to house them are left with few options, often resorting to killing, illegal dumping, or abandoning animals on the streets, thereby creating additional risks for the public.

The judiciary is well aware that India lacks the necessary infrastructure, including adequate shelter systems. If such a capacity existed, every district would already be operating practical ABC (Animal Birth Control) centres. Despite repeated directives and existing legal frameworks, no substantial action has been taken. Nevertheless, the current order still mandates removal without allowing dogs to be returned, an instruction that disregards the operational realities on the ground.¹⁴

¹²'SC's stray dog relocation plan sparks debate; activists warn of challenges in implementing directive' *Times of India* (Guwahati, 25 March 2024) <https://timesofindia.indiatimes.com/city/guwahati/scs-stray-dog-relocation-plan-sparks-debate-activists-warn-of-challenges-in-implementing-directive/articleshow/125190819.cms> accessed 14 May 2025.

¹³'Stray Dogs Menace: Making Sense of the Supreme Court's Intervention' (SC Observer, 2024) <https://www.scobserver.in/journal/stray-dogs-menace-making-sense-of-the-supreme-courts-intervention/> accessed 12 May 2025.

¹⁴ 'Supreme Court's order on stray dogs is inhumane, anti-science and anti-law' *The Indian Express* (New Delhi, 13 May 2024) <https://indianexpress.com/article/opinion/columns/supreme-courts-order-on-stray-dogs-is-inhumane-anti-science-and-anti-law-10360135/> accessed 14 May 2025.

More concerning is the stark inconsistency between this directive and the Court's own prior decisions. In the pivotal Animal Welfare Board of India (AWBI) v. People for Elimination of Stray Troubles (2015–2016) ruling, the Supreme Court clearly directed municipalities to ensure full compliance with the ABC Rules, emphasising that relocating stray dogs was not a permissible option. It also underscored the need for a joint implementation of sterilisation and vaccination strategies. This position was upheld in a 2022 advisory by the AWBI. While later judgments may have limited the absolute priority of the ABC Rules, they never entirely nullified them. The current bench's directive marks a significant departure from established judicial reasoning. It sets a worrying precedent where court orders can effectively override not just statutory norms and expert-backed policies, but also earlier judicial pronouncements, based more on immediate public dissatisfaction than on reasoned legal analysis.¹⁵

NEGATIVE CONSEQUENCES OF REMOVAL AND RELOCATION

Relocating stray dogs or forcibly removing them from their territories further exaggerates the problem. The issues are discussed below:

Debates on Relocation –

Territorial Displacement: Dogs are territorial beings. Removing them from their area creates a vacuum or a space that quickly attracts other unsterilized stray dogs, known as the "vacuum effect," leading to a temporary decline in the population but ultimately resulting in a resurgence of the stray population.¹⁶

Breaks Immunisation Cycles: Vaccinating and sterilising dogs helps control rabies and keeps their population in check. When these dogs are relocated from their territory, the balance is disrupted, increasing the risk of disease transmission.¹⁷

¹⁵ M S M Y C Puljal, 'India's Urban Dilemma: Why Shelters Alone Can't Solve the Stray...' (LinkedIn Pulse, 2024) <https://www.linkedin.com/pulse/indias-urban-dilemma-why-shelters-alone-cant-solve-stray-puljal-msmyc/> accessed 15 May 2025.

¹⁶ 'Stray Dogs: The Supreme Court and the Shrinking Space for Coexistence' (The CSR Universe, 2024) <https://thecsruniverse.com/articles/stray-dogs-the-supreme-court-and-the-shrinking-space-for-coexistence> accessed 15 May 2025.

¹⁷ 'Does relocating vaccinated stray dogs truly worsen rabies outbreaks and public health' *The Week* (26 August 2025) <https://www.theweek.in/news/health/2025/08/26/does-relocating-vaccinated-stray-dogs-truly-worsen-rabies-outbreaks-and-public-health.html> accessed 15 May 2025.

Inhumane Treatment and Animal Rights Concerns –

Ethical Concerns: Such actions contravene the constitutional spirit of compassion and the animal rights jurisprudence affirmed in *Animal Welfare Board of India v. A. Nagaraja*,¹⁸ which recognised the right of animals to live with dignity.

Legal Non-Compliance: Transferring stray dogs without following the Animal Birth Control (ABC) guidelines violates the Supreme Court's directives and can result in legal consequences for the responsible institutions.¹⁹

IMPACT ON EDUCATIONAL, MEDICAL, AND PUBLIC CAMPUSES

In the case study conducted on the IIT Delhi campus regarding the issue of stray dogs, the problems related to them were recognised, but it was also clearly understood that reallocation and removal would bring more harm than good, and alternative, achievable solutions were also recommended.

Stray Dogs on IIT Delhi Campus: An Unseen Crisis: IIT Delhi, often described as a city within a campus, is home to students, faculty, staff, and families. At any moment, it's alive with ideas and activity, but also with dogs. The study states that the situation has gone beyond just casual discomfort. A survey and on-campus hospital data indicate that dog bites have become a significant health concern. Between July and November 2017, 52 dog bite cases were reported at the IIT Hospital alone. But this number is likely underreported, as many patients, especially visitors, may seek treatment elsewhere, as the campus medical centre might not be equipped to deal with the more concerning bites. From 2013 to 2017, the hospital administered an average of 38 rabies vaccines per month, a striking figure for an academic institution. It's estimated that in 2023 alone, there were 171 dog bites on campus, a 7.4% annual rise over the decade.

While most bites fall in lower categories, about one to two Category III bites (those that are dangerous or potentially fatal) occur each month. Such cases had to be referred to specialised

¹⁸ *Animal Welfare Board of India v A Nagaraja* (2014) 7 SCC 547

¹⁹ Fur and fury: Supreme Court order for removal of stray dogs triggers backlash from activists, order to remove all Delhi street dogs sparks outcry from animal welfare groups, Delhi Delhi stray dogs' *India Today* (New Delhi, 11 August 2025) <https://www.indiatoday.in/information/story/fur-and-fury-supreme-court-order-for-removal-of-stray-dogs-triggers-backlash-from-activists-order-to-remove-all-delhi-street-dogs-sparks-outcry-from-animal-welfare-groups-delhi-delhi-stray-dogs-2769513-2025-08-11> accessed 16 May 2025.

facilities outside the campus, often costing as much as ₹50,000 per treatment. Meanwhile, even less severe bites disrupt student life and add to the anxieties of living on campus.

The survey highlighted personal accounts beyond medical incidents. 77.4% of respondents had seen someone being chased or attacked by a dog. 65.5% said they'd been interrupted by stray dogs while cycling or driving, and two-thirds admitted they felt intimidated by their presence. Barking is also a significant problem, 93% said they were disturbed by it, especially at night, when dogs fight or howl near hostels, disrupting sleep and study.

These issues are not limited to direct aggression. At food outlets and night canteens, stray dogs often snatch food, follow people, or even eat from unattended plates. Nearly 74% believe hygiene around food outlets is compromised due to dogs, and 57% feel stray dogs create serious trouble near night canteens specifically. Dogs are also seen entering classrooms; 75% of respondents have witnessed this.

Issue Reported	Percentage
Witnessed someone being chased or attacked by a dog	77.4%
Interrupted by stray dogs while cycling or driving	65.5%
Felt intimidated by the presence of stray dogs	~66% (two-thirds)
Disturbed by barking, howling, or fighting at night	93%
Hygiene around food outlets is compromised due to dogs	74%
Stray dogs cause trouble near night canteens	57%
Seen stray dogs enter classrooms	75%

Issue Reported	Percentage
Dogs snatching food, following people, or eating from plates	Common experience

Despite awareness, efforts, and engagement from students, faculty, and even local animal welfare groups, the stray dog problem remains deeply embedded in campus life. Classroom disruptions, sleepless nights, dog bites, and hygiene concerns have become routine, making it clear that the campus is still struggling to strike a balance between safety and compassion.

The Recommendations made for tackling the issue are:

- Partnering with organisations recognised by the Animal Welfare Board to conduct regular on-campus sterilisation and anti-rabies vaccination drives.
- Creating specific feeding spots within the campus, overseen by volunteers or university personnel, to reduce interactions in high-traffic areas and prevent disputes.
- Organising educational workshops to teach students and staff how to interact and coexist safely with animals residing on campus.²⁰

GLOBAL PRACTICES IN STRAY ANIMAL MANAGEMENT

Studying how different countries handle stray animal populations provides valuable lessons for India. Understanding these international models helps identify effective, humane, and lasting solutions. Georgia offers a notable example: every stray dog undergoes systematic sterilisation, vaccination, tagging for identification, and is then, most importantly, returned to its original habitat. This program, supported by regular public awareness efforts, educates communities on safe interaction, responsible feeding, and timely reporting of animal health issues. The results have been promising, leading to a decrease in dog bite incidents, rabies cases have nearly disappeared, and community harmony with stray animals has improved.²¹

In contrast, Turkey presents a cautionary example for India. Facing an estimated stray dog population of around four million, the government implemented a large-scale campaign involving removal, administration of euthanasia, and sheltering. Yet, the country's

²⁰ A B Smith, 'A Study on Public Health' (2025) 15(1) JPHR 03
<http://article.sapub.org/10.5923.j.phr.20251501.03.html> accessed 15 May 2025.

²¹ 'Stray Dogs: The Supreme Court' (n 8)

infrastructure proved severely inadequate; with only about 110,000 shelter spaces available, less than three per cent of the stray population could be accommodated. Even after sterilising 2.5 million dogs over two decades, the initiative failed to create lasting population control. Predictably, widespread shelter overcrowding led to public outrage and policy reversals, demonstrating that mass removal without adequate support systems ultimately backfires.

On the other end of the spectrum is Bhutan, a striking success story. Beginning in 2009, the country embarked on a carefully designed 14-year program that resulted in the complete sterilisation and vaccination of all free-roaming dogs. Bhutan made history by eliminating dog-linked rabies without resorting to mass sheltering or culling. More than 150,000 stray dogs were sterilized and over 32,000 pet dogs were microchipped, all through steady implementation of catch-neuter-vaccinate-return programs. This achievement reflects ongoing successful cooperation between communities and consistent support from the government.

In India, Goa stands out for its efforts in rabies prevention. Since 2018, the state has reported no rabies cases from dogs. A result of carefully coordinated vaccination drives and active community participation. This example clearly demonstrates that addressing stray animal issues in India is possible with diligent planning and evidence-based strategies.²²

CONCLUSION

In conclusion, managing the stray dog issue in India comes down to finding a balance that respects both people and animals. On one hand, public safety and concerns about stray dog bites are absolute. On the other hand, dogs are living beings who've been part of our streets and communities for decades, often cared for by local feeders and animal lovers who have taken to the streets to protest the order.²³

This project highlights that simply removing dogs isn't the answer, because they almost always return, and the problem starts all over again. The real solution lies in tried and tested approaches like sustained sterilisation, vaccination drives, and stronger community responsibility. If we adopt methods that bring together government bodies, animal welfare groups, and everyday

²² Puljal (n 6)

²³ 'Animal Rights Activists Detained Over Protests Against SC Stray Dogs Order' *The Hindu* (Delhi, August 13, 2025) <https://www.thehindu.com/news/cities/Delhi/animal-rights-activists-detained-over-protests-against-sc-stray-dogs-order/article69925887.ece> accessed 17 May 2025.

citizens in harmony, we have a better chance of reducing conflicts and ensuring the safety of all parties involved.

Ultimately, the goal is protection, not conflict. By working together with compassion and clarity, we can safeguard public health without abandoning our responsibility toward animals who depend on us.

POLICY RECOMMENDATIONS

The Government can consider the following policy recommendations, as they ensure a sustainable and humane approach to tackling the problem, working out the issue from its roots rather than just addressing the symptoms.²⁴

- Implementing effective waste disposal systems and ensuring that garbage is securely managed can significantly reduce the food sources that attract stray animals.
- Limiting the presence of dogs around late-night food stalls and cafeterias by using barriers can help maintain hygiene and reduce potential conflicts
- Expanding sterilisation and vaccination programs by fostering partnerships between local governments, animal welfare NGOs, and veterinary service providers.
- Channelling corporate social responsibility (CSR) contributions into establishing and maintaining community animal care clinics.
- Integrating animal welfare into the main public health planning as a vital preventive strategy, removing it from being seen as an act of just goodwill.²⁵

The system of mobile sterilisation units can provide a more efficient and economical means to reach underserved regions. Establishing temporary recovery spaces for post-surgery care will also increase capacity, enabling a higher volume of safe procedures without incurring significant financial strain. The primary focus of interventions should be on widespread vaccination and sterilisation processes. Resources and workforce should be centred there to tackle the stray dog population.²⁶

²⁴ Smith (n 7)

²⁵ ‘Stray Dogs: The Supreme Court’ (n 8)

²⁶ Puljal (n 6)