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COMPASSION WITH CONSTRAINT: A CASE COMMENT ON IN RE: "CITY HOUNDED BY STRAYS, KIDS PAY PRICE"

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I. ABSTRACT

The scale of dog bites in India and the transmission of deadly illness like rabies through them are the problems that appear minuscule and frequently disregarded, but in reality, are rather significant. However, at the same time inhumane treatment of voiceless animals such as dogs is also a matter of concern. The Supreme Court's recent order on stray dogs attracted widespread attention from both those who supported the order and those who disagreed with the court. This led to a three-judge bench of the Supreme Court reconsider, recall, and modify the earlier contentious order directing the removal of stray dogs from the streets of the Delhi region and, while appreciating the underlying intent, adopting a more balanced approach in addressing the issue. Therefore, now India's battle with stray dogs today stands at the nexus of compassion and constraint after the Supreme Court refocused the reaction to emphasize a feasible equilibrium between humane treatment of dogs and public safety. The researcher has tried to analyze the workable balance that the court has reached in the case, In Re: "City Hounded by Strays, Kids Pay Price". The paper's first goal is to examine the factors that led the honorable court to take up the stray dog matter suo moto. Second, to evaluate the viability of the arguments made by both the order's defenders and the protesters. Finally, to assess the court's position on the management of stray dogs in the National Capital Region and Delhi.

II. KEYWORDS

Stray dogs, public safety, ABC Rules, Suo moto jurisdiction, Delhi NCR.

III. INTRODUCTION

India's stray dog problem is not hidden from the world. Nearly all of the nation's major media outlets have covered it. The Hindu, in its news report² published on

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25th January, 2025 mentioned the Lancet Study which analyzed that in India out of every four animal bites, three are due to dogs.³ The report further mentions that more than five thousand and seven hundred deaths occur in India due to rabies.⁴ As per The Indian Express news report published on February 5, 2025, Union Minister Rajiv Ranjan Singh informed the Lok Sabha that nearly 22 lakh Dog bite cases were reported in the country from January 2024 to December 2024.

The court first took suo moto cognizance on 28th July 2025 regarding the alarming issue of dog bite cases across India.⁵ The issue was further heard by the bench comprising Justices J B Pardiwala and R Mahadevan on August 11, 2025.⁶ However, the order was not well received by the public and it faced various protests. Modifying the order, the three judge bench comprising Justices Vikram Nath, V Anjaria and Sandeep Mehta, passed a new order dated 22nd August, 2025.⁷ In the 11 August, 2025 order, the Supreme Court decided that all the stray dogs shall be removed from the streets of the Delhi and National Capital Region keeping in mind the due care that shall be provided in the shelters and pounds that were needed to be created by the municipal authorities. In the recent order, court modified the ruling and asked the authorities to release the dogs back to the streets from which they were picked up after performing the due procedure as per the Animal Birth Control Rules (ABC Rules), 2023. Let's understand the brief facts of the case.

² 'Lancet Study Estimates 3 in Every 4 Animal Bites in India Due to Dogs' The Hindu (New Delhi, 25 January 2025) <https://www.thehindu.com/news/national/lancet-study-estimates-3-in-every-4-animal-bites-in-india-due-to-dogs/article69139272.ece> accessed 1 September 2025

³ Thangaraj, Jeromie Wesley VivianPatil, Deepak B, 'Estimates of the burden of human rabies deaths and animal bites in India, 2022–23: a community-based cross-sectional survey and probability decision-tree modelling study' (2025) Volume 25, Issue 1, P126-134 The Lancet Infectious Diseases<Estimates of the burden of human rabies deaths and animal bites in India, 2022–23: a community-based cross-sectional survey and probability decision-tree modelling study - The Lancet Infectious Diseases> accessed on 2 September, 2025

⁴ HARIKISHAN SHARMA, 'INDIA'S DOG BITE CRISIS: 60 CHILDREN ATTACKED EVERY HOUR IN 2024, SHOWS GOVT DATA' THE INDIAN EXPRESS (NEW DELHI, 5 FEBRUARY 2025) [HTTPS://INDIANEXPRESS.COM/ARTICLE/INDIA/DOG-BITE-CASES-REPORTED-IN-2024-CHILDREN-VICTIMS-9817586/](https://indianexpress.com/article/india/dog-bite-cases-reported-in-2024-children-victims-9817586/) ACCESSED ON 2 SEPTEMBER 2025

⁵ In Re: "City Hounded by Strays, Kids Pay Price", SUO MOTO WRIT PETITION (CIVIL)NO.5/2025 https://api.sci.gov.in/supremecourt/2025/41706/41706_2025_9_802_62686_Order_28-Jul-2025.pdf accessed on 2 September 2025

⁶In Re: "City Hounded by Strays, Kids Pay Price", 2025 INSC 977 (2025)

⁷In Re: "City Hounded by Strays, Kids Pay Price", 2025 INSC 1018 (2025)

IV. FACTS OF THE CASE

The controversy began when a division bench of Honorable justices of the Supreme Court took a suo moto cognizance of the article published by the newspaper, Times of India, titled, “City Hounded by Strays, Kids Pay Price” on 28th July, 2025⁸ which the honorable Supreme Court heard on 11th August, 2025⁹. It issued primary directions regarding the menace of dogs and their pickup from the areas of Delhi, Ghaziabad, NOIDA, Faridabad and Gurugram. However, the order resulted in various controversies. Therefore, the court decided to modify the August 11 directions. In furtherance, the court took up the Suo Motu Writ Petition (Civil) No. 5/2025 clubbed with Writ Petition (Civil) No. 784 of 2025, SLP (Civil) No. 14763 of 2024, and SLP (Civil) No. 17623 of 2025. The honorable Supreme Court in *In Re: “City Hounded by Strays, Kids Pay Price”*¹⁰ mentioned certain cases of dog bites that compelled the bench to set out directions to curb the menace of stray dogs.

The bench mentioned the case of a six-year-old girl, Chavi Sharma, who was severely injured in a stray dog attack in Delhi, highlighting the rising menace despite repeated public complaints being ignored by the authorities. Further, it mentioned the case of a four-year-old Abhishek Rai who was mauled by a pack of stray dogs in Delhi’s Alipur, Narela, while returning from his Anganwadi School. The attack left him injured and has made his and other parents fearful of letting their children play outside. In response to these cases and cases similar to these the bench set out certain guidelines on 11th August 2025 that required immediate enforcement. The Court directed the city-wide stray dog removal from the streets of “Delhi, Gurugram, Ghaziabad, NOIDA and Faridabad” “at the earliest”.¹¹

⁸ Kaushiki Saha, ‘Delhi Hounded by Strays, Kids Pay Price: Girl (6) Dies of Rabies after Dog Attack, Family Alleges Official Apathy’ (*The Times of India*, 28 July 2025) <https://timesofindia.indiatimes.com/city/delhi/delhi-hounded-by-strays-kids-pay-price-girl-6-dies-of-rabies-after-dog-attack-family-alleges-official-apathy/articleshow/122938488.cms> accessed 28 August 2025

⁹ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 977 (2025)

¹⁰ *In Re: “City Hounded by Strays, Kids Pay Price”*, SUO MOTO WRIT PETITION (CIVIL)NO.5/2025 https://api.sci.gov.in/supremecourt/2025/41706/41706_2025_9_802_62686_Order_28-Jul-2025.pdf accessed on 2 September 2025

¹¹ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 977 (2025)

Further, the court directed to immediately create shelters for dogs as well as pounds across NCR and forward a report on infrastructure within eight weeks.¹² At the same time, the court directed that there should be no mistreatment, cruelty, overcrowding, or starvation towards dogs. It ordered to ensure regular feeding, timely veterinary care, and separate housing for vulnerable and weak dogs “as far as possible”.¹³

However, this attracted a wide outrage from certain NGO’s and people who were claiming to be dog lovers. This resulted in various petitions being filed demanding a stay on the above-mentioned order. As a result of this, the three-judge bench set out a further order giving directions that the dogs captured must be released back to the localities from which they were picked up after complying with the procedure laid down in Animal Birth Control Rules, 2023.

V. LEGAL ISSUES INVOLVED IN THE CASE

The court, in its final order dated 22nd August 2025, recognized various issues involved in the case. Important issues involved in the case were-

1. Whether stray dogs have a right to live on the streets along with the right to life and safety of citizens provided under Article 21 of the Constitution of India.
2. Whether the Supreme Court’s directions of 11 August 2025 prohibiting the release of stray dogs after sterilization and immunization violate the Animal Birth Control Rules, 2023.
3. Whether relocation and permanent confinement of stray dogs in shelters is legally and practically appropriate given infrastructural limitations.
4. Whether restrictions on feeding stray dogs and actions against “animal lovers” infringe Fundamental Rights, particularly Article 19(1)(a) that is, freedom of expression.¹⁴
5. Whether sterilization and immunization alone are sufficient initiatives to answer the menace of stray dogs and rabies.

¹² supra note 2

¹³ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 1018 (2025)

¹⁴ supra note 7

VI. ARGUMENT ADVANCED BY THE PARTIES

The petitioners claiming to be working for the welfare of the stray dogs including individual petitioners and NGOs made the first argument¹⁵ that the order given by the court on 11th August was not in compliance with the ABC Rules, 2023 particularly rule 11(19)¹⁶ which states that the dogs captured for the process of sterilization and immunization shall be relocated back to the areas from which they were captured. The second argument that the petitioners made was that the people who were feeding the dogs publicly were being harassed and the proceedings against them was violating their freedom of expression, a fundamental right under Article 19 of the Constitution of India.¹⁷ The final argument that the petitioners made was that the municipal authorities do not currently possess the capacity to comply with the orders of the Supreme Court with respect to shelters and pounds. Therefore, there is a possibility that many dogs may be culled.¹⁸

On the other hand, Solicitor General of India, Mr. Tushar Mehta appeared for the Government of National Capital Territory of Delhi. He informed the court that the Delhi government is vaccinating rabid dogs in an effort to eradicate rabies and dog bites. Respondent argued that the escalating cases of dog bites and rabies related deaths poses a grave threat to human life, particularly risking vulnerable groups such as children and the elderly, thereby invoking the State's constitutional obligation to protect life under Article 21. He brought up complaints about stray dogs endangering people's lives, particularly those of the elderly and youngsters.¹⁹ He further argued that sterilization alone is not sufficient to curb the menace of rabies as even sterilized and vaccinated dogs may continue to exhibit aggressive behavior and pose risks to public safety. In this context, the authorities justified the Court's directions as necessary interim measures that are preventive in nature and

¹⁵ *In Re: "City Hounded by Strays, Kids Pay Price"*, 2025 INSC 1018 (2025)

¹⁶ *supra* note 7

¹⁷ Para 13, *supra* note 7

¹⁸ *ibid* 8

¹⁹ *supra* note 9

aimed at addressing the immediate danger, without undermining the existing legal framework.²⁰

VII. JUDGMENT

In its judgment, the apex court tried to strike a balance between the right to life and safety of citizens under Article 21 of the Constitution and the statutory framework governing animal welfare under the Animal Birth Control Rules, 2023. The Court held that the earlier blanket direction prohibiting the release of sterilized and immunized stray dogs was inconsistent with Rule 11(19) of the ABC Rules, which mandates that such dogs must be returned to their original locality after treatment, and accordingly the court kept that direction aside. It clarified that while sterilized and vaccinated dogs are to be released but an exception must be made for rabid dogs and such dogs that display aggressive behavior.

A. Ratio Decidendi

The ratio decidendi of the case, therefore, is that the Court affirmed that statutory animal welfare rules must be adhered to, subject to reasonable restrictions necessary to protect human life. Therefore, harmonizing animal rights with constitutional rights guaranteed under Article 21 to people.

B. Obiter Dicta

At the same time, the Court made several observations, noting the practical and logistical difficulties of indefinitely housing all stray dogs, the scientific and humane basis for releasing sterilized dogs back into their environment, and the need for a holistic and balanced approach in addressing the issue. It proposed to extend the scope of the proceedings to all States and Union Territories, recognizing that the issue is not limited to the National Capital Region but is a concern requiring uniform and coordinated implementation of the Animal Birth Control (ABC) Rules, 2023 to the whole of India. Additionally, the Court reflected on the role of NGOs and animal lovers, acknowledging their contribution to animal welfare but emphasizing that their actions must operate within a regulated framework that does not compromise

²⁰ *ibid* 10

public safety. It underlined the need for structured collaboration between authorities and civil societies, including regulated feeding practices, adoption initiatives, and compliance with municipal guidelines.

VIII. JUDICIAL ACTIVISM AND THE RATIONALE FOR COURT'S INTERVENTION

The Supreme Court pointing towards the suo moto cognizance taken by the court in the previous order said that the “the intent behind the order is salutary inasmuch as it works towards protecting the citizens at large from the attacks by the aggressive and rabid stray dogs.” In India, the stray dog situation is far worse. The court took the cognizance on the basis of the news report²¹ published in the newspaper Times of India which mentioned the cases of helpless children who were merely passing by the streets when dogs attacked them. The step of taking up such issue suo moto by the court is praiseworthy. As the custodian and defender of fundamental rights, including the right to life and personal liberty under Article 21, the Supreme Court has often demonstrated judicial activism. In the present context, the Court’s intervention reflects an attempt to balance the constitutional protection extended to animals, as recognized in *A. Nagaraja*, with the corresponding duty of the State to safeguard human life and public safety.

Judicial activism has always been an effective tool to protect citizens’ fundamental rights. The Supreme Court has consistently safeguarded both human and animal rights within the constitutional framework. Notably, in *Animal Welfare Board of India v A. Nagaraja & Ors.*, the Court recognized that animals are entitled to protection under Article 21 and must be safeguarded from unnecessary pain and suffering. Similarly, in *Bandhua Mukti Morcha*, the Court stepped up to protect the rights of bonded labourers²², and in *Hussainara Khatoon*, it upheld the right to free legal aid and speedy trial.²³ One can grab the attention of the courts through news articles or letters called epistolary jurisdiction. Following the Supreme Court's

²¹ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 1018 (2025)

²² *Bandhua Mukti Morcha v Union of India* AIR 1984 SC 802 (Supreme Court of India).

²³ *Hussainara Khatoon & Ors v Home Secretary, State of Bihar* (1980) 1 SCC 98 (Supreme Court of India).

decisions, particularly those written by Justice P. N. Bhagwati, higher courts became more accessible to individuals and groups seeking to safeguard societal and community rights. It was decided that a constitutional court might consider cases deserving of public interest litigation with just a letter that contained the required information.²⁴

The stray dog problem in India is recognized by the World Health Organisation as well. The WHO India stated in their article that India accounts for 36% of all rabies deaths worldwide.²⁵ Furthermore, the majority of instances are unreported due to a lack of infrastructure. Also, a lower vaccination coverage and inadequate awareness among public has resulted in rabies crisis in India.²⁶ The Government of India is also working towards the eradication of rabies through the National Action Plan for Dog Mediated Rabies Elimination (NAPRE) by 2030, launched in 2021.²⁷ The objective of the programme is to eliminate rabies that is spread through dogs. The Solicitor General of India, Mr. Tushar Mehta in his argument²⁸ also has mentioned the persistent efforts the government is making to curb the situation of dog attacks.

Recently, the Government of Delhi has announced that they will be installing microchips on approximately one million dogs of the region in the next two years. It is being done in order to conduct dog census, stop illegal pet shops and maintain feeding guidelines.²⁹ The government is taking all the necessary steps to curb the menace of dog bites in India. The court too played its part by taking suo moto action

²⁴ Justice Shiva Kirti Singh, 'Contributions by Justice P.N. Bhagwati to Social Action Litigation; Significance of a Moot Court; and Concerns about Human Rights' (2014) II Bharati Law Review 1 <http://elib.bvuict.in/moodle/pluginfile.php/133/course/section/63/Volume%20II%2C%20Issue%204%2C%20April%20-%20June%202014.pdf> accessed on 28 August 2025

²⁵ 'Rabies in India' (World Health Organization) <https://www.who.int/india/health-topics/rabies> accessed 29 August 2025

²⁶ 'Collaborative Approach Is Key to Eliminating Rabies' (UNDP India 27 September 2024) <https://www.undp.org/india/stories/collaborative-approach-key-eliminating-rabies> accessed 29 August 2025

²⁷ PIB Delhi, 'National Action Plan for Dog Mediated Rabies Elimination by 2030 (NAPRE)' (Ministry of Health and Family Welfare / Ministry of Fisheries, Animal Husbandry and Dairying, 28 September 2021) <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1758965> accessed 29 August 2025

²⁸ supra note 9

²⁹ 'Around 1 million Stray Dogs to Be Microchipped over next 2 Years: Delhi Minister Kapil Mishra' [2025] Press Trust of India <https://www.ptinews.com/story/national/around-1-million-stray-dogs-to-be-microchipped-over-next-2-years-delhi-minister-kapil-mishra/2903289> accessed 11 September 2025

on the situation. The court's decision to address such an issue is intended to make the streets safer for citizens. Many children go through streets to school, the elderly stroll in the morning and evening, and adults walk to work. It would have been unfair and ignorant if the court hadn't picked up the matter.

IX. THE MANDATE OF ABC RULES, 2023

Although, taking up the issue of stray dogs has been a praiseworthy step. However, the court felt that the direction “prohibiting the release of the treated and vaccinated dogs” appeared to be “too harsh.”³⁰ The court reaffirmed that as per the Rule 11(19)³¹ of ABC Rules, 2023, the dogs which has been captured must be relocated to the places from where they were picked up. The court modified the previous order on this point. It was done in order to bring it in consonance with the rules.

ABC Rules, 2023 were formulated under Section 38³² of the Prevention of Cruelty to Animals Act, 1960 (hereinafter, PCA Act). The intention behind the PCA Act was to prevent the infliction of unnecessary pain and suffering to the animals.³³ However, it does not provide a blanket prohibition on the necessary pain that shall be incurred upon dogs and such other animals, that is essential for mankind. Although Section 11(1)³⁴ of the PCA Act states the actions that would be considered as unnecessary pain and cruelty to the animals, Clause 3 of the same section provides a few exceptions to this. As per Section 11(3) (b)³⁵ destruction of dogs can be done in lethal chambers or as per the prescribed methods.

Coming back to the ABC Rules, 2023, street dogs can be captured for the two purposes. First, the “General purpose”³⁶, under this, street dogs are captured for controlling the situation of excess population. But it shall be done by the local authorities in consultation with the monitoring committees. And it shall be done through a proper animal birth control program. Second, on the “Specific

³⁰ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 1018 (2025)

³¹ *ibid* 12

³² The Prevention of Cruelty to Animals Act, 1960, s 38.

³³ The Prevention of Cruelty to Animals Act, 1960, preamble.

³⁴ *ibid* s 11(1)

³⁵ *ibid* s 11 (3)(b)

³⁶ Animal Birth Control Rules, 2023, s 11(1)(a)

Complaints”³⁷ for which an Animal Complaint Cell is set up at the Animal Birth Control Center.

The responsibility of the Animal Complaint Cell is to receive information related to dog bites and street dogs that are suspected of rabies. Stray dogs would be captured for the purpose of sterilization or immunization. Clause 19 of Rule 11 states that the dogs shall be returned to the same locality from which they were picked up.³⁸ It shall be done after their complete recovery. It is obvious that the decision to remove dogs from the streets and to restrict their release was problematic. The Supreme Court changed its ruling to comply with the regulations.

The court called for the sterilization, deworming and inoculation of the dogs.³⁹ Sterilization is a population management technique.⁴⁰ Further, to eliminate inner parasites, all animals need to have frequent deworming.⁴¹ Additionally, these dogs receive yearly vaccinations to protect them from rabies, which may prevent them from spreading the rabies.⁴² As per an article published by Ministry of Fisheries, Animal Husbandry and Dairying in PIB, Delhi, since dogs are territorial in nature, if the sterilized dogs are relocated to the area from which they were taken away, they prevent the entrance of stranger dogs in that area.⁴³

However, the step of releasing back of the dogs on the streets does not ensure the reduction of the cases of harassment, attack and biting by the dogs. The step of modifying the earlier order may have a balanced approach in providing a “compassionate treatment”⁴⁴ to the stray dogs but what will happen in the cases of sudden dog attacks. The court took up the case in light of the attacks on children that were detailed in the facts, but there isn't any immediate relief available. The

³⁷ *ibid* s 11 (1)(b)

³⁸ Animal Birth Control Rules, 2023 s 11(19)

³⁹ *In Re: “City Hounded by Strays, Kids Pay Price”,* 2025 INSC 1018 (2025)

⁴⁰ Michelle A Kutzler, ‘Gonad-Sparing Surgical Sterilization in Dogs’ (2020) 7 *Frontiers in Veterinary Science* <https://pubmed.ncbi.nlm.nih.gov/32596276/> accessed 2 September 2025

⁴¹ ‘Frequently Asked Questions’ (*Development Department Government of NCT of Delhi*) <https://development.delhi.gov.in/development/frequently-asked-questions> accessed 2 September 2025

⁴² PIB Delhi, ‘STRAY DOGS’ (*Ministry of Fisheries, Animal Husbandry & Dairying*, 1 April 2025) <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2117342v> accessed 3 September 2025

⁴³ *ibid*

⁴⁴ *In Re: “City Hounded By Strays, Kids Pay Price”,* 2025 INSC 1018 (2025)

authorities will reach the attack site only when a specific complaint is made to the Animal Complaint Cell.

The Supreme Court tended to be bent towards the sympathetic treatment toward stray dogs. Only the “intent”⁴⁵ of protecting the citizens from the deadly attacks of stray dogs has been appreciated by the court. The court has given directions to the municipal authorities to function towards animal birth control program but the relief that citizens seek for interim relief to the life and liberty under Article 21 is missing.

X. INADEQUACY OF THE AUTHORITIES

The Supreme Court acknowledged that it’s a “gargantuan”⁴⁶ task to build an infrastructure to accommodate a huge population of dogs. The court recognized that to harbor such number of dogs would require building proportionate numbers of shelters and pounds. Further, it would require a number of personnel to carry out the duties of capturing, sterilization, deworming and immunization of the dogs. A number of veterinarians need to be roped in to overlook the whole process. Transportation facilities and cages are also needed to carry an enormous population of dogs to the shelters. The court asserted that the present condition is not ideal to carry out the removal of the whole population of stray dogs from the streets of Delhi NCR.

If the necessary conditions are not met to completely remove street dogs from the Delhi and NCR areas, the court ought to have set a deadline for the construction of appropriate infrastructure. In the previous order court directed that the Municipal Corporation of Delhi and New Delhi Municipal Corporation and other authorities of NOIDA, Ghaziabad, Faridabad and Gurugram should take essential steps “at the earliest.”⁴⁷ The court emphasized that the youngsters and children should not fall prey to the deadly dog attacks. They should not be exposed to an incurable disease such as rabies.⁴⁸ The court said that “no sentiments should be involved”⁴⁹ in the

⁴⁵ *ibid* 12

⁴⁶ *ibid* 13

⁴⁷ *In Re: “City Hounded by Strays, Kids Pay Price”,* SUO MOTO WRIT PETITION (CIVIL)NO.5/2025 https://api.sci.gov.in/supremecourt/2025/41706/41706_2025_9_802_62686_Order_28-Jul-2025.pdf accessed on 2 September 2025

⁴⁸ *supra* note 2

process. This situation indicated the urgency of rescuing people on the streets. However, the same cannot be said about the current order.

In order to address the stray dog issue, the Court adopted a more passive approach. Rather than providing timetables for infrastructure development, the court simply acknowledged that the current infrastructure makes it impossible to address the stray dog issue. The court acknowledged that sometimes following such instructions is impossible. The Court should have given deadlines for deployment of the staff required to carry out the work. Although, the court directed the authorities to create “dedicated feeding spaces”⁵⁰ for dogs in “each municipal ward”⁵¹ but it did not give a deadline to comply with the directions.

For better results, the municipal government should collaborate with animal advocates and non-governmental organizations. Due to a shortage of personnel, the authorities are unable to carry out their duties. More personnel would be required by the authorities in order to operate more efficiently. In order to expedite the sterilization, vaccination, and deworming processes, the emphasis should be on hiring more veterinarians. Additionally, the authorities ought to concentrate on practical matters like transportation and cages for the purpose of practicing dog catching. In order to prevent trouble, the authorities can also create area-specific shelter homes. A committee should have been established by the court to monitor compliance with the directives. The Court could have constituted a Court-Monitoring Committee with fixed reporting timelines.

XI. RESPONSIBILITY OF THE DOG FEEDERS AND ANIMAL LOVERS

The Supreme Court gave various directions for animal lovers and dog feeders. Firstly, the court directed that each municipal ward shall have a dedicated feeding place.⁵² Now, the dog feeders can feed the stray dogs in these exclusive spaces. The

⁴⁹ supra note 2

⁵⁰ *In Re: “City Hounded by Strays, Kids Pay Price”*, 2025 INSC 1018 (2025)

⁵¹ *ibid* 17

⁵² *ibid* 17

Court also mandated that notice boards shall be placed at these areas.⁵³ Further, the court strongly warned that no dog feeding will take place at the streets.⁵⁴ Furthermore, the court said that those who are found guilty of provisioning food at the streets would be liable for appropriate legal action.⁵⁵ It is a welcome step towards a collaborative effort to make the streets safer for citizens. Adding to the dog feeder's responsibility, court directed to collect Rs. 25,000 from dog lovers and Rs. 2, 00,000 from the NGO's that approached the court in the matter.⁵⁶ The amount so collected shall be used in establishing infrastructure for the street dogs.⁵⁷ Municipal Authorities are asked to provide a helpline number to make complaints regarding any violation of the abovementioned directions.⁵⁸

The Supreme Court's decision to place accountability on the people who care about defending the rights of stray dogs is a good step. The court has mandated that the general public take responsibility for providing care for stray dogs. It will create a harmonious atmosphere where all parties involved in this case, the authorities and dog owners will bear equal responsibility. It is a shining example of fostering harmony between those who suffer from the plight of voiceless animals and those in charge, who hold the position of authority in the animal birth control program. This resulted in regulation of the manner of feeding.

XII. CONCLUSION AND COMMENTS

Attacks and harassment by stray dogs are a serious problem. The issue of stray dogs has been present in India for a very long time. Delhi Government and the Indian Government are working hard to curb the threat of the dogs. This is accomplished in a number of ways by the government. The legislative actions are Animal Birth Control Rules, 2023, and the executive actions are Animal Birth Control Program. The goal is to reduce the risks of attacks, bites, and the spread of rabies through stray dogs. Sterilization and other management steps for the dog population are being

⁵³ *ibid* 17

⁵⁴ *ibid* 17

⁵⁵ *ibid* 18

⁵⁶ *ibid* 18

⁵⁷ *ibid* 18

⁵⁸ *ibid* 17

done at large scale. Rabies and other diseases that are transmitted through dogs are effectively reducing the spread through the use of immunization and deworming. The Supreme Court has stepped in to take judicial action on the issue as well.

It is praiseworthy that the court took the stray dog matter seriously. *Suo moto* cognizance by the court proves that judicial activism is still alive. The court still cares for the general public at large and sympathetic towards their issue. The directions given by court do provide a balanced approach towards resolving the issue of stray dog menace and at the same time be compassionate towards the voiceless animals. The court has given directions to the authorities to perform their function of catching, sterilizing, immunizing and deworming with utmost sincerity. Court has also realized the shortcomings of the authorities at the moment to comply with the direction to remove all stray dogs from the streets of Delhi and NCR region and put them in shelters which are insufficient for a large population of dogs. But strict mandate of timely establishment of infrastructure is missing.

The court could have given the strict timelines for the establishment of such infrastructure. The directions given by the court will only bring the population of stray dogs down. It does not ensure that interim safety of the public from the dog attacks. Stricter implementation of helpline numbers, responsive actions by the authorities in case of dog attack complaints was the need of the hour. The Court did not delve deeply into this issue. Cases of Chavi Sharma and Abhishek Rai revealed the inadequacies of the authorities to take action in time. Court remained silent on this issue.

However, to balance the constraints, the court showed a compassionate inclination towards stray dogs. The court called off the direction that the dogs captured must not be released back in the streets. The captured dogs now must be released back in the streets after the treatment. Positive steps taken by the court were to put responsibility on dog lovers and NGOs. The stray dogs are allowed to be fed in the exclusive feeding areas. Any violation of the rule will attract strict legal action. The court motivated the dog lovers and NGOs to adopt stray dogs. Overall, the court-

maintained equilibrium between the rights of the citizens for safe and secure environment and compassionate treatment towards voiceless stray dogs.

The judgment reflects a practical attempt by the Supreme Court to balance competing constitutional and statutory concerns. While the Court rightly upheld the supremacy of the Animal Birth Control Rules, 2023 but avoided an overreach that would have undermined the statutory scheme. The instructions of releasing sterilized dogs, though scientifically justified, do little to address the pressing fear and vulnerability faced by citizens, particularly in cases of sudden attacks. Moreover, the Court's reliance on a "balanced approach" lacks concrete enforcement mechanisms, as it does not prescribe strict timelines or accountability frameworks for municipal authorities. However, the emphasis on regulated feeding, adoption, and shared responsibility between the State and civil society is a progressive step. Overall, the judgment succeeds in aligning law with compassion, but leaves gaps in ensuring effective, on-ground protection of citizens.

XIII. REFERENCES

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