



Original Research Paper

JUDICIAL INTERVENTION, HUMAN SAFETY AND ANIMAL WELFARE: A LEGAL AND POLICY ANALYSIS OF THE SUPREME COURT'S STRAY DOG RELOCATION ORDER 2025

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ABSTRACT

Supreme Court of India's order 2025 on stray dogs' relocation in the Delhi-NCR due to increase in dog bite incidents and public safety concerns over rabies directly contradicts with the Animal Birth Control Rules, 2023 and is practically not possible to be implemented within existing infrastructure. Balancing interests of animals and humans is a shared responsibility inviting long term solutions rather than overnight removals while avoiding vacuum effect and zoonotic diseases. A holistic approach addressing human health and public safety issues vis-a-vis animal-human conflict should pave the way forward. No system can be effective unless frictions are minimised. This paper is an attempt to invite attention to the constitutional protection given to non-humans and to further explore and analyse the legal and societal validity of the Supreme Court's directives while balancing the interests involved by reducing the conflict and removing the impediments.

Keywords: Stray Dogs, Animal Birth Control Rules, Animal welfare, Public safety, Supreme Court

I. INTRODUCTION

The debate neighbouring stray dogs is not solely a legal or policy matter, it is deeply entrenched social conflict. The word 'Stray dogs' means an animal not being an 'owned' dog or a 'pet' dog (AWBI Module, 2025:21). The issue surrounding stray dogs in India has long stood at the crossroads of public safety, legal accountability, and animal welfare (Suryawanshi, 2025), this gives rise to human-animal conflict that creates a complex legal and ethical dilemma which needs to be addressed in order to balance public safety and animal welfare.

The overpopulation of dogs in residential areas and public places leads to conflicts like dog bites, rabies, causing road accidents and pack attacks. Beyond direct human-animal conflicts, free-ranging and feral dogs can also exert ecological pressure on wildlife through predation, chasing, and disturbance of feeding, resting, nesting, and breeding activities (Choudhary & Chishty, 2024). Simultaneously, brutal dog killings, attacks on dog feeders make the situation worse (Pratheesh, 2025: 1115). As per the report of 'Integrated Disease Surveillance Plan-Integrated Health Information Platform (IDSP-IHIP 2023)' of the Ministry of Health and Family Welfare, Government of India, the number of dog bite in 2023 recorded was 30,43,339 lakhs clearly shows the need for effective legal interventions and policy reforms.

1.1 Background of the case

On August 11, 2025, a division bench of the Hon'ble Supreme Court of India has issued orders for removal and permanent sheltering of stray dogs of Delhi- NCR in an attempt to balance public safety with animal welfare. On July 28, 2025, the bench of Justices Pardiwala and Mahadevan acted *suo moto* and took cognisance of a news report of Times of India where a six-year-old girl died because of rabies (Venkatesan, 2025). The bench directed the Delhi-NCR authorities to immediately begin capturing all stray dogs within eight weeks and explicitly banned releasing the dogs back onto the streets. The court instructed authorities to establish new shelters with capacity of at least 5,000 dogs (The Hindu Bureau, August 2025).

However, this judicial directive created an immediate legal conflict with the Animal Birth Control Rules, 2023 (hereinafter '*ABC Rules*'), a central delegated legislation mandating sterilisation, vaccination, and return of stray dogs to their original territory. These Rules expressly prohibit relocation except in limited circumstances. Municipal bodies, animal welfare organisations, and veterinary experts highlighted this contradiction and questioned the feasibility and legality of the Court's instructions. The estimated population of stray dogs in Delhi alone is eight to ten lakhs (ET Online, 2025), which makes this task impractical and financially unviable.

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Later, the court was apprised of the issue that ABC Rules permit only the taking of unsterilised dogs for the sterilisation drive and dropping them back to their original territory after sterilisation and specifically prohibit the relocation of these stray dogs (Venkatesan, 2025). The Hon'ble Chief Justice of India exercising power under Article 145 of the Indian Constitution decided that the matter should be heard by a larger bench. A full bench consisting of Justices Vikram Nath, Sandeep Mehta, and N.V. Anjaria heard the case and acknowledged that a blanket non-release direction was "too harsh" and modified its earlier *suo moto* directives. The court restored the statutory position of the ABC Rules and while emphasizing a humane approach, further laid down guidelines for managing stray dogs. According to these directives, stray dogs must be picked up, sterilized, dewormed, and vaccinated before being released back into their original habitat. Only rabid or aggressive dogs should be kept permanently in shelters. Additionally, the court mandated the creation of designated feeding spots in each municipal ward, prohibiting public feeding on streets, and gave directions for establishing helplines for complaints, aiming to strike a balance between animal welfare and public safety (Jurycan, 2025).

Building on these guidelines, the Supreme Court has carved out a specific exception to its earlier "return-to-territory" rule for stray dogs, directing that dogs found in "institutional areas" such as schools, colleges, hospitals, sports complexes, bus depots, and railway stations must be removed. These dogs, after sterilization and vaccination, are to be moved to designated shelters and not released back to their previous locations. The authorities are required to fence and secure these premises, appoint nodal officers, and ensure compliance in high-traffic areas (The Hindu Bureau, 2025).

II. AIM & OBJECTIVE

The aim of this study is to contribute worthy insights and propositions for understanding interpretive confusion caused by conflicting directives of the Supreme Court. The study delves into the Legal and Policy Analysis of the Supreme Court's stray dog's relocation order. The author aims to investigate system accountability, infrastructural limitations and draw a harmony between animal welfare and public safety. The study also seeks as to how these directives are received by different segments of the society.

The study is designed with four primary objectives -

1. To analyse the constitutional, statutory, and policy framework governing animal welfare with special reference to stray animals in India.
2. To examine the impact of relocation and infrastructural limitations.
3. To examine the impact, reliability and functionality of the existing laws.

4. To advance findings and suggest solutions addressing the identified challenges.

III. SCOPE AND LIMITATIONS

The scope of the study is confined to examining the Indian legal framework governing animal welfare with special reference to stray dogs. The study offers a nuanced understanding of the Animal Birth Control Rules, 202 and relevant provisions of the Constitution of India, Bharatiya Nyaya Sanhita, 2023 and Prevention of Cruelty to Animals Act, 1960. The study undertakes both doctrinal and empirical method of research. Geographically, researcher adopts an all across the nation perspective but does not attempt a state -wise comparison.

The study is subject to several limitations. The doctrinal analysis is temporally limited to the immediate legal and policy issue surrounding the August, 2025 Supreme Court order on stray dogs. The empirical part of the study is based on a questionnaire survey; however, it does not include a diverse range of stakeholders. The findings of the study should be interpreted as indicative rather than universally representative.

IV. BALANCING RIGHTS AND RISKS

The primary basis of Supreme court's directives is public health and safety by removing the perceived threat. However, a closer scrutiny of the scientific and ecological principles reveal that such approach could lead to unintended severe negative consequences. Animal welfare should therefore be considered in conjunction with environmental and health conditions, as animal well-being is influenced by the interaction between biological health, environmental stressors and the broader social environment (Das et al., 2025)

In India, one of the reasons for stray dogs' existence is exposed garbage heap around the city, providing a constant source of food as there is absence of proper garbage disposal systems (Rifai Km, 2023:662). The concept of culling and killing cannot be applied in India as the conditions are very different in urban and rural areas of our country comparing to foreign countries and it has failed to effectively control the dog's population and zoonotic diseases (AWBI Module, 2025:15). According to (WHO Report, 2013), there is nothing to suggest that removal of dogs has any lasting impact on population control and reduction in spread of rabies. On the contrary, such removal can trigger 'Vacuum effect' further worsening the situation.

4.1 The 'Vacuum Effect'

A well-documented ecological phenomenon happening when stray dogs are taken away or removed from an area, particularly those dogs that have been sterilized and vaccinated through ABC program (Paul,2025). Their territories become vacant and quickly filled by other neighbouring unsterilized dogs, often more aggressive attracted by the newly available food sources. This leads to increased dog fights and rabies cases because of the

influx of new dogs into the territory as friendly and sterilized dogs have been dislocated or killed. This only creates constant unitability, rapidly multiplying and rabies carrying dog population (AWBI Module, 2025:16).

4.2 Zoonotic Disease risks

Supreme Court had issued directions intending to improve public health and safety, specially of infants and young children, through reduction in rabies cases. But a closer scrutiny of the situation reveal that such approach could have negative and unintended consequences (Paul, 2025) . Mass sheltering of dogs' population could unintentionally give rise to public health risk. Overcrowded and poorly managed animal shelters can become high risk zone for rabies breeding, which later can spread between animals and shelter staff and from them to other outside humans (ET Online, 2025).

In chaotic situation, there are chances that dog handlers and catchers might catch healthy dogs along with those having mange or scabies or other infectious diseases (AWBI Module, 2025:37). Stray dog management needs adequate funding for building proper infrastructure and trained veterinary staff otherwise the order for catching and sterilization of these dogs would lead to unsanitary and inhumane conditions. Later, higher bench acknowledged the practical challenges of mass sheltering due to logistic, finance and infrastructure reasons.

V. LEGAL FRAMEWORK

5.1 Constitutional Protection of Non-Human Life

Animal Protection laws in India are quite old and much established principles of Indian legal system. Government of India Act, 1935, one of the primary sources of Indian constitution, already contained the provisions relating to the issues of animals, fishes and birds in the legislative distribution under Schedule VII (Mitra, 2019:42). When the Constitution of India was drafted, animals and their natural habitats were considered important for economical purposes yet ecological concept was not given any primacy as the same was not developed till then (Mitra, 2019:39).

i) Article 21: Right to Life vis-à-vis Animals

The Right to life under article 21 of the Indian Constitution empowers both humans and animals alike. The impact of Article 21 should be viewed as interconnected relation formed between public safety and animal welfare and representing two sides of the same principle (Pratheesh,2025: 1116).

Indian judiciary had played an incredible role by providing justice to each and every person of the country by widening the scope of Article 21. It states:

“Protection of life and personal liberty —No person shall be deprived of his life or personal liberty except according to procedure established by law.”

The scope of Article 21 has been widened by enhancing the real meaning of ‘life and personal liberty’ by the judiciary holding that person includes non-humans too. In *Ramlila Maidan case*, the Court opined that the Constitution does not confine itself merely for the protection of human rights rather a catena of judgments underscores the preservation and protection of both human and non-human life, encompassing all living creatures, plants, hills, and the environment ((Mitra, 2019:43). In *Animal Welfare Board of India vs. A. Nagaraja & others*, the definition of ‘life’ under Article 21 was further expanded by the Supreme Court by guaranteeing this right to all living beings to the extent that human rights were not harmed. Court notably held that all species has right to life according to the international standards.

ii) Article 51A (g): Compassion for Living Creatures

The concept of Fundamental Duties though not a part of Indian Constitution at its inception but was later added on the recommendations of the Swaran Singh Committee vide the Constitution (42nd Amendment) Act, 1976. Article 51A(g), one of the fundamental duties, expects every Indian Citizen:

“to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures”

The words used are ‘living creatures. To understand the real meaning of living creatures, section 2 (a) of the Prevention of Cruelty to Animals Act, 1960 (hereinafter ‘PCA Act’) may be referred, which defines ‘animal’ as “any living creature other than a human being”. Hence, in *Mahisagar Mataji Samaj Seva Trust v. State of Gujarat*, court observed that living creature includes animals, birds, reptiles and even small insects also.

iii) Article 48A

This article of the constitution further lays down directives on the State machinery to protect and improve the environment and safeguard the forest and wildlife of the country.

5.2 Section 325 of the Bharatiya Nyaya Sanhita

This section of the Sanhita defines and penalizes all the acts of cruelty towards animal and states:

“Whoever commits mischief by killing, poisoning, maiming or rendering useless any animal shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both”

However, municipal authorities were permitted to deal with stray dog population issue by applying permissible sterilisation methods and vaccination and not through destructive methods (Pratheesh,2025: 1117).

5.3 Statutory Regimes

i) Prevention of Cruelty to Animals Act, 1960

(hereinafter PCA Act): This Act was introduced to prevent the unnecessary pain or suffering to mute animals and to amend the existing laws in India. Rukmini Devi Arundale, an animal welfare activist and Member of Parliament had presented the bill before the Parliament in 1954 and a committee was appointed to review the old law of Prevention of Cruelty to Animal Act, 1890. As the subject 'prevention of cruelty of animals' falls under Entry 17 of the Concurrent List of Indian Constitution, the law was passed for whole of India. Apart from wild animals, cruelty to all captive or domestic animals is also punishable under the provisions of PCA Act. It enables enactment of subordinate legislations for the welfare and better management of the animals. Stray dogs are protected by the Act and rules enacted under section 38 of the Act. Most important part of this legislation was to establish 'Animal Welfare Board' in India for the first time (Mitra, 2019:75).

ii) The Animal Birth Control Rules, 2023

The ABC Rules, enacted under the PCA Act, provide inclusive regulatory structure to strike a balance between animal welfare considerations with public health priorities. The implementation of legal framework governing Animal Birth Control Rules, 2023 is essential as these are developed on years of evidence-based policies aligned with Indian constitution and ancient ethical values of love and compassion towards animals (AWBI Module, 2025:21). The local municipal bodies are responsible for the management and planning of dog control programme in accordance with these Rules of 2023(AWBI Annual Report 2024).

In the particular context of stray dogs, the recent Rules, 2023 seek to provide a statutory framework to address the issue related to community animals. These Rules further provide framework to deal with almost all disputes related to feeding, dog bites, rabies, vaccination and sterilization and so on.

One of the widespread methods of controlling stray dogs' population in India is Animal Birth Control program. These rules supersede the Animal Birth Control (Dog) Rules, 2001. This replacement of rules happened due to the guidelines of the Hon'ble Supreme Court laid down in *Animal Welfare Board of India v. People for Elimination of Stray Troubles*. The case tries to maintain the balance between cruelty to dogs and elimination of dogs for creating menace. Animal welfare board of India (hereinafter 'AWBI') argued that "dogs have been serving the society for centuries and they have various uses for human society. Further, they have been provided constitutional protection under Article 51A of the Constitution and legal protection under PCA Act." On the other side respondents contended that "a bite by a stray dog poses a serious threat to the society and

compassion for dogs cannot come at the cost of human lives." After analysing various provisions of PCA and ABC rules, the court observed that, "*there can be no trace of doubt that there has to be compassion for dogs and they should not be killed in an indiscriminate manner, but indubitably the lives of the human beings are to be saved and one should not suffer due to dog bites because of administrative lapse.*" The Court also held that duty to provide infrastructure, as mandated in the statute and the rules, lies with all the municipal corporations. The local authorities and Animal Welfare Organizations have the responsibility to conduct Animal Birth Control programs too.

The approved model under ABC Rules is the best legally codified and proven method for controlling dogs' population. The ABC program operates on the basic key principles of providing a humane solution by promoting dog sterilization/spaying as the primary step to reduce the population by preventing new births and vaccination reduces rabies and other zoonotic disease transmission and minimizes human-animal conflicts. It mandates under ABC rule 11(19) that dogs shall be released after being sterilized and vaccinated in the same territory from where they were picked and it explicitly prohibits their relocation. Sterilized and vaccinated dogs are less aggressive, healthier, and safer for the community. Regular awareness programs will further reduce concerns related to stray animals (AWBI Module, 2025).

The Hon'ble Supreme Court, in various orders mentioned supra, has taken the view that relocation of dogs cannot be permitted and that there should be no "indiscriminate killings of canines" but here a paradoxical situation was created by new directives of the division bench contradicting the views of the apex court making the order unprecedented and impractical in the eyes of legal experts and animal lovers (Paul, 2025).

VI. JUDICIAL PRONOUNCEMENTS ON STRAY DOGS

In recent years, Indian Judiciary has shown conflicting view point on issues related to stray animals. Judges are no strangers to dissonance of views. In several cases, judges established the rights for stray animals for humane treatment and at the same time in some cases adage 'let sleeping dogs lie' was unfortunately not followed (Dhond, 2023:233). In this part author focuses on cases specifically related to stray dogs.

In *Animal Welfare Board of India v. Ombudsman for Local Self-Governing Institutions* the Kerala High Court held that municipal bodies should take steps for birth control and immunisation of stray dogs in accordance with ABC Rules. Here, AWBI and others advocated for the preservation of stray dogs though they are suffering from fatal diseases or even rabies. The court said that the right to life under article 21 of the constitution would take precedence over ABC rules, 2001, which protect stray dogs. Therefore, the court's order of Ombudsman

directing corporations, municipalities and panchayats to destroy dogs with fatal diseases was proper. Such infected animals cannot be protected at the cost of invaluable human lives (Mitra, 2019:88-89).

In *Milkmen Colony Vikas Samity v. State of Rajasthan* the Supreme Court directed the Municipal Corporations to restrict wandering stray cattle roaming on the streets and to remove unattended stray animals like cattle, dogs, bulls and pigs too from the city.

In *Re: Bruno Case*, the Kerala High Court took suo-moto cognisance. In this case, animal cruelty was reported when a dog was brutally beaten to death and the body was thrown into the sea. The authorities charged three people, two of whom being the minors. The Animal Welfare Board of India was directed by the court to come up with a viable action plan to make public more aware and educated about animal rights, as well as their responsibilities and obligations in this respect. The court stated that immediate action is required to ensure that such incidents are not repeated in future. Court further stated that the state's veterinary clinics and other related infrastructural facilities are in serious need of upgradation and state should work upon it (Mehta and Gogna, 2024:735).

In *Maya D. Chablani v. Radha Mittal & others* the Hon'ble Delhi High Court adopted the animal rights-based approach. The Court asked the Resident Welfare Associations, Municipal Corporations and all law enforcement agencies of the State to give assistance to the people feeding stray dogs. To make sure that every dog in a community has access to food and water, the Delhi High Court took a pragmatic approach by laying down various guidelines to be taken into account while stray dogs are fed by the caregivers on the feeding spot and to ensure that dog feeders aren't harassed. The

Supreme Court initially stayed the Delhi High Court order but subsequently lifted the stay on stray dogs' 'right to food'.

The author submits that in the *Re Bruno* and *Maya D. Chablani* cases the approach of the High Courts and Supreme Court decisions is both judicially correct and progressive. It has clearly shown that animals also have rights and they need humane treatment without cruelty and has also highlighted the place of stray dogs in our society.

VII. RESEARCH METHODOLOGY

In this study, a mixed-method research approach was adopted to examine in comprehensive manner as to whether the present legal framework is adequate to balance public safety and animal rights parallelly.

7.1 Survey and Data Collection

The author has used web-based survey tool viz. Google form for data collection. As it is easy to implement and less time-consuming method for gathering information. Snowball sampling was performed in the study with employment of blend of purposive and non-purposive sampling techniques. In purposive sampling, selected participants consisting of legal professionals, NGOs/Animal welfare organisations, and academicians participated while in non-purposive sampling, participants viz. students, homemakers, and other stakeholders were involved. The survey took about five minutes to complete and a total of 302 responses were received from across the nation. This method was adopted to obtain a maximum response within shorter timeframe.

7.2 Sample Demography

Socio-demographic Characteristics of the respondents. A total of 302 responses were received.

Table 1: Socio- demographic characteristics of the respondents

S. no.	Variable	Response	n= 302	%
1.	Gender	Male	121	40.1
		Female	181	59.9
2.	Age	18-24 years	25	8.3
		25-40 years	150	49.7
		41-55 years	101	33.4
		60 years and above	26	8.6
3.	Type of area	Urban	262	86.8
		Semi-Urban	30	9.9
		Rural	10	3.3
4.	Occupation/Profession	Academician	37	12.3
		Judicial Officer	5	1.7
		Animal Welfare Organisation/NGO	17	5.6
		Lawyers		
		Private sector	60	19.9
		Student	56	18.5
		Homemaker	29	9.6
		Others	22	7.3
			76	25.1

5.	Experience	0-3 years	45	14.9
		4-10 years	74	24.5
		10-20 years	86	28.5
		20+ years	72	23.8
		Not applicable	25	8.3

Source: Based on the data collected by Researcher

VIII. INTERPRETATION OF THE RESULT AND DISCUSSION

Qualitative data was collected through a survey meant to assess participants' perceptions of Supreme Court's stray dog relocation order 2025. The survey included questions

inter alia related to awareness regarding Supreme Court's order, ABC Rules, adequacy of present legal framework, infrastructure availability, animal rights, and public safety.

Table 2: Awareness of the Supreme Court's order and Animal Birth Control Rules, 2023

<i>Awareness</i>	<i>Yes</i>	<i>No</i>	<i>Somewhat</i>
Supreme Court Order	294	2	6
ABC Rules, 2023	225	49	28

Source: Based on the data collected by Researcher

The data in Table 2 shows a very high level of awareness among participants about both the Supreme court's Suo moto order of 2025 and the Animal Birth Control Rules, 2023 and nearly all respondents by 97.4 percent reported being aware of the court's order to remove and shelter stray dogs, with only 0.7 percent unaware and 2 percent somewhat aware. This data clearly indicates that judicial intervention on this issue has received widespread public attention.

Though a smaller group of 16.2 percent admitted that they were not aware and only 9.3 percent somewhat aware. Taken together, the interpretation suggests that stray dog management has become a highly visible and widely discussed issue, with strong public familiarity with both legal rulings and regulatory frameworks. This widespread awareness provides a solid foundation for policy debates and reforms, as citizens are already engaged and informed about the legal context.

Similarly, awareness of the ABC Rules, 2023 is also strong, with 74.5 percent confirming knowledge of it.

Table 3: Ever personally faced or observed issues

<i>Observation</i>	<i>Yes, frequently</i>	<i>Yes, sometimes</i>	<i>Rarely</i>	<i>Never</i>
Issues related to Stray Dogs	98	96	40	68

Source: Based on the data collected by Researcher

Table 3.1: Types of issues

<i>Types of cases (Incidents)</i>	<i>Dog bite incidents</i>	<i>Public safety hazards</i>	<i>Illegal feeding/relocation</i>	<i>Animal abuse/neglect</i>	<i>None</i>
Received complaints or filed cases	89	57	72	125	119

Source: Based on the data collected by Researcher

The data in Table 3 shows that encounters with stray dogs' problems have been observed frequently by a majority of 32.5 percent and occasionally by 31.8 percent. Meanwhile 13.2 percent have rarely faced such issues and 22.5 percent never faced any. This highlights the uneven distribution of problem across communities.

In Table 3.1 participants could choose more than one option and the data reflects overlapping concerns rather than mutually exclusive categories. So, the most

commonly complaint about or filed issue is animal abuse or neglect with 41.4 percent. This is followed by 29.5 percent dog bites incidents and 23.8 percent illegal feeding /relocation issue. While public safety hazards such as road accidents were reported by 18.9 percent, interestingly 39.4 percent stated that they have never received or filed any of such cases. This shows that while stray dogs are significant problem for many but it is not universal.

Table 4: Impact on public safety on relocation and does it violate animal rights

<i>Relocation</i>	<i>Yes</i>	<i>No</i>	<i>Maybe</i>
Improve safety	75	191	36
Violates animal rights	208	75	19

Source: Based on the data collected by Researcher



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The data in Table 4 shows a clear divide in public opinion regarding the relocation of stray dogs. A majority of 63.2 percent does not believe relocation will improve citizen safety, while only 24.8 percent support the relocation and 11.9 percent remain uncertain. This shows that most of the participants see relocation as ineffective measure for addressing safety concerns. On the other hand, when asked about the violation of animal

rights by relocation of the dogs, an overwhelming majority of 68.9 percent agreed, with only 24.8 percent disagreeing and 6.3 percent remaining unsure. This highlights that while safety is a concern yet ethical consideration around animal welfare strongly influence the public attitude. Participants perceived relocation of the stray dogs as largely unsupported solution.

Table 5: Present legal framework

<i>Present Legal Framework</i>	<i>Yes</i>	<i>Partly adequate</i>	<i>Inadequate</i>	<i>Unsure</i>
Balance Public Safety and Animal rights	33	61	175	33

Source: Based on the data collected by Researcher

Table 5.1: Management responsibility

<i>Management responsibility</i>	<i>Central Government</i>	<i>State Government</i>	<i>Local Municipal Bodies</i>	<i>Animal Welfare Organisations</i>	<i>Shared responsibility</i>
Stray dog management	12	14	88	21	167

Source: Based on the data collected by Researcher

The data in Table 5 shows that the present legal framework is widely perceived as inadequate in balancing public safety with animal rights by 57.9 percent majority of participants, while 20.2 percent felt it is only partly adequate. Only 10.9 percent considered the framework fully adequate and another 10.9 percent were unsure. Overall, there is a strong public sentiment that existing laws need significant reforms to balance both public safety and ethical treatment of stray animals.

The data in Table 5.1 go on to emphasize collaboration among different stakeholders for stray dog management,

as 55.3 percent viewed this as a shared responsibility. Among specific entities, local municipal bodies were seen as the second primary authority by 29.1 percent with public expectation that local bodies should manage community – level issues. Fewer participants assigned responsibility solely to state government with 4.6 percent and 4 percent to central government. Only 7 percent seen animal welfare organizations as the main driver. Data shows a strong preference towards multi-stakeholder approach.

Table 6: Practicality and necessity of SC's order given the availability of infrastructure and on the adequacy of existing laws

<i>Supreme Court's intervention</i>	<i>Yes</i>	<i>No</i>	<i>Maybe</i>
Necessary (essential)	100	157	45
Practically possible	49	231	22
Existing Laws are adequate	82	161	59

Source: Based on the data collected by Researcher

The data in Table 6 shows strong skepticism about both Supreme court intervention and the practicality of current measures for stray dog management. Only 33.1 percent felt that Supreme Court intervention was necessary and majority of 52 percent believed that it was not needed, with 14.9 percent remaining uncertain. Regarding the

court's specific order on removing stray dogs from school, hospitals, and public institution, 76.5 percent felt implementation is impractical with the currently available infrastructure while 16.2 percent supported its practicality and on the other hand 7.3 percent were not sure about it.

Table 7: National-level Policy and Importance of animal welfare

<i>National Level Policy</i>	<i>Yes</i>	<i>No</i>	<i>Maybe</i>
Jointly by Government and Judiciary	199	57	46

<i>Animal Welfare</i>	<i>Extremely important</i>	<i>Important</i>	<i>Moderately important</i>	<i>Not important</i>
Policy making	203	78	16	5

Source: Based on the data collected by Researchers

The data in Table 7 shows a support for a national level policy on stray dogs where 65.9 percent want joint action by the government and judiciary. Only 18.9 percent opposed the idea, while 15.2 percent were uncertain. In terms of policy making priorities, animal welfare emerges as an extremely important concern for 67.2

percent, another 25.8 percent rated it as important, leaving only 5.3 percent and 1.7 percent minority who considered it moderately important and not important. Overall, the citizens want a balance safety with compassion, with animal welfare positioned as a cornerstone of national-level policy.

Table 8: Effective long-term solution and proposed policy reforms

<i>Long-Term Solution</i>	
Sterilisation and Vaccination	192
Strict relocation	18
Regulation of feeding	5
Community-based adoption model	33
Shelter-based confinement	14
Hybrid model	40
<i>Reforms (Multiple Choices allowed)</i>	
Amendment to ABC Rules	150
Stronger municipal accountability	220
Centralised Policy	108
Improved shelter standards	138
Stricter control of feeding zones	73
Veterinary capacity building	152
Public awareness program	225

Source: Based on the data collected by Researcher

The data in Table 8 shows sterilisation and vaccination are overwhelmingly seen as the most effective long-term solution with 63.6 percent supporting it. Other options such as community-based adoption by 10.9 percent and hybrid model by 13.2 percent received moderate support. These statistics recognise that controlling the stray dog population through humane, preventive measures is more sustainable than reactive approaches. On the other hand, measures like strict relocation 6 percent, shelter-based confinement 4.6 percent, and regulation of feeding 1.7 percent were minimally favoured, indicating that the public perceives them as either impractical, ethically problematic, or insufficient to address the issue.

While recommending reforms, the participants could choose more than one option, so it seems that majority was in favour of systemic reforms to improve stray dog management, with the highest support for public awareness programs by 74.5 percent and stronger municipal accountability by 72.8 percent. These two priorities suggest that people believe both public awareness and effective local governance are crucial for long-term solutions. Significant support is also seen for veterinary capacity building by 50.3 percent and amendments to the Animal Birth Control (ABC) Rules by 49.7 percent, reflecting recognition of the need for better technical infrastructure and updated legal frameworks. 45.7 percent support improved shelter standards and 35.8 percent centralized policy. Stricter control of feeding zones with 24.2 percent had the least

support. Overall, the interpretation of the reforms shows a clear preference for preventive, humane, and governance-focused reforms, with awareness, accountability, and veterinary improvements seen as the most impactful strategies.

IX. PRESENT SCENARIO

In the month of January 2026, the Supreme Court resumed hearing in the case concerning stray dogs in India. Court asked the Amicus Curiae, counsel for the NHRC and representatives of all States and UTs for their submissions in the concerned matter (Ganguly, 2026). The central government has in turn informed that under a National Action Plan they are working towards a 'Rabies free India' by 2030. The Additional Solicitor General said that despite health is a state subject, the centre is providing full support to States through fund allocations and coordinating with state action plans (Jain, 2026). The court thereafter reserved its judgement.

In its final judgment, the Supreme Court examined the implementation of the Animal Birth Control Rules, 2023 in the backdrop of increasing incidents of dog bites, rabies exposure and human-animal conflicts reported across the country. The Court observed that despite the existence of a statutory framework for population control and vaccination, its implementation remained inadequate in several States and Union Territories. Infrastructural deficiencies, shortage of sterilisation facilities, lack of coordination among authorities and ineffective

monitoring mechanisms were identified as major factors contributing to the persistence of the problem. The Court further emphasized that public safety, particularly in places frequented by children, patients, elderly persons and other vulnerable groups, constitutes an important constitutional consideration that cannot be overlooked while implementing animal welfare measures.

While deciding the matter, the Court clarified that the Animal Birth Control framework is intended to ensure humane and scientific management of stray dog populations and cannot be interpreted in a manner that compromises public safety. The Court held that the statutory scheme must be implemented harmoniously with the constitutional obligation of the State to protect human life and safety. Accordingly, directions were issued to strengthen sterilisation and vaccination infrastructure, establish effective Animal Birth Control Centres, improve the availability of anti-rabies vaccines and ensure greater accountability in implementation. The judgment ultimately reflects an effort to balance animal welfare concerns with public safety through improved governance, scientific population management and effective enforcement of existing laws.

A. KEY OBSERVATIONS MADE BY SC

- i) **PUBLIC SAFETY AS A CONSTITUTIONAL CONCERN:** The Supreme Court observed that the right to life guaranteed under Article 21 of the Constitution includes the right of citizens to live in a safe environment and to access public spaces without being exposed to avoidable threats to life, health, and personal security arising from uncontrolled stray dog populations.
- ii) **NEED FOR EFFECTIVE IMPLEMENTATION OF EXISTING LAWS:** The increasing incidents of dog bites and rabies are not solely attributable to the existence of stray dogs but are largely a consequence of inadequate implementation of the Animal Birth Control Rules, 2023 and related statutory obligations by the concerned authorities.
- iii) **INTERPRETATION OF RULE 7(2) OF THE ABC RULES, 2023:** The Court clarified that the inclusion of dogs found within gated campuses under the definition of street or community dogs is merely classificatory in nature and cannot be interpreted as conferring an unrestricted right upon stray dogs to occupy every public or institutional space.
- iv) **INTERPRETATION OF RULE 11(19) OF THE ABC RULES, 2023:** The requirement to release sterilised dogs in the “same place or locality” must be interpreted harmoniously with the provisions of the Prevention of Cruelty to Animals Act, 1960 and cannot be extended to sensitive institutional premises where public safety considerations predominate.

- v) **SENSITIVE INSTITUTIONAL AREAS REQUIRE SPECIAL PROTECTION:** The schools, hospitals, colleges, sports complexes, airports, railway stations, bus depots and other high-footfall institutional areas require a distinct approach because they are frequented by children, patients, elderly persons and other vulnerable sections of society.
- vi) **ANIMAL WELFARE AND PUBLIC SAFETY ARE NOT MUTUALLY EXCLUSIVE:** The Court emphasized that humane treatment of animals remains a statutory obligation. However, animal welfare measures must be implemented in a manner that does not undermine the constitutional duty of the State to protect human life and safety.
- vii) **ADMINISTRATIVE INACTION CANNOT BE A JUSTIFICATION:** The Court observed that financial constraints, shortage of infrastructure, lack of manpower, or administrative inconvenience cannot be used by State authorities as grounds for avoiding their statutory and constitutional responsibilities.
- viii) **STRENGTHENING ANIMAL BIRTH CONTROL INFRASTRUCTURE:** The Court stressed the necessity of establishing adequate sterilisation facilities, expanding vaccination programmes, improving shelter management systems, and ensuring proper monitoring and data collection mechanisms across all States and Union Territories.
- ix) **AVAILABILITY OF ANTI-RABIES TREATMENT:** Recognising rabies as a serious public health concern, the Court directed authorities to ensure the availability of anti-rabies vaccines and immunoglobulins and to strengthen healthcare preparedness for dog-bite victims.
- x) **BALANCED AND SUSTAINABLE APPROACH:** The Court ultimately adopted a balanced approach by recognising the need to protect both public safety and animal welfare. It underscored that the long-term solution lies in scientific population management, effective governance, institutional accountability, and proper implementation of the existing legal framework rather than in extreme or purely reactive measures.

X. CONCLUSION AND SUGGESTIONS

The order of the Hon'ble Supreme Court to shelter all stray dogs of Delhi NCR is seen as fundamentally flawed attempt to address a complex and multifaceted problem. However, the intention of the Court is to genuinely address the concern for human safety and public health. The directives are logistically unfeasible, financially burdensome, legally inconsistent and scientifically flawed (Paul, 2025). Later, in attempt to balance compassion with caution, the court has shown that

animal rights and public safety are complementary responsibilities.

Through the survey, a clear picture of the public attitude is painted towards stray dog management in India. It shows that the issue is complex and widespread and requires a humane yet structured approach to deal with it. Preference was given to preventive methods such as sterilisation and vaccination rather than restrictive or punitive approach.

There is dire need to reform existing frameworks and well-resourced system that can protect both public safety and animal rights at the same time otherwise piecemeal measure won't work effectively. Despite the valuable insights gained, the study acknowledges certain limitations. The data used for analysis does not capture the complexity and nuances inherent in real-world situations. Moreover, the cross-sectional nature of the study reflects participants' perspectives at a specific point in time, while ongoing developments may continue to influence the dynamics of stray dog management.

While a significant number of respondents expressed concerns regarding public safety and the rising incidence of dog attacks, a majority were not in favour of indiscriminate relocation or elimination of stray dogs. The responses largely supported sterilisation, vaccination, improved shelter facilities, responsible feeding practices, and stronger governmental intervention as sustainable solutions. The findings indicate that public opinion increasingly favours a balanced approach that protects human safety while ensuring humane treatment of animals.

Prior to the recent judgment, considerable debate existed regarding whether the Animal Birth Control Rules mandated the compulsory return of all sterilised dogs to their original locations, including sensitive institutional areas. However, the Supreme Court has now clarified that the statutory framework cannot be interpreted in a manner that compromises public safety. The Court has recognized that schools, hospitals, railway stations, bus depots, sports complexes and similar high-footfall areas require special consideration. At the same time, the Court has not diluted the principle of humane animal management and has instead emphasized strengthening sterilisation, vaccination, shelter infrastructure, and administrative accountability. Thus, the judicial focus has shifted from a narrow question of relocation to a broader concern of effective implementation and responsible governance.

In light of the findings of this study and the recent judicial developments, several measures deserve consideration. First, every district should be equipped with adequately funded and professionally managed Animal Birth Control Centres capable of conducting regular sterilisation and vaccination drives. Secondly, local authorities should maintain transparent digital records of sterilisation, vaccination, relocation, adoption,

and shelter management to ensure accountability and facilitate evidence-based policymaking. Thirdly, scientific population surveys should be conducted periodically to assess the effectiveness of existing programmes and identify high-risk areas requiring immediate intervention. Fourthly, municipal bodies must strengthen waste management systems, as uncontrolled waste disposal continues to be one of the primary factors sustaining large stray dog populations. Fifthly, greater emphasis should be placed on public education regarding responsible feeding practices, adoption initiatives, animal behaviour awareness, and reporting mechanisms for aggressive or diseased animals. Finally, coordination among government authorities, veterinary institutions, healthcare departments, local bodies, and animal welfare organisations must be institutionalised through dedicated monitoring committees at the district and state levels.

Ultimately, the long-term solution lies neither in viewing stray dogs solely as a public nuisance nor in disregarding legitimate public safety concerns. A sustainable framework can only emerge through scientific population management, effective implementation of existing laws, robust public health measures, and a balanced approach that safeguards both human welfare and animal welfare in accordance with constitutional values and contemporary societal needs.

Notes

Article 145(1)(e) of Indian Constitution: Rules as to the conditions subject to which any judgment pronounced or order made by the Court may be reviewed and the procedure for such review including the time within which applications to the Court for such review are to be entered.

Re-Ramlila Maidan Incident vs Home Secretary and Ors (2012) 5 SCC 1.

Animal Welfare Board of India vs. A. Nagaraja & others (2014) 7 SCC 547.

Mahisagar Mataji Samaj Seva Trust v. State of Gujarat, 2012 SCC OnLine Guj 1648.

Animal Welfare Board of India v. People for Elimination of Stray Troubles (2016) 2 SCC 598.

Animal Welfare Board of India v. Ombudsman for Local Self-Governing Institutions AIR 2006 Ker 201.

Milkmen Colony Vikas Samity v. State of Rajasthan 2007 (2) SCC 413.

Re: Bruno vs Union of India W.P(C). No.13204 of 2021.

Maya D. Chablani v. Radha Mittal & others I.A. No. 4164/202.

In re: City hounded by stray's kid pay price, 2026 INSC 506.

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