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STRAY DOG MENACE IN INDIA: MAN'S BEST FRIEND OR FOE?

AUTHORED BY - KURIACHAN JOSEY

Introduction

Recently, on noticing a Supreme Court lawyer with a bandaged arm who was attacked by Street dogs, CJI DY Chandrachud mentioned that his law clerk was also attacked by stray dogs 2 years ago. While a senior lawyer of the Supreme Court urged the court to take suo moto case regarding the Stray dog menace in the country, Solicitor General Tushar Mehta stated that stray dogs have become a menace in the country¹. A brutal attack by stray dogs, captured on a security camera, shocked the nation and sparked a debate on how to address the stray dog problem². This incident highlighted the need for effective solutions to ensure public safety while also considering the welfare of the dogs. Several instances of fatal maulings by packs of stray dogs were reported, including a 7-month-old infant in a residential compound in Noida, a child inside a hospital in Rajasthan, and a doctor inside the campus of Aligarh Muslim University in Aligarh³. In Kerala, there have been multiple instances of attacks on children and adults⁴. These incidents have led to public outcry and debates on how to effectively manage the stray dog issue. In Uttar Pradesh, a seven-year-old boy was killed by a pack of dogs, highlighting the dangers posed by stray dogs in various parts of the country⁵. Stray dogs are a global issue that affects communities, animal welfare, and public health. India, a land of diverse cultures and landscapes, is also home to a significant population of street dogs. The street dog issue in India is particularly challenging due to the country's large population and unique cultural attitudes towards dogs.

¹SC discusses stray dog menace after lawyer hounded and attacked, HINDUSTAN TIMES, <https://www.hindustantimes.com/india-news/sc-discusses-stray-dog-menace-after-lawyer-hounded-and-attacked-101694439629670.html> (last visited on September 25, 2023)

² The fatal mauling of 4-year-old forces India to grapple with stray dog problem, CNN, <https://www.cnn.com/2023/04/01/india/india-stray-dog-attack-debate-intl-hnk/index.html> (last visited on September 25, 2023)

³ New Rules Seen Worsening India's Stray Dog Problem,VOA, <https://www.voanews.com/a/new-rules-seen-worsening-india-s-stray-dog-problem/7128083.html>(last visited on September 25, 2023)

⁴ On Camera, 8-Year-Old Attacked By 3 Stray Dogs In Kerala,NDTV, <https://www.ndtv.com/india-news/on-cctv-camera-3-stray-dogs-attack-8-year-old-at-her-home-in-kerala-4137595>(last visited on September 25, 2023)

⁵ India has a brutal plan to deal with its stray dogs problem, THE TELEGRAPH, <https://www.telegraph.co.uk/global-health/climate-and-people/indias-stray-dog-days-finally/>(last visited on September 25, 2023)

Causes and consequences of the Stray Dog Issue

While there are many reasons for increasing the number of Stray dog attacks in India, one primary cause is irresponsible pet ownership. People abandon or neglect their dogs due to financial constraints, lack of awareness about responsible pet care, or simply because they no longer want the responsibility. Perceptions of street dogs and misunderstandings about their behaviour contribute to conflicts between humans and dogs. Some residents of gated communities in India feed and even adopt street dogs, while others fear them due to their association with disease and attacks⁶. India is estimated to have a street dog population as high as 70 million⁷. This large population exacerbates the challenges associated with stray dogs, such as disease transmission and conflicts with humans and other animals. Failure to spay and neuter pets leads to overpopulation, as uncontrolled breeding results in more stray dogs. Rapid urbanisation often displaces stray dogs from their natural habitats. They become urban strays, scavenging for food in garbage dumps and streets. Many regions lack effective animal control measures, allowing stray dog populations to grow unchecked.

Street dogs can reproduce rapidly, leading to an overpopulation of dogs in many areas. This can strain resources and increase the likelihood of conflicts with humans and other animals⁸. Stray dogs can pose a threat to public safety by causing accidents, biting humans, and spreading diseases. Stray dogs can spread diseases such as rabies, hydatid disease, anthrax, pasteurellosis, and leptospirosis⁹. These diseases can pose a significant risk to public health, especially in areas with large stray dog populations. Stray dogs may become more aggressive and unpredictable compared to domesticated dogs¹⁰. They can cause injuries and even death through bites and attacks on humans and other animals. Stray dogs often endure harsh living conditions, suffering from hunger, exposure, and disease. Their lives are characterised by immense suffering. Street dogs in India often lead short and brutal lives, facing health problems such as malnutrition, infectious diseases, and injuries caused by collisions with vehicles. They also pose a threat to human health, with India accounting for almost 70% of the world's rabies cases in humans. Stray dogs in India

⁶ *supra* note 2

⁷ *Breaking barriers for India's street dogs*, THE HUMANE SOCIETY OF THE UNITED STATES, <https://www.humanesociety.org/news/breaking-barriers-indias-street-dogs> (last visited on September 25, 2023)

⁸ *Solving The Stray And Unwanted Dog Problem*, CESAR'S WAY, <https://www.cesarsway.com/solving-the-stray-and-unwanted-dog-problem/> (last visited on September 25, 2023)

⁹ *Stray dog populations*, WORLD PROBLEMS & GLOBAL ISSUES, <http://encyclopedia.uia.org/en/problem/134422> (last visited on September 25, 2023)

¹⁰ *Top 10 Common Problems Caused by Stray Dogs*, NATURE'S MACE, <https://naturesmace.com/blogs/blog/top-10-common-problems-caused-by-stray-dogs> (last visited on September 25, 2023)

have been found to be a threat to the ecosystem and endangered species, with instances of attacks on protected animals such as the golden langur, the great Indian bustard, and green turtles¹¹. Stray dogs roaming freely can negatively impact tourism and the aesthetics of a place. Stray dogs may damage property, such as gardens, and create a nuisance in communities through excessive barking and howling. Stray dogs can pose a risk to road safety by causing accidents or obstructing traffic. Moreover, local authorities and animal welfare organisations are burdened with the task of managing street dog populations, diverting resources from other critical needs.

Resolving stray dog menace: A global issue

Controlling the street dog issue varies from country to country, depending on cultural norms, legal frameworks, and available resources. In Western Countries like the United States, Canada and European Nations, stray dogs are often taken to animal shelters, where they may be put up for adoption or euthanized if they are deemed unadoptable. Spaying and neutering programs are widely implemented to control the population of stray dogs. Strict regulations on pet ownership and leash laws also help prevent dogs from becoming strays in the first place. In the United States, shelters play a significant role in controlling stray dogs by capturing them and allowing families to adopt them into loving homes¹². However, this method may not be effective in all countries due to cultural differences in the concept of dog ownership. The Netherlands is a successful example of stray dog management, with no stray dogs in the country. This achievement is attributed to organised vaccination and sterilisation programs, known as CNVR (catch, neuter, vaccinate, return), which significantly reduced the number of stray dogs on the streets. Additionally, the country has implemented animal welfare laws and improved public attitudes towards dogs and animals in general¹³. Germany is known for its low stray dog population, and its approach to animal welfare is often praised¹⁴. Australia has stringent quarantine laws that restrict the importation of dogs, reducing the introduction of foreign strays. Spaying and neutering programs are also common to control the population of strays. Singapore has a comprehensive approach to managing street dogs, involving spaying & neutering, vaccination, and micro chipping. The

¹¹GAONCONNECTION, <https://www.gaonconnection.com/news-in-english/domestic-dog-biggest-treat-to-wildlife-in-india-42219> (last visited on September 25, 2023)

¹² *Poverty and Methods To Control Stray Dogs*, THE BORGEN PROJECT, <https://borgenproject.org/poverty-and-methods-to-control-stray-dogs/>(last visited on September 26, 2023)

¹³ *The Netherlands – An example of successful stray dog management*, MANALI STRAYS, https://manalistrays.org/Manali_tails/the-netherlands-an-example-of-successful-stray-dog-management/(last visited on September 26, 2023)

¹⁴GTGOODTIMES, <https://www.gtgoodtimes.com/2019/05/13/there-are-no-stray-dogs-in-germany-and-its-a-heaven-for-dog-lovers-for-its-humaneness/> (last visited on September 26, 2023)

government also runs public education campaigns to encourage responsible pet ownership. The United Kingdom has laws that require all dogs to be micro chipped and registered. This helps identify and trace lost or abandoned dogs. Local councils often have dog wardens responsible for capturing and rehoming strays. Thailand has implemented the "Catch-Neuter-Return" program for street dogs. Dogs are captured, spayed/neutered, vaccinated, and then returned to their territories. Public-private partnerships and NGOs play a significant role in managing street dog populations. Bhutan has taken a unique approach by implementing a "no-kill" policy for stray dogs. Instead of euthanizing, they focus on spaying/neutering and community education on dog welfare. Turkey has introduced a successful "Catch-Neuter-Release" program to control the street dog population. Stray dogs are often cared for by local communities, with feeding stations and shelters set up to provide for their needs. Developing countries, such as those in Latin America, often struggle with the issue of stray dogs due to poverty and limited resources¹⁵. Some countries in these regions resort to mass culling of dogs in an attempt to curb the stray dog population, which is not a sustainable or humane solution. Each country's approach is tailored to its specific circumstances, cultural attitudes toward animals, and available resources. Successful street dog control typically involves a combination of legislation, community involvement, public education, and veterinary programs aimed at reducing the number of strays and improving their welfare.

Need for a legal intervention & way forward

Legal intervention plays a crucial role in addressing the street dog issue, ensuring the welfare of both animals and the public. In India, several laws and regulations are in place to address this problem. There is legal recourse against perpetrators of gruesome acts against innocent animals, as it is cognisable under Section 429 of Indian Penal Code. The Prevention of Cruelty to Animals Act, 1960 is the central law that aims to prevent the cruelty inflicted on animals. Section 11 of the Act specifically addresses the treatment of stray dogs, prohibiting acts of cruelty towards them. The Animal Birth Control (ABC) Rules, 2001 under the Prevention of Cruelty to Animals Act provide guidelines for the sterilisation and vaccination of stray dogs¹⁶. The Animal Birth Control (Dogs) Rules, 2001 specify that street dogs must not face cruelty and must be cared for. But, this Rule is superseded by the new Animal Birth Control (ABC) Rules, 2023 which provides that the

¹⁵ *Abandonment of dogs in Latin America: Strategies and ideas*, PMC – NCBI, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8613775/> (last visited on September 26, 2023)

¹⁶ *Street dog issue : solutions & stray dog's legal rights in india*, PASHUDHANPRAHAREE, <https://www.pashudhanpraharee.com/street-dog-issue-solutions-stray-dogs-legal-rights-in-india/> (last visited on September 26, 2023)

Animal Birth Control are to be carried out by the local bodies. It also provides guidelines on dealing with human and stray dog conflicts without relocating dogs in an area. The Rules also suggest euthanasia for 'incurably ill and mortally wounded dogs' as diagnosed and declared by the Local Animal Birth Control Monitoring Committee¹⁷. It also suggests the need for Animal Help Centres and designated feed spots for feeding dogs. Various states in India have their own rules and programs for rabies control, which often include measures for the management of stray dogs and the prevention of rabies transmission. Many municipalities and local governments have their by-laws and regulations related to the management of stray dogs, including licensing requirements for pet owners, penalties for abandonment, and guidelines for animal shelters. The Supreme Court of India has recently intervened in the street dog issue, discussing the menace of street dogs and emphasising the need for a proper solution. The Supreme Court of India has discussed the menace of street dogs, with Solicitor General Tushar Mehta calling it a serious issue. He sought urgent intervention from the Supreme Court, stating that the stray dog menace was getting worse by the day¹⁸. In another hearing, the Supreme Court asked the Animal Welfare Board for an enduring solution to the stray dog issue in Kerala¹⁹. However there is a lack of comprehensive legislation to curb the stray dog menace in India. Union Minister Parshottam Rupala has hinted that the centre is planning to introduce a Bill on Stray dog issue²⁰.

In order to address stray dog issue, certain basic measures should be introduced. Implementing and enforcing strict pet ownership laws can help ensure that dogs are properly cared for and prevent them from becoming strays²¹. This includes measures such as mandatory registration, leash laws, and responsible breeding practices. Prohibiting people from carelessly feeding dogs everywhere can help reduce the stray dog population and prevent the spread of diseases. Feeding dogs should be done responsibly, with proper food and water provided, and the area cleaned after feeding²².

¹⁷INDIA TIMES <https://www.indiatimes.com/news/india/all-you-need-to-know-about-animal-birth-control-rules-2023-599855.html>(last visited on September 26, 2023)

¹⁸ *Stray dog menace: Solicitor General seeks urgent intervention of Supreme Court* , INDIA TODAY,<https://www.indiatoday.in/law-today/story/stray-dog-menace-solicitor-general-seeks-urgent-intervention-of-supreme-court-2434115-2023-09-11>(last visited on September 27, 2023)

¹⁹ *Supreme Court asks Animal Welfare Board for 'enduring solution' to Kerala stray dogs issue* , INDIA TODAY,<https://www.indiatoday.in/law/story/supreme-court-kerala-stray-dog-case-notice-child-rights-body-relief-attacks-2405452-2023-07-12>(last visited on September 26, 2023)

²⁰ THE HINDU, <https://www.thehindu.com/news/national/centre-planning-new-bill-on-stray-dog-issue/article67016516.ece>(last visited on September 26, 2023)

²¹ *Growing stray dog problem is evidence that the sterilisation programme has failed* , INDIAN EXPRESS, <https://indianexpress.com/article/opinion/columns/growing-stray-dog-problem-evidence-sterilisation-programme-failure-8504939/>(last visited on September 26, 2023)

²² *Deep Dive: How Can India Humanely Solve its Growing Stray Dog Problem?* , THE BETTER INDIA,<https://www.thebetterindia.com/319633/how-can-india-manage-and-solutions-for-stray-dogs-animal-rights->

Widespread spaying and neutering campaigns can control the stray dog population by preventing further breeding. Implementing Animal Birth Control programs, which include vaccination and sterilisation, can help manage street dog populations²³. Although culling is the most extreme option for attempting to control India's dog population, it is not a preferred method²⁴. Sterilisation is the current preference, but there is growing appetite for its deployment across the country. Vaccinating stray dogs against diseases like rabies can help protect both the dogs and the human population. Promoting responsible pet ownership through educational programs can reduce abandonment rates. Raising awareness about responsible pet ownership, the importance of spaying and neutering, and the risks associated with stray dogs can help communities take proactive measures to address the issue²⁵. Establishing well-funded animal shelters and encouraging adoption can provide a safe haven for stray dogs. Initiatives to rescue, rehabilitate, and rehome stray dogs can improve their lives and reduce their numbers on the streets. In some cases, local authorities have relocated stray dogs to shelters or adopted them out to families²⁶. However, this approach has been met with criticism from animal welfare organisations, who argue that it is not a sustainable solution. Authorities in some cities, such as Delhi, have taken steps to round up stray dogs and move them to shelters, although these actions have been met with criticism from animal welfare organisations²⁷. Governments should implement and enforce animal control policies to manage stray dog populations. Governments can collaborate with non-governmental organisations (NGOs) that specialise in animal welfare to address the issue effectively. Governments, animal welfare organisations, and communities need to work together to develop and implement comprehensive strategies for managing stray dog populations²⁸. Long-term solutions should also focus on addressing the root causes of the stray dog problem, such as poverty, lack of education, and inadequate waste management systems²⁹. By addressing these underlying issues, authorities can work towards creating a more sustainable and humane

[experts/](#)(last visited on September 27, 2023)

²³ *Saving India's Street Dogs*, HELP ANIMALS INDIA, <https://helpanimalsindia.org/news/library/saving-indias-street-dogs-from-abc-to-ary>(last visited on September 26, 2023)

²⁴ *supra* note 5

²⁵ *Opinion: What Explains India's Privileged Treatment of Street Dogs?* - THE WIRE SCIENCE, <https://science.thewire.in/health/abc-rules-street-dogs/>(last visited on September 27, 2023)

²⁶ *supra* note 3

²⁷ *After slums and monkeys, Delhi removes stray dogs from streets as G20 nears*, REUTERS, <https://www.reuters.com/world/china/after-slums-monkeys-delhi-removes-stray-dogs-streets-g20-nears-2023-09-07/>(last visited on September 27, 2023)

²⁸ *The Stray Dog Issue: Why Are Dogs Alone Being Held Accountable?*, INDIATIMES, <https://www.indiatimes.com/explainers/news/the-stray-dog-issue-why-are-dogs-alone-being-held-accountable-602380.html>(last visited on September 29, 2023)

²⁹ *Id.*

environment for both humans and dogs.

Conclusion

The stray dog issue is a complex problem with far-reaching consequences. Solving it requires a multi-pronged approach involving responsible ownership, community education, and effective government policies. Effective implementation and enforcement of the laws to curb this menace is the need of the hour. Collaboration between government agencies, non-governmental organisations, and the community is often necessary to address the street dog issue comprehensively. Additionally, periodic reviews and amendments to existing laws may be required to adapt to changing circumstances and emerging challenges in animal welfare and public health. Ultimately, addressing the stray dog issue is not just about animal welfare; it is also about ensuring the safety and well-being of communities and the preservation of our environment. With concerted efforts, India can make progress in managing its street dog populations while promoting coexistence between humans and animals.

