
**CASE COMMENT: IN RE: CITY HOUNDED BY STRAYS,
KIDS PAY PRICE (SUO MOTO WRIT PETITION (CIVIL) NO.
5 OF 2025, SUPREME COURT OF INDIA, ORDER DATED 22
AUGUST 2025)**

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ABSTRACT

The Supreme Court of India's decision in *In Re: City Hounded by Strays, Kids Pay Price* (Suo Moto Writ Petition (Civil) No. 5 of 2025, decided on 22 August 2025) reflects the judiciary's attempt to balance human safety with animal welfare in light of rising dog-bite incidents and rabies deaths. In response to the unfortunate death of a six-year-old in Delhi, the Court first mandated the permanent impoundment of stray dogs. This directive, however, was incompatible with the Animal Birth Control Rules, 2023, which require sterilization, vaccination, and the return of dogs to their original location. A three-judge Bench modified the order after opposition from animal rights groups and mass culling concerns. The Court upheld the statutory model for sterilization and release, while also establishing exceptions for aggressive and rabid dogs, regulating feeding practices and ensuring compliance across the nation. It also prioritized humans' right to life and recognized statutory and judicial animal dignity rights under Article 21. This case raises important issues regarding the interpretation of statutes, the balance of constitutional principles, the feasibility of judicial directives, and the extent of suo moto jurisdiction. In conclusion, it highlights the conflict between judicial intervention and federal sovereignty, establishing precedent for compassionate yet cautious urban governance.

CASE COMMENT**In Re: City Hounded by Strays, Kids Pay Price (Suo Moto Writ Petition (Civil) No. 5 of 2025, Supreme Court of India, Order dated 22 August 2025)**

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Court	Supreme Court of India
Case number	Suo Moto Writ Petition (Civil) No. 5 of 2025
Bench	Vikram Nath, J., Sandeep Mehta, J., and N. V. Anjaria, J.

Part I. Introduction

The issue of stray dogs in India has emerged as a significant concern for urban governance and public health in the modern era. The presence of more than 62 million free-roaming dogs, the largest number globally, highlights a profound failure in waste management, veterinary services, and municipal infrastructure. In urban areas like Delhi, where rabies deaths and dog bites are on the rise (3.7 million bites and thousands of fatalities were recorded in 2024 alone). Victims, particularly youngsters and the elderly, are at great risk. It was in this context that the Supreme Court of India took suo moto cognizance in *In Re: City Hounded by Strays, Kids Pay Price*. The triggering incident behind this case was the heartbreaking loss of a six-year-old girl in Delhi due to rabies after being bitten by a dog. In a prompt decision, a two-judge Bench on 11 August 2025 ordered the capture and permanent impoundment of stray dogs throughout Delhi-NCR. These broad directives, however, were at conflict with the Animal Birth Control Rules, 2023, which stipulates that sterilized and vaccinated dogs be returned to their original areas. The directions provoked backlash from animal welfare groups, who stated that the order violated statutory law, exceeded municipal capacity, and risked mass culling. Amid mounting criticism, the matter was referred to a three-judge Bench, which on 22 August 2025 substantially modified the earlier directions. The Court reinstated adherence to the ABC Rules, established exceptions for aggressive and rabid dogs, and implemented a more equitable framework that harmonizes human safety with the welfare of animals. This analysis examines the context, legal challenges, arguments presented, reasoning applied, and broader

consequences of the ruling, emphasizing its significance for constitutional law, urban policy, and the developing legal framework surrounding animal rights in India.

Part II. Factual Background

The situation unfolded following a report by the Times of India on 28 July 2025, headlined “City Hounded by Strays, Kids Pay Price.” This article detailed the tragic death of a six-year-old girl in Delhi due to rabies following an attack by a stray dog. The family held both the uncontrolled stray population and the delayed medical attention responsible. On the same day, a two-judge Bench of the Supreme Court took notice of the situation, emphasizing the public health emergency and the State’s obligation to protect citizens’ right to life as outlined in Article 21.

On 11 August 2025, the Court provided extensive directives to the municipalities in Delhi, Ghaziabad, NOIDA, Faridabad, and Gurugram. Officials received directives to immediately capture and transfer all stray dogs to designated shelters, which were to be established without delay. The Court ordered sterilization, deworming, and vaccinations, while also forbidding the return of strays to the streets. Obstruction of capture and infrastructure development would result in contempt actions.

These instructions represent a significant shift from the Animal Birth Control (ABC) Rules, 2023,¹ which mandates that sterilized and vaccinated dogs be returned to their original area. Non-governmental organizations and advocates for animal welfare immediately challenged the ruling, contending that it breached statutory regulations, was impractical to implement, and posed a threat of widespread culling due to insufficient shelter facilities. It was also asserted that feeders faced harassment, infringing upon their rights as outlined in Article 19(1)(a).² Adding to the complexity were ongoing cases in the Court, notably a challenge to a 2023 ruling from the Delhi High Court that supported sterilization programs, as well as a 2025 decision from the Allahabad High Court regarding community feeding. Confronted with increasing debate, the matter was brought before a panel of three judges. On 22 August 2025, Vikram Nath, J., Sandeep Mehta, J., and N. V. Anjaria, J. revised the previous order, aiming to harmonize public safety with the legal responsibilities for animal welfare as outlined in the ABC Rules.

¹Animal Birth Control Rules, 2023

² INDIA CONST. art. 19(1)(a)

Part III. Legal Issues

The matter presented a series of interconnected legal questions that delved into the core of constitutional and statutory interpretation. The initial matter revolved around the alignment of the Court's previous directives with the statutory framework, specifically Rule 11(19) of the ABC Rules, 2023,³ which clearly mandates that sterilized and vaccinated stray dogs must be returned to the area from which they were taken. The Court's decision to order permanent impoundment seems to contradict an established statutory framework.

The second issue raised a constitutional question, focusing on the necessity of reconciling the right to life and safety of citizens as enshrined in Article 21 with the legal protections provided to animals under the Prevention of Cruelty to Animals Act, 1960⁴ and the ABC Rules. Although the Constitution does not specifically grant rights to animals, previous legal precedents like *A. Nagaraja v. Animal Welfare Board* (2014) have acknowledged the inherent dignity of animals.

Consequently, the Court encountered the task of balancing the conflicting interests of human safety and animal welfare within a unified constitutional context.

Another concern pertains to the practicality of the previous directives. The indefinite confinement of stray dogs necessitates a significant enhancement of infrastructure, which includes establishing shelters, acquiring specialised vehicles, hiring trained personnel, and ensuring the availability of veterinary services. Considering the financial and logistical constraints faced by municipal bodies, the Court needed to evaluate the practicality of such orders and the potential for non-compliance and misuse, particularly regarding illegal culling. A fourth issue concerned the freedom of expression and compassion under Article 19(1)(a).⁵ The previous directive had warned of potential contempt actions against persons or entities hindering its execution, a stance that activists contended encompassed feeders and welfare organisations. The issue emerged regarding whether threats of contempt could represent an unconstitutional infringement on citizens' rights to express compassion and advocate for the humane treatment of animals.

Finally, the Court had to determine the scope of its own suo moto jurisdiction. While the original order was confined to Delhi and the NCR, the three-judge Bench considered whether it could expand the directions nationwide, impleading all States and Union Territories. This

³Animal Birth Control Rules, 2023, r. 11(19)

⁴The Prevention of Cruelty to Animals Act, No. 59 of 1960

⁵INDIA CONST. art. 19(1)(a)

led inquiry into the relationship between judicial authority and federalism, as well as the boundaries of the Supreme Court's power when it comes to exercising exceptional jurisdiction over issues that could typically reside within the executive branch's purview.

PART IV: Arguments Advanced

The situation showcased a significant clash between advocates for animal welfare and the governmental representatives, specifically the Solicitor General for the Government of the National Capital Territory of Delhi (GNCTD).

The petitioners claimed the Court's prior orders violated the Animal Birth Control Rules, 2023.⁶ Sterilized and vaccinated stray dogs must be returned to their original location under Rule 11(19),⁷ however the Court's order restricts this. The order was ultra vires because it exceeded the law. They warned that municipalities were unprepared for caring for millions of stray animals, implying extensive culling. Also, the petitioners claimed that harassing feeders and activists violated their Article 19(1)(a) rights. According to *A. Nagaraja v. Animal Welfare Board* (2014), animals have dignity and should not be treated as nuisances. The success of sterilization-and-release initiatives in Dehradun and Lucknow showed a humane and successful strategy.

Instead, the Solicitor General stressed the public safety concern. Over 3.7 million dog bites occurred in India in 2024, causing rabies deaths. According to him, the presence of aggressive dogs restricted public access, with a particular emphasis on the elderly and minors. Even vaccinated dogs may bite; therefore, sterilization does not prevent aggression or bites. He said that Article 21's protection of human life and security should come before the statutory provisions in times of conflict. He also assured the Court that Government of the National Capital Territory of Delhi will continue to sterilize animals, build shelters, and follow court orders.

Part V. Court's Reasoning and Decision

In its order dated 22 August 2025, the three-judge Bench undertook a meticulous balancing analysis. The discussion began by acknowledging the constructive intent of the 11 August 2025 decree. Given the rise in rabies and dog bites, public safety was crucial. However, the Court stressed that judicial directions must comply with statutes and be feasible for implementation.

⁶Animal Birth Control Rules, 2023, r. 11(19)

⁷Animal Birth Control Rules, 2023, r. 11(19)

The Court noted the legislative inconsistency, noting that Rule 11(19) of the ABC Rules, 2023 requires sterilized and vaccinated canines to be returned to their original location. The earlier order's blanket prohibition on release was, consequently, at variance with the established statutory framework. The Court emphasized that judicial orders cannot supersede established statutory regulations.

The Court subsequently examined the practical limitations associated with permanent impoundment. The directions would need massive facilities that transcend local governments' financial and logistical resources. Without sufficient infrastructure, authorities could resort to illegal culling, which would undermine the Prevention of Cruelty to Animals Act and the ABC Rules' humanitarian intentions.

The Court recognized the sterilization-and-release model's scientific basis. Returning sterilized dogs to their home reduces shelter overcrowding, reduces dog fights, and ensures a familiar environment. The Court stressed that humane treatment should always be paramount. Urban places like Dehradun and Lucknow showed that regular sterilization can reduce stray dog populations.

The Court further stressed that human safety should always come first. After sterilization and vaccination, rabies-infected or aggressive dogs should be taken off the streets and placed in shelters. This exception carefully measures public safety against animal rights. The Court addressed feeding regulations. The Court noted that unrestricted street feeding often caused public disturbances and safety problems by bringing many dogs to congested areas. The Court has limited stray dog feeding to some municipalities. It further warned that feeding dogs outside these places could result in legal action.

The Court expanded the issue nationwide. Due to the countrywide application of the ABC Rules, the Court ordered all States and Union Territories to participate and furnish compliance reports. To ensure uniformity, it ordered the transfer of all High Court stray dog control cases to the Supreme Court.

Concerning public participation, the Court went into the issue further. According to the order, NGOs and individuals seeking to intervene must deposit ₹2,000,000 and ₹25,000 with the Registry, respectively. Municipal authorities would create welfare infrastructure using the required budget. The Court also allowed people to adopt dogs as long as they weren't returned to the streets.

Through this rationale, the Court fundamentally changed its previous ruling. The ruling reaffirmed the legal mandate for sterilization and release, created restricted exceptions for aggressive or rabid dogs, established feeding guidelines, expanded the issue's national scope, and put in place mechanisms for public participation and supervision.

Part VI. Analysis and Critique

The judgment in *In Re: City Hounded by Strays, Kids Pay Price* represents a significant step in Indian constitutional jurisprudence at the intersection of human rights and animal welfare. The Court's modified directions strike a pragmatic balance, but they also expose the tensions and contradictions in judicial responses to urban governance crises.

But the decision has a few limitations. The most important thing to worry about is how unclear the term "aggressive dogs" is. Without clear rules about behavior or health, cities could use this classification as an excuse for keeping or killing a lot of dogs. This opens the door to misuse and raises fears that the exception could swallow the rule.

Another concerning aspect is the financial burden imposed on NGOs and people wishing to intervene. Requiring deposits of ₹2,00,000 from NGOs and ₹25,000 from individuals could deter smaller grassroots groups that play an important role in stray dog management. While the Court intended these sums to support welfare infrastructure, the requirement also has the effect of restricting access to justice and reducing civil society participation in public interest matters.

The regulation of feeding practices is both a strength and a weakness. On the one hand, the Court rightly recognized that indiscriminate feeding on public streets creates safety risks and contributes to dog crowding in high-density areas. By requiring specific feeding areas, it added a level of order and responsibility.

On the other hand, the outright prohibition of street feeding may criminalize expressions of compassion and community care, raising concerns under Article 19(1)(a). Instead of completely banning the practice, a more balanced approach may have been to allow supervised or regulated feeding in some public places.

Finally, the issue has been brought up across the country, which raises problems about judicial federalism. The ABC Rules apply to everyone, but most of the time, municipal governance is a state issue. By centralizing stray dog management under its own supervision, the Supreme Court risks displacing the role of elected State governments and local bodies. At the same time,

the Court's involvement does make sure that the rules are the same and that there aren't any conflicting High Court decisions.

Overall, the decision shows both the good and bad sides of judicial activism. It shows how courts can come up with practical solutions to important problems in government, but it also shows the dangers of overreach, being ambiguous, and getting unintended consequences.

Part VII. Broader Implications

The judgment in *In Re: City Hounded by Strays, Kids Pay Price* carries implications far beyond stray dog control. Constitutionally, it expands Article 21⁸ by interpreting the right to life as not just an individual guarantee but a community entitlement to safe public spaces. The Court ordered the state to protect vulnerable groups like children, the elderly, and others from rabies and dog attacks improving collective security jurisprudence. Former cases like *A. Nagaraja v. Animal Welfare Board*⁹ recognized animals as sentient creatures with dignity, but the Court noted that such right are limited. Despite shaping compassionate governance through sterilization and release programs, they must bow down when public health and safety are endangered. Institutionally, the case shows judicial activism during executive failure. By expanding the topic statewide and centralizing High Court cases, the Court assumed a supervisory role that promotes uniformity but questions federal autonomy. In policy, the ruling recommends sterilization, shelters, veterinary capacity, and awareness. Innovations like feeding zones and adoption are included. The ruling blends human, animal, and environmental health, reflecting the worldwide “One Health” approach a much-needed vision in metropolitan areas.

Part VIII: Conclusion

The Supreme Court's *In Re: City Hounded by Strays, Kids Pay Price* judgment changed human rights and animal welfare law. The Court revised its orders to prevent overreach, align them with statutory law, and create an effective policy framework for future administration. The Court acknowledges that the right to life and security of citizens under Article 21 must take precedence, but it also acknowledges that this requirement can be balanced with the need to treat animals humanely under the ABC Rules. The Court's orders include sterilizing and releasing all dogs, excluding violent or rabid dogs, creating feeding zones, adoption processes, and universal cooperation. Aside from court decisions, their success also depends on how well

⁸INDIA CONST. art. 21

⁹*Animal Welfare Bd. of India v. A. Nagaraja*, (2014) 7 S.C.C. 547 (India)

they are carried out by local governments, how much money they get from national governments, and how the civil society is involved. Although there are several limitations, the verdict sets a significant precedent. It states categorically that rights cannot be considered in a vacuum, and that human dignity and safety must coexist with animal responsibility and compassion. If the Court's framework is applied with determination and effectiveness, it has the potential to lead to a more moral approach to city planning and reduce human suffering. Finally, the case indicates that compassion, dignity, and the value of human life should be balanced to create a secure and humane society.