



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

EDITORIAL TEAM

EDITORS



Megha Middha

Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar

Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain



Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

ILLEGAL BREEDING OF DOGS: A CRITICAL ANALYSIS OF ANIMAL WELFARE RIGHTS

AUTHORED BY - VARSHINI VS, 21212264

3rd Year Law student BBA LLB,

Christ (deemed to be) University, Delhi NCR

SUMMARY

Illegal dog breeding in India poses serious concerns for animal welfare and public health. Driven by profit, it mistreats breeding dogs, leading to health issues in puppies. Weak regulations enable substandard breeding and sales, escalating stray dog numbers. Curtailing this requires stringent laws, awareness, responsible pet practices, and collaboration among stakeholders for a more ethical pet industry. On the other hand, buying dogs adversely affects street dogs. The demand for specific breeds supports illegal breeding and increases the number of strays. This shifts attention from helping street dogs, worsening their already precarious situation. Prioritizing buying over adopting sidelines street dog welfare.

ABSTRACT

This paper talks about the illegal breeding of dogs and how it leads to proliferation among the stray dogs in an indirect way. This paper focuses on the issue of backyard breeding which is a method of exploitation of breed dogs which comes under the (Pet Shop) Rules 2018 and (Dog Breeding & Marketing) Rules 2017 and what actions can be taken on the breeders without license. This does not just cause harm to the breed dogs but indirectly affects the stray dogs too. When people tend to pay and buy dogs from these breeders and pet shops, the concept of adoption is totally pushed out of the picture where it leads to the increase in population which causes incidents like attacks, bites, etc., This paper also focuses on why the 'adopt dont shop' concept is very important to create a balanced and better environment for the dogs to survive. This paper also seeks attention for the rapid and intense implementation of programmes like ABC and CNR certified by the government to humanely control their population instead of mass killings and brutally beating them to death.

KEY WORDS

Animals, Animal Welfare Laws, Breeders, Dogs, Illegal breeding, Pets, Stray dogs.

INTRODUCTION

In the name of breeding, the breed dogs are exploited and bred in a miserable manner by being caged and kept in a contaminated environment. Once the dogs are no longer fit to reproduce, they're either abandoned on the streets or left to die in the breeder's hand without any medications or proper treatment. Due to the craze and urge amongst the people to buy breed puppies that are straight out from the puppy mills¹ to show their wealth and status, these breeds are bought from the breeders as well as from pet stores at high prices. Most customers are unaware where the puppies are from and the others are just ignorant.

¹ PUPPY MILLS: THE SICKENING TRUTH BEHIND ILLEGAL BREEDERS IN INDIA AND HOW YOU CAN STOP THEM DAWGIEBOWL, <https://dawgiebowl.com/blog/puppy-mills-in-india/> (last visited Apr 21, 2024)

Most of these pet shops and breeders² are not registered under the (Pet Shop) Rules 2018³ and (Dog Breeding & Marketing) Rules 2017⁴ which lays down rules that breeders must possess license to breed and sell and this is where backyard breeding⁵ comes into the picture. In most cases these dogs are abandoned and end up on roads when their owners are no more interested or cannot afford their normal and the medical expenses. Since they are not trained and affected by diseases, they tend to mix with the stray dogs and exhibit aggressive⁶behaviour which results in dog attacks, bites and other nuisance created by them and considered as a menace to the society.

Over the years, activists⁷ who are willing to help and rescue the dogs in need are not able to do it due to the ignorance of the authorities and their lethargic attitude. Even though there are laws and regulations to prevent cruelty to animals, these people find various loopholes and also illegal ways to get out of it and a grey area always exists. The reason for this is mainly the absence of proper visits, examination and inspection of the breeding places⁸.

When there are already so many dogs in need of homes, new puppies are brought into the market for sales and the old one remains on the streets, surviving in harsh conditions which makes them aggressive and ferocious⁹. This can be avoided if the authorities take proper measures by eliminating the unlicensed breeders and pet shops and intensely make use of programmes like, Animal Birth Control (ABC), Catch, Neuter and Release (CNR)¹⁰.

BACKYARD CANINE BREEDING RAMPANT DECCAN HERALD,
<https://www.deccanherald.com/india/karnataka/bengaluru/backyard-canine-breeding-rampant-2665514> (last visited Apr 21, 2024)

3 Ministry of Environment, Forest and Climate Change Notification, 2018

4 The Dog Breeding and Marketing Rules 2017

THE TRUTH ABOUT PUPPY MILLS: WHAT IS UNETHICAL AND ILLEGAL DOG BREEDING IN INDIA? INDIA TODAY,

<https://www.indiatoday.in/information/story/the-truth-about-puppy-mills-what-is-unethical-and-illegal-dog-breeding-in-india-2426642-2023-08-26> (last visited Apr 21, 2024)

GOVT BANS IMPORT, BREEDING, AND SALE OF DANGEROUS DOG BREEDS INCLUDING PITBULL, BULLDOG. HERE IS THE COMPLETE LIST THE ECONOMIC TIMES,

<https://economictimes.indiatimes.com/news/india/govt-bans-import-breeding-and-sale-of-dangerous-dog-breeds-including-pitbull-bulldog-here-is-the-complete-list/articleshow/108451735.cms?from=mdr#> (last visited Apr 21, 2024)

ILLEGAL DOG BREEDING SITE BUSTED AT GHANSOLI, FIVE ANIMALS RESCUED: MUMBAI NEWS - TIMES OF INDIA THE TIMES OF INDIA,

<https://timesofindia.indiatimes.com/illegal-dog-breeding-site-busted-at-ghansoli-five-animals-rescued/articleshow/89378833.cms> (last visited Apr 21, 2024)

8 ARE DOG BREEDERS ALWAYS BAD? PETA, <https://www.peta.org/features/are-dog-breeders-bad/> (last visited Apr 21, 2024)

9 DOG BREEDING LAWS IN INDIA – IS IT LEGAL TO BREED DOGS? VEGAN INDIA!,

<https://www.veganindia.net/dog-breeding-laws-in-india/> (last visited Apr 21, 2024)

10 Prevention of Cruelty to Animals Act, 1960

Eventually when there's no proper action taken by the authorities¹¹, the public tends to take the situation in their hands which resulted in mass killings¹² of street dogs in an inhumane and brutal way.

DISCUSSION

The global issue of illegal dog breeding, including in India, involves profit-driven and unethical practices that disregard the well-being and genetic health¹³ of dogs. In India, the demand for specific breeds fuels unregulated breeding operations focused on profit rather than animal welfare.

This unethical breeding leads to health problems and genetic issues in breeding dogs and their offspring, impacting both their physical and mental health. Buyers unknowingly face risks of acquiring dogs with health or behavioural issues, causing emotional and financial strain.

The surge in poorly bred puppies worsens the already large population of stray dogs. This diverts resources from caring for street dogs and managing their numbers.

Solving this issue necessitates stricter regulations, law enforcement, and public awareness¹⁴. Encouraging adoption from shelters, responsible pet ownership, and support for ethical breeders are key to combating illegal breeding.¹⁵

Ultimately, addressing illegal dog breeding means fostering a more ethical approach to pet ownership and ensuring the well-being of all dogs, regardless of their breeding status.

ILLEGAL DOG BREEDING REMAINS RAMPANT DUE TO LAXITY OF AUTHORITIES, SAY ANIMAL RIGHTS ACTIVISTS INDIA TODAY,

<https://www.indiatoday.in/india/story/illegal-dog-breeding-issue-animal-rights-activist-huskies-pitbulls-2386686-2023-06-01> (last visited Apr 21, 2024)

KERALA DOG KILLING: ACTIVISTS DEMAND END TO CRUELTY, STAGE STIR AT JANTAR MANTAR HINDUSTAN TIMES,

<https://www.hindustantimes.com/india-news/kerala-dog-killing-activists-demand-end-to-cruelty-stage-stir-at-jantar-mantar-101664025158860.html> (last visited Apr 21, 2024)

ILLEGAL PUPPY TRADE AND DOGS WITH GENETIC DISORDERS FOUR PAWS INTERNATIONAL - ANIMAL WELFARE ORGANISATION,

<https://www.four-paws.org/campaigns-topics/topics/companion-animals/breeding-of-dogs-with-genetic-disorder/s/the-illegal-puppy-trade-and-its-connection-with-genetic-disorders> (last visited Apr 21, 2024)

IF DOGS ARE OUR BEST FRIENDS, WHY ARE THERE PUPPY MILLS? PSYCHOLOGY TODAY,

<https://www.psychologytoday.com/intl/blog/animal-emotions/202307/if-dogs-are-our-best-friends-why-are-there-puppy-mills> (last visited Apr 21, 2024)

BAN ILLEGAL BREEDING OF DOGS RATHER THAN SPECIFIC BREEDS, DOG OWNERS TELL CENTRE INDIA TODAY,

<https://www.indiatoday.in/cities/delhi/story/dog-owners-animal-husbandry-department-pit-bull-dog-breeds-banned-2517487-2024-03-21> (last visited Apr 21, 2024)

SOLUTION

Addressing illegal dog breeding in India requires strong laws that enforce ethical practices and safeguard animal welfare. Enhancing current legislation and introducing targeted laws can effectively curb unethical breeding:

1. **Compulsory Licensing and Registration¹⁶**: Enforce strict licensing criteria for breeders, ensuring compliance with animal care standards. Regular inspections and thorough records of breeding dogs and facilities can maintain adherence.
2. **Law Enforcement and Penalties**: Empower authorities to closely monitor breeding sites and pet outlets, imposing significant penalties for illegal practices to deter unethical behavior.
3. **Regulation of Online Sales¹⁷**: Introduce rules governing online pet sales, ensuring transparency in breeders' backgrounds and animal health records while ensuring compliance with legal breeding standards.
4. **Promotion of Responsible Ownership¹⁸**: Laws mandating education on responsible pet ownership before acquiring a dog can reduce impulsive purchases and subsequent abandonment.
5. **Support for Adoption and Shelter Systems¹⁹**: Incentivize shelter adoptions over buying from breeders or stores, potentially offering subsidies or tax benefits to encourage adoption.
6. **Collaboration and Awareness Campaigns**: Foster collaboration among law enforcement, animal welfare groups, and the public to raise awareness about ethical breeding practices and responsible pet ownership.
7. **Establishment of Breeding Standards**: Develop clear guidelines emphasizing the well-being of breeding dogs and their offspring.
8. **Tighter Controls on Import/Export²⁰**: Enforce stricter controls on dog import/export to prevent illegal breeding operations from crossing borders.

REGULATIONS RELATED TO DOG BREEDING IN INDIA. IPLEADERS, <https://blog.ipleaders.in/dog-breeding-regulation/> (last visited Apr 21, 2024)

NATUREWATCH FOUNDATION CAMPAIGNS | NATUREWATCH FOUNDATION - ANIMAL WELFARE NATUREWATCH,

<https://naturewatch.org/campaigns/> (last visited Apr 21, 2024)

INCREASE IN PIT BULL ATTACKS, EXPERTS SAY “STOP ILLEGAL BREEDING, TRAIN DOGS, EDUCATE OWNERS ABOUT BREED” - TIMES OF INDIA THE TIMES OF INDIA,

<https://timesofindia.indiatimes.com/life-style/relationships/pets/increase-in-pit-bull-attacks-experts-say-stop-illegal-breeding-train-dogs-educate-owners-about-breed/articleshow/94232333.cms> (last visited Apr 21, 2024)

ADOPT TO ENSURE ILLEGAL BREEDERS SHUT SHOP BANGALORE MIRROR,

<https://bangaloremirror.indiatimes.com/bangalore/others/adopt-to-ensure-illegal-breeders-shut-shop/articleshow/>

[93261320.cms](#) (last visited Apr 21, 2024)

MADRAS HIGH COURT QUASHES NOTIFICATION BANNING IMPORT OF DOGS FOR COMMERCIAL ACTIVITIES LIVE LAW,

<https://www.livelaw.in/high-court/madras-high-court/madras-high-court-sets-aside-notification-imposing-ban-on-import-of-dogs-for-commercial-activities-230452> (last visited Apr 21, 2024)



Implementing comprehensive measures supported by stringent laws, effective enforcement, and public awareness can significantly reduce the problem of illegal dog breeding in India.

CONCLUSION

Buying dogs inadvertently worsens the situation for street dogs in several ways. The demand for specific breeds fuels illegal breeding, diverting resources from street dog care. Additionally, choosing to buy instead of adopting reinforces stigma against street dogs, hindering their adoption and population management efforts. Financially supporting buying dogs leads to unethical breeding, adding to the population of poorly bred dogs, potentially contributing to the street dog population. Ultimately, purchasing dogs perpetuates the neglect faced by street dogs, highlighting the importance of promoting adoption and responsible ownership to break this cycle.

ACKNOWLEDGEMENT

This paper was not funded by anyone.

CONFLICT OF INTEREST STATEMENT

The author has no conflicts of interest.

LITERATURE CITED

Krithika Srinivasan, Vijay K. Nagaraj, Deconstructing the Human Gaze: Stray Dogs, Indifferent Governance and Prejudiced Reactions, 42, EPW, 1085-1086 (2007), doi: <https://www.jstor.org/stable/4419403>

R Chandran, P A Azeez, Stray Dog Menace: Implications and Management, 51, EPW, 58-65 (2016), doi: <https://www.jstor.org/stable/44165908>

Krithika Srinivasan, The Biopolitics of Animal Being and Welfare: Dog Control and Care in the UK and India, 38, Transactions of the Institute of British Geographers, 106-19 (2013), doi: <https://www.jstor.org/stable/24582444>

Sreejani Sen Majumder et al, A dog's day with humans-time activity budget of free-ranging

dogs in India, 106, Current Science, 874-878 (2014), doi:
<https://www.jstor.org/stable/24102275>

Abhishek Anand, Illegal dog breeding remains rampant due to laxity of authorities, say animal rights activists, India Today (Editorial), Jun 1, 2023, doi:
<https://www.indiatoday.in/india/story/illegal-dog-breeding-issue-animal-rights-activist-huskie-s-pitbulls-2386686-2023-06-01>

Nivedita Shenoy, Dog lovers or pedigree lovers? The ugly truth about illegal dog breeding, WION (Editorial), Jul 27, 2022 doi:
<https://thesocialtalks.com/opinion/dog-lovers-or-pedigree-lovers-the-ugly-truth-about-illegal-dog-breeding/>

Kabir Gama-Roy v. Goa State Animal Welfare Board, 2020 SCC OnLine Bom 255,

