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“DELHI STRAY DOG CRISIS, 2025: A BALANCED JUDICIAL INTERVENTION SAFEGUARDING HUMAN LIFE AND ANIMAL WELFARE IN *IN RE: CITY HOUNDED BY STRAYS, KIDS PAY PRICE*”

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1. Introduction

The management of stray dogs in urban India has long posed significant administrative, legal, and ethical challenges. In 2025, the issue exploded into national controversy after severe and fatal stray dog attacks in Delhi, including the tragic death of a six-year-old girl from rabies. A front-page report in *The Times of India* titled “**City Hounded by Strays, Kids Pay Price**” prompted the Supreme Court of India to take unprecedented suo motu cognisance. Registering the matter as *Suo Motu Writ Petition (Civil) No. 5 of 2025*, the Court sought to address an alarming public safety emergency while balancing India’s statutory animal welfare obligations. What began as an urgent two-Judge Bench intervention on 11 August 2025 directing total removal and permanent sheltering of all stray dogs in Delhi-NCR evolved—after widespread public response, legal challenges, and logistical realities—into a more harmonised and legally coherent framework under a three-Judge Bench order dated 22 August 2025. This case report synthesises the factual background, judicial reasoning, statutory context, stakeholder submissions, and national implications of this landmark intervention.

Keywords: stray dog management, Supreme Court of India, ABC Rules 2023, public health safety, rabies control, municipal governance, animal welfare law, Article 21 rights, regulated feeding zones, judicial intervention.

2. Factual Background and the Trigger for Judicial Intervention

On 28 July 2025, the Supreme Court received a newspaper clipping documenting shocking data:

1. Nearly **20,000 dog bite cases per day** nationally;
2. Over **2,000 cases daily in Delhi alone**;

3. Brutal attacks on infants and children, including **6-year-old Chhavi Sharma** and **4-year-old Abhishek Rai**.

Alarmed by the escalation of rabies cases and public fear, the Bench comprising Justice J.B. Pardiwala and Justice R. Mahadevan directed the matter to be registered suo motu. Notices were issued to the GNCTD and MCD, and Advocate Gaurav Agarwal was appointed Amicus Curiae. The case was titled:

“In Re: City Hounded by Strays, Kids Pay Price.”

The Court emphasised that *“the safety of young children and elderly persons must be protected at any cost.”*

3. The 11 August 2025 Order: A Revolutionary but Controversial Intervention

After preliminary hearings, the two-Judge Bench issued sweeping directives that transformed the legal landscape of stray dog management.

3.1 Mandatory Rounding-Up and Shelter Placement

All stray dogs across Delhi-NCR—Delhi, Gurugram, Noida, Ghaziabad, and Faridabad—were to be:

1. **Captured immediately,**
2. **Moved to established shelters,**
3. **Not released back on the streets under any circumstances.**

3.2 Mandatory Infrastructure Expansion

Authorities were given 8 weeks to:

1. Construct large-scale shelters,
2. Ensure adequate staff for sterilisation, vaccination, and deworming,
3. File detailed compliance reports.

3.3 Absolute Prohibition on Release

The Court explicitly ordered that:

“In no circumstance shall stray dogs, after relocation, be released back onto the streets.”

This marked a complete deviation from **ABC Rules, 2023**, which mandate release of ¹sterilised dogs back to their original locations.

¹ **Koushiki Saha**, “Delhi hounded by strays, kids pay price: Girl (6) dies of rabies after dog attack, family alleges official apathy”, *Times of India*, 28 July 2025.

3.4 Accountability and Contempt

Any obstruction from individuals, NGOs, or “animal feeders” would attract contempt proceedings.

3.5 Immediate Public Reaction

The order triggered intense litigation from NGOs, animal rights activists, and community feeders. Their objections included:

1. The order contradicted statutory law (ABC Rules, 2023 – Rule 11(19));
2. Delhi lacked shelter capacity for over **10 lakh** stray dogs;
3. Fear of mass culling;
4. Harassment of those feeding stray dogs;
5. Lack of municipal infrastructure to comply with the sweeping directions.

4. Legal Issues Raised Before the Three-Judge Bench

In response to the wave of intervention applications, the Chief Justice constituted a three-Judge Bench (Justices Vikram Nath, Sandeep Mehta, and N.V. Anjaria) to resolve the following critical issues:

4.1 Statutory Conflict:

Can sterilised dogs be legally prevented from returning to their localities?***

1. ABC Rules, 2023 require sterilised dogs to be released at their original location.
2. The earlier order mandated *permanent detention*—a direct contradiction.

4.2 Balancing Rights:

Does Article 21 (human safety) override statutory animal welfare mandates?***

The Court recognised the conflict between:

1. **Article 21** – Right to life and safety,
2. **Article 51A (g)** – Duty to show compassion to animals.

4.3 Feeding Rights and Public Order

Whether feeding stray dogs in public spaces is a protected right was contested, given safety threats and public inconvenience.

4.4 Practical Feasibility

Delhi's municipal bodies argued that the earlier order required infrastructure of “**gargantuan² proportions**” impossible to create overnight.

5. Submissions of the Parties

5.1 Animal Lovers and NGOs

They argued that:

1. Overcrowded shelters would cause cruelty;
2. ABC Rules scientifically prohibit permanent detention;
3. Banning street feeding criminalised humane behaviour;
4. 700+ dogs already captured had unclear fate;
5. Municipal failure cannot justify violating statutory protections.

5.2 Submissions by Government and GNCTD

The Solicitor General highlighted:

1. **37 lakh dog bite cases in 2024;**
2. Sterilisation alone cannot prevent aggression;
3. Rabid/aggressive dogs pose imminent threats;
4. Public safety demands exceptional measures;
5. Municipalities need clear judicial direction and nationwide consistency.

6. The 22 August 2025 Order: Harmonising Safety and Compassion

The three-Judge Bench modified the earlier order, creating a legally coherent, scientifically grounded, and practically feasible framework.

6.1 Stray Dog Capture and Infrastructure Creation to Continue

1. The rounding-up of dogs will continue.
2. Municipalities must upgrade and create shelters.

6.2 Release of Sterilised and Vaccinated Dogs

The blanket prohibition is suspended.

1. Dogs **must be released back** to their original areas after treatment.

² Animal Birth Control Rules, 2023 (ABC Rules) – issued under the Prevention of Cruelty to Animals Act, 1960.

2. **Exception:** rabid or aggressive dogs, who must be permanently sheltered in ³segregated facilities.

6.3 Regulated Feeding: No Feeding on Streets

1. Street-feeding prohibited.
2. Municipalities must create **designated feeding zones** in every ward.
3. Violators will face penalties.

6.4 Public Helplines and Accountability

1. Municipal helplines to report violations and obstruction.
2. Interference with capture teams will attract prosecution.

6.5 Monetary Deposits

1. Individuals: ₹25,000
2. NGOs: ₹2,00,000

To ensure bona fide participation and support infrastructure.

6.6 Adoption Option

Animal lovers may adopt stray dogs but cannot allow them to return to the streets.

6.7 National Expansion

Given the nationwide applicability of ABC Rules, the directions extend to all States and UTs.

6.8 Transfer of Related High Court Cases

All similar pending cases across High Courts to be consolidated or monitored by the Supreme Court.

7. Legal and Ethical Analysis

7.1 Article 21 vs. ABC Rules

The Court affirmed that:

1. Human life and safety are paramount;
2. However, statutory safeguards for animals cannot be casually overridden;

³ In Re: “City Hounded By Strays, Kids Pay Price”, Suo Motu Writ Petition (Civil) No. 5/2025, Order dated **28 July 2025**, Supreme Court of India.

3. Harmonisation, not conflict, is constitutionally required.

7.2 Application of Precedents

Key cases applied included:

1. **AWBI v. A. Nagaraja (2014)** – animals possess dignity;
2. **Karnail Singh v. State of Haryana (2019)** – animals as legal persons;⁴
3. **State of UP v. AWBI (PEST case, 2019)** – ABC regime upheld.

7.3 Practical Feasibility

The modified order reflects a pragmatic assessment that:

1. Massive permanent dog shelters are impractical;
2. ABC release system prevents territorial aggression, a scientifically established principle;
3. Immediate detention of aggressive or rabid dogs protects public safety.

7.4 Public Order and Urban Governance

Municipal duties under Article 243W require controlling stray dog populations and ensuring public safety.

8. Expected Impact of the Judgment

8.1 Public Health and Safety

A structured capturing, treatment, and selective detention model promises:

1. Reduced bites,
2. Lower rabies exposure,
3. Safer public spaces.

8.2 Municipal Infrastructure Reform

1. Expansion of shelters,
2. Strengthened sterilisation programmes,
3. Ward-level feeding management.

⁴ Interlocutory applications filed by individuals and organisations working for the welfare of stray dogs (referred to as *animal lovers*).

Conference for Human Rights (India) (Regd.) v. Union of India and Ors. SLP (Civil) No. 14763 of 2024.
Reema Shah v. The State of Uttar Pradesh & Ors. SLP (Civil) No. 17623 of 2025.

8.3 National Policy Evolution

This case sets a foundational precedent for:

1. Nationwide ABC compliance,
2. Uniform standards for feeding and sheltering,
3. A potential national stray dog policy.

8.4 Protection Against Illegal Culling

By harmonising release rules with safety measures, the Court prevents indiscriminate killing.

9. Conclusion

The 2025 suo motu case *In Re: “City Hounded by Strays, Kids Pay Price”* stands as a transformative judicial moment in India’s struggle to balance human safety with animal welfare. The initial order, driven by urgent public health concerns, sought absolute removal of strays from the streets but faced statutory conflict and practical impossibility. The subsequent three-Judge Bench order restored equilibrium by reaffirming statutory ABC principles while carving out necessary exceptions to protect vulnerable populations from rabid or aggressive dogs.

The final judicial framework reflects constitutional maturity:

1. **Article 21 is safeguarded** through strict control of aggressive dogs and regulated feeding.
2. **Statutory animal welfare protections** remain intact through mandated release of⁵ sterilised, vaccinated dogs.
3. **Municipal accountability is strengthened** through infrastructure mandates, helplines, and penalties.

This case will guide future policies on urban animal management, human–animal conflict resolution, and the evolution of compassionate governance. Ultimately, the judgment embodies a balanced jurisprudence ensuring that India’s cities remain safe for children and humane toward animals, setting the stage for a scientifically informed and ethically grounded national policy framework.⁶

⁵ *In Re: “City Hounded By Strays, Kids Pay Price”*, Suo Motu Writ Petition (Civil) No. 5/2025, Order dated **28 July 2025**, Supreme Court of India.