
STRAY DOGS AND PUBLIC SAFETY: THE SUPREME COURT'S LEGAL RESPONSES IN INDIA

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ABSTRACT

The conflict between protecting animals and keeping people safe in India is most clearly seen in the case of stray dogs. Every year, there are lakhs of dog bites and hundreds of deaths from rabies. At the same time, the law recognizes animal's constitutional and statutory rights. This research paper looks at how the Supreme Court of India and the High Courts have made laws about stray dogs, balancing the needs of public safety, animal welfare, and civic governance. The analysis advances through a doctrinal and empirical framework, systematically tracing statutory provisions, judicial pronouncements, and policy measures in chronological order. The conversation also talks about the views of stakeholders, the problems that come up during implementation, and recent court cases, such as the suo motu Supreme Court hearings of August 2025. Ultimately, the paper contends that a rights-based equilibrium, founded on humane contraception, rigorous rabies control, and collaborative federalism, is essential for reconciling constitutional protections for both humans and animals.

Introduction

The problem of stray dogs in India has become a major issue affecting both public safety and animal rights. The Central Bureau of Health Intelligence estimates that over 17 million animal bites are reported each year, with stray dogs being the main contributors. India also makes up 36% of global rabies deaths, and children and low-income groups are hit the hardest. These numbers represent a significant public health crisis, putting a constitutional responsibility on the State to protect lives under Article 21. Meanwhile, animal rights activists argue that dogs are sentient beings deserving of respect and protection under the Constitution, particularly Articles 48A and 51A(g). The challenge, then, is to balance these two sets of rights without ignoring either one.¹

Historical and Legal Background

The Prevention of Cruelty to Animals Act, 1960 was the first central law to recognize the need to prevent unnecessary pain and suffering for animals. It established the Animal Welfare Board of India (AWBI) and made cruel practices illegal. However, the Act did not directly address how to manage stray dog populations.²

The Animal Birth Control (Dogs) Rules, 2001, issued under the PCA Act, introduced the principle of sterilization and immunization of stray dogs as the only method of controlling their population. Municipal bodies were told to carry out Animal Birth Control (ABC) programs, and mass culling of dogs was clearly banned. These Rules faced several challenges in High Courts, but the judiciary consistently upheld their validity, noting the constitutional duty to show compassion to all living beings.³

Starting in 2010, the Ministry of Environment and Forests issued guidelines that clarified the responsibilities of municipalities and NGOs in carrying out sterilization and vaccination drives. Despite these efforts, implementation was uneven. Judicial interventions increased as citizens filed petitions about rising bite cases, while activists went to court to stop illegal culling.⁴

¹ Central Bureau of Health Intelligence, *National Health Profile* (2022); World Health Organization, *Rabies: Key Facts* (2021).

² The Prevention of Cruelty to Animals Act, 1960.

³ The Animal Birth Control (Dogs) Rules, 2001.

⁴ Ministry of Environment and Forests, *Guidelines on Stray Dog Management* (2010).

The National Action Plan for Dog-Mediated Rabies Elimination (NAPRE), 2021, marked a significant policy change. It aimed to eliminate human deaths from dog-mediated rabies by 2030, in line with WHO's global framework. NAPRE stressed the need for cooperation among health, animal husbandry, and civic authorities.⁵

Finally, the Animal Birth Control Rules, 2023, replaced the 2001 Rules, making it clear that only sterilization and vaccination can be used to control stray dog populations. They also placed requirements on Resident Welfare Associations (RWAs) and feeders, specifying designated feeding spots and penalties for interfering with ABC programs.⁶

Supreme Court and High Court Jurisprudence

Judicial involvement began with scattered High Court cases in the early 2000s. In *People for Elimination of Stray Troubles (PEST) v. State of Goa* (2008), petitioners sought to mass kill stray dogs due to rising attacks. The Bombay High Court upheld the ABC Rules. It noted that the right to life under Article 21 extends to animals and ordered municipal authorities to improve sterilisation efforts rather than opt for culling.⁷

The Supreme Court addressed the issue directly in *Animal Welfare Board of India v. People for Elimination of Stray Troubles* (2015). In this case, the Court stayed culling directions from certain municipalities. It emphasised that compassion for animals is a fundamental duty under Article 51A(g). The Court also highlighted the need to balance preventing dog attacks with ensuring humane treatment, referring the matter to a larger bench.⁸

Several interim orders followed that directed states to form monitoring committees and enhance sterilisation programmes. However, gaps in implementation continued. In 2016, the Karnataka High Court stressed the need for municipal accountability when a child died due to rabies after a dog bite.⁹

The issue came to the forefront again in 2025 when the Supreme Court took suo motu notice of media reports on several fatal dog attacks in Kerala and Uttar Pradesh. In its *In Re: Public Safety and Stray Dogs* order dated 11 August 2025, the Court requested data from all states on

⁵ National Centre for Disease Control, *NAPRE 2021*.

⁶ The Animal Birth Control Rules, 2023.

⁷ *People for Elimination of Stray Troubles v. State of Goa*, (2008) Bom HC.

⁸ *Animal Welfare Board of India v. People for Elimination of Stray Troubles*, (2015) 14 SCC 344.

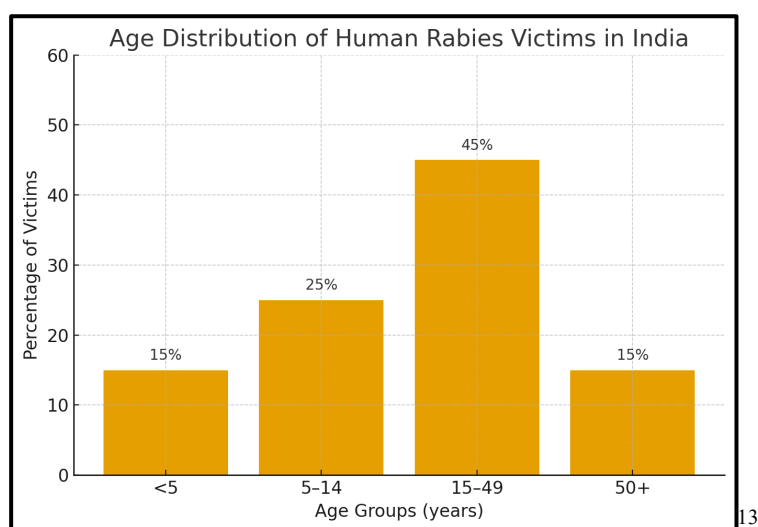
⁹ *Karnataka High Court, WP No. 11590/2016*.

sterilisation, rabies vaccination, and dog bite cases. The Bench stated that while stray dogs cannot be exterminated, the State must not neglect its duty to protect human life.¹⁰

Then, on 22 August 2025, the composition of the Bench changed. The matter was sent to a larger constitutional bench to address the conflict between human rights and animal rights thoroughly. This decision is expected to create binding legal standards for many years to come.¹¹

Public Health Data

According to the Ministry of Health and Family Welfare, India sees around 17 million animal bites each year, with stray dogs making up over 95% of these cases. The number of human rabies deaths is estimated at between 18,000 and 20,000 each year, the highest in the world. About 40% of rabies victims are children under 15. These numbers highlight the serious impact of poor dog population control and low vaccination rates.¹²



Stakeholders, Impacts and Controversies

Safety is the main issue for the general public. Regular bite incidents undermine trust in civic governance, particularly in urban areas. While rural communities struggle with limited access

¹⁰ *In Re: Public Safety and Stray Dogs*, Suo Motu PIL, Order dated 11 August 2025 (SC).

¹¹ *In Re: Public Safety and Stray Dogs*, Bench Modification Order, 22 August 2025 (SC).

¹² Ministry of Health and Family Welfare, *Animal Bite Surveillance Report* (2022); World Health Organization, *Rabies: Key Facts* (2021).

¹³ Age Distribution of Indian Human Rabies Victims (Approximate Data, 2021–2022). Children under the age of 15 account for nearly 40% of rabies deaths, underscoring the vulnerability of this demographic.

to rabies vaccines, parents worry about the safety of their children.¹⁴

Stray dogs represent the fight for humane treatment in the eyes of animal welfare organizations. Culling is considered unconstitutional cruelty, and the ABC framework is seen as non-negotiable. Residents frequently become hostile toward NGOs, particularly when they feed dogs in residential areas.¹⁵

A third group of stakeholders consists of feeders and civil society. Although courts have acknowledged their right to feed dogs, this privilege has been limited to specific locations in order to minimize disputes. RWAs and feeders frequently argue that feeding promotes packs close to residences and educational institutions.¹⁶

Legal and Policy Analysis

The fundamental legal conundrum in *Animal Welfare Board v. Nagaraja* (2014) is how to reconcile the extension of Article 21 of the Constitution, which protects human rights to life and safety, to animals. The State's primary responsibility to protect its citizens cannot be superseded by Directive Principles under Article 48A or Fundamental Duties under Article 51A(g).¹⁷

The ABC framework still has implementation flaws. Municipalities frequently lack veterinary infrastructure, financial resources, and technical expertise. Despite numerous court orders, oversight is still lacking. Through systematic dog vaccination, nations like Sri Lanka and Thailand have significantly reduced the incidence of rabies worldwide, proving that eradication is possible if it is pursued consistently.¹⁸

Recommendations

1. Boost ABC programs by making sure they have enough money, qualified vets, and regular audits.
2. Mass Rabies Vaccination for strays and pets alike must be organized by municipal and

¹⁴ National Centre for Disease Control, *Annual Rabies Report* (2021).

¹⁵ Animal Welfare Board of India, *Annual Report* (2022).

¹⁶ *Kusum Sharma v. State (NCT of Delhi)*, 2021 SCC OnLine Del 3665.

¹⁷ *Animal Welfare Board v. Nagaraja*, (2014) 7 SCC 547.

¹⁸ World Health Organization, *Rabies Elimination in South East Asia* (2019).

health departments.

3. Create a national website that details rabies bite cases, sterilisation rates, and fatalities for data transparency.
4. For RWAs and feeders, establish formal dispute-resolution procedures, such as community mediation procedures.
5. Under the direction of the Supreme Court, establish a permanent monitoring unit with judicial oversight for stray dog cases.
6. Assure adherence to international cooperation frameworks, such as the WHO's Zero by 30 rabies eradication plan.

Conclusion

The Indian judiciary's struggle to strike a balance between caution and compassion is reflected in its jurisprudence on stray dogs. Although the constitution recognizes animals, uncontrolled stray dog populations have seriously harmed people. Future governance principles are probably going to be crystallized by the Supreme Court's impending rulings in the 2025 suo motu case. The only long-term solution to protect human and animal lives is still a humane but firm strategy based on sterilisation, immunisation, and accountability.

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