2025 INSC 1018

REPORTABLE

IN THE SUPREME COURT OF INDIA
INHERENT/CIVIL ORIGINAL/
EXTRAORDINARY APPELLATE JURISDICTION

SUO MOTO WRIT PETITION(CIVIL) NO(S). 5 OF 2025

IN RE: "CITY HOUNDED BY STRAYS, KIDS PAY PRICE"

WITH

WRIT PETITION(CIVIL) NO(S). 784 OF 2025

SLP(CIVIL) NO(S). 14763 OF 2024
AND
SLP(CIVIL) NO(S). 17623 OF 2025

O R D E R

BY THE COURT

1. A Bench of two Hon'ble Judges of this Court took *suo moto* cognizance on 28th July 2025, of a news report published in The Times of India, Delhi Edition, titled "*City Hounded by Strays, Kids Pay Price*".[1]

[1] Koushiki Saha, "*Delhi hounded by strays, kids pay price: Girl (6) dies of rabies after dog attack, family alleges official apathy*", (Time of India, 28 July, 2025) can be accessed here < https://timesofindia.indiatimes.com/city/delhi/delhi-hounded-by-strays-kids-pay-price-girl-6-dies-of-rabies-after-dog-attack-family-alleges-official-apathy/articleshow/122938488.cms>

2. Pursuant to the taking of *suo moto* cognizance, the matter came to be listed before the Bench on 11th August 2025, on which, the following directions were issued: -

> "**12**. For the present, the aforesaid directions shall be complied with and implemented scrupulously. We, at the cost of repetition, again make it abundantly clear to the above concerned authorities in clear words that it shall at the earliest: -
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> (i) **Start picking up and rounding the stray dogs from all localities of Delhi, Ghaziabad, NOIDA, Faridabad, Gurugram as well as areas on the outskirts, and relocate these dogs into designated shelters/pounds.**
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> (ii) **The appropriate authorities of NCT of Delhi, NOIDA, Ghaziabad, Gurugram & Faridabad are directed to immediately create dog shelters/pounds and report to this Court the creation of such infrastructure all over the National Capital Region (NCR).** A report in this regard shall be filed before this Court within a period of eight-weeks.
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> (iii) **In no circumstances, should these stray dogs after their relocation be once again released back onto the streets.** In this regard proper records should be maintained by the concerned authorities regularly.
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> (iv) **The stray dogs shall be captured, sterilized, dewormed and immunized as required by Animal Birth Control Rules, 2023 and as noted above, shall not be released back.** The dog shelters/pounds should have sufficient personnel to sterilize, deworm and immunize stray dogs and also for looking after the stray dogs who would be detained.
>
> (v) **We further make it clear that both the exercise of rounding up of stray dogs as well as the creation of necessary infrastructure in the form of shelters/pounds for the relocation, sterilization,**

deworming and immunization, shall be undertaken simultaneously. We do not want to hear about even a semblance of lethargy from the concerned authorities on the pre-text of awaiting the creation of shelters/pounds, otherwise, we will proceed to take strict action against these authorities. **All authorities are directed to immediately begin the picking up stray dogs and in the same breadth creation of appropriate and adequate shelter homes and pounds across the National Capital Region.**

13. **Any hindrance or obstruction that may be caused by any individual or organization in the smooth and effective implementation of our aforesaid directions will be viewed as contempt of this Court and we shall proceed to take appropriate action in accordance with law.**"

(Emphasis supplied)

3. It may be noted that, in the intervening period, several interlocutory applications for intervention came to be filed purportedly by individuals and organisations working for the welfare of the stray dogs[2], seeking a stay on the directions contained in the order dated 11th August, 2025.

4. The issue involved in these petitions placed before the three-Judge Bench centres around the right of the stray dogs to live on the streets, *vis-à-vis*, the safety and security of the citizens particularly the kids and elderly people from these very stray dogs, many of whom are suspected to be infected with the

[2] Hereinafter, referred to as 'animal lovers'.

communicable disease, i.e., rabies. It is indisputable that human beings bitten by rabid dogs suffer indescribably, and many times, the infection proves to be fatal.

5. For better understanding, a brief description of the issues raised in the other petitions apart from the Suo Moto Writ Petition listed before us is necessary.

6. Special Leave Petition (Civil) No. 14763 of 2024[3] lays a challenge to the order dated 18th August, 2023 passed by the High Court of Delhi, wherein the Division Bench expressed its satisfaction over the task of sterilisation and immunisation of street dogs being undertaken by the Government of National Capital Territory of Delhi ('GNCTD') and Municipal Corporation of Delhi ('MCD'). Being dissatisfied with the aforesaid order, the Conference for Human Rights (India) (Regd.), a non-governmental organisation, has filed the aforesaid special leave petition.

7. Special Leave Petition (Civil) No. 17623 of 2025[4] arises from the judgment dated 3rd March, 2025

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[3] Titled as '*Conference for Human Rights (India) (Regd.) v. Union of India* and Ors.'

[4] Titled as '*Reema Shah v. The State of Uttar Pradesh & Ors.*'

passed by the Division Bench of the High Court of Judicature at Allahabad, which was dealing with the Writ Petition[5] filed by a resident of NOIDA, District Gautam Buddha Nagar, Uttar Pradesh, who was aggrieved by the harassment faced during the feeding of the community dogs. The Division Bench observed that the concerns raised in the petition were regulated by the Animal Birth Control Rules, 2023[6], which provide for capturing, sterilisation, and immunisation of street dogs as well as the measures to be taken for the feeding of the community dogs. The Division Bench closed the writ petition, with a direction to the concerned authorities to ensure that necessary steps are taken in public interest to subserve the cause raised therein, and while doing so, the interest of the common man in moving on the streets must also be factored in.

8. While the aforesaid special leave petitions were pending before this Court, the mandatory directions in the terms indicated above came to be passed in the Suo Moto Writ Petition (Civil) No. 5 of 2025.

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[5] WRIT-C No. 6572 of 2023.
[6] Hereinafter, referred to as "ABC Rules."

9. Various Non-governmental Organizations (NGOs) and individuals, stating to be animal lovers, claim to be aggrieved by the mandatory directions issued *vide* order dated 11th August, 2025. They sought the intervention of Hon'ble the Chief Justice of India on the premise that the said directions are in conflict with the mandate of the ABC Rules and are also impossible to comply with. One such individual has filed Writ Petition (Civil) No. 784 of 2025, seeking a direction that the *status quo* should be maintained during the pendency of the said writ petition.

10. Under the directions of Hon'ble the Chief Justice of India, all these matters have been clubbed and listed before the three-Judge Bench to consider the prayer for staying the mandatory directions passed by this Court *vide* order dated 11th August, 2025 and to deal with the concerns which have been raised by animal lovers and to test the feasibility of implementation of the aforesaid directions in practice.

11. It has been vehemently and fervently urged '*Una Voce*' by the learned counsel appearing on behalf of the self-acclaimed animal lovers and the NGOs

(applicants before this Court), that the direction not to release the stray dogs to the original locations from where they would be picked up, after their sterilisation and immunisation, is in clear violation of Rule 11(19) of the ABC Rules framed under the provisions of the Prevention of Cruelty to Animals Act, 1960. It was submitted that, under the said Rule, the concerned authorities are mandated to sterilise and immunise the stray dogs and to release them in the same area from which they were picked up.

12. It was further submitted that under the garb of order dated 11th August, 2025, the municipal authorities have already started rounding up the stray dogs. Not only this, the animal lovers, who feed the stray dogs, are being harassed and threatened with prosecution.

13. It was strenuously submitted that the direction to initiate contempt proceedings against the animal lovers amounts to a direct encroachment upon the Fundamental Right to Freedom of Expression guaranteed to the citizens under Article 19 of the Constitution of India.

14. It was further submitted that there is an imminent risk that the stray dogs who are being picked up in compliance with this Court's order may be culled because the municipal authorities are not seized of the logistic capability and wherewithal to create the large number of dog shelters/pounds, which would be required to cater lakhs of stray dogs estimated to be present on the streets of New Delhi and NCR region. Since the municipal authorities do not have the required capacity, there is a looming possibility that the stray dogs, after being picked up, would be eliminated so as to show compliance of the order dated 11th August, 2025. It was also submitted that almost 700 stray dogs have already been picked up, and there is no information as to the fate of the said stray dogs. They apprehend that a large population of stray dogs, which might also include newborn puppies, is likely to be affected and may lose their lives if the directions given by this Court are not stayed.

15. *Per contra*, Shri Tushar Mehta, learned Solicitor General of India, appearing for the GNCTD urged that the municipal authorities and the State authorities

are taking all measures to curb the instances of dog bites and to vaccinate the rabies infected dogs but the task is herculean and almost impossible considering the huge population of stray dogs on the streets of Delhi and NCR region. However, Shri Mehta urged that GNCTD is keen to comply with the order dated 11th August, 2025, so that the threat faced by the human population from the rabid and aggressive stray dog population on the streets can be addressed.

16. Shri Mehta referred to certain newspaper reports which estimate that approximately 37,15,713 dog bites occurred in India in 2024, and in several cases, human lives were lost due to trauma and rabies infection. The reports mention that the presence of aggressive stray dogs on streets is causing grave risk to the lives of children and elderly people, as well as other vulnerable sections of society. They are unable to access streets and parks because of the fear of being attacked and bitten by the rabies-infected stray dogs.

17. Learned Solicitor General, further submitted that sterilisation alone is insufficient, as it can neither prevent attacks from stray dogs nor can it

prevent the rabies infection by dog bites because the immunised dogs with aggressive behaviour would still be capable of attacking and causing severe harm to the vulnerable citizens, if these animals are allowed to remain on the streets. He further submitted that the directions given by this Court in Suo Moto Writ Petition do not impinge upon the statutory framework but rather operate as interim measures essentially required to protect the Right to Life of the citizens guaranteed under Article 21 of the Constitution of India.

18. Shri Mehta submitted that, for the time being, and till the population of stray dogs on the streets is brought under control, the directions issued by this Court *vide* order dated 11th August 2025, should be allowed to remain in force. Tapering down of these measures can be considered once the statistics pertaining to the procedure of sterilisation and immunisation undertaken in compliance with the mandatory directions are placed on record and the situation improves.

19. We have given our thoughtful consideration to the submissions advanced at Bar and have gone through the order dated 11th August, 2025.

20. Let notice be issued in Writ Petition (Civil) No. 784 of 2025 and Special Leave Petition (Civil) No. 17623 of 2025.

21. We shall now proceed to consider as to whether the directions given by a two-Judge Bench of this Court on 11th August, 2025 (*supra*) in the Suo Moto Writ Petition require any clarification/modification or whether the authorities concerned including the Government of NCT of Delhi, the Municipal Corporation of Delhi, the New Delhi Municipal Council and the civic bodies of NOIDA, Ghaziabad, Faridabad and Gurugram should be mandated to expeditiously comply with the directions contained in the said order.

22. *Suo moto* cognizance was taken by the two-Judge Bench of this Court *vide* order dated 28th July, 2025 and on the very next listing, i.e., on 11th August, 2025, the mandatory directions (*supra*) were issued to the concerned authorities.

23. We make it clear that there is not even the slightest doubt in our minds that the intent behind the order is salutary inasmuch as it works towards protecting the citizens at large from the attacks by the aggressive and rabid stray dogs. However, there are certain vital factors that call for a balancing exercise so that the order dated 11th August, 2025, can be taken to its logical conclusion while keeping its ambit within the contour of the legal framework, i.e., the ABC Rules, 2023.

24. The two-Judge Bench in **para 12(iii)** and **12(iv)** of its order has directed that the stray dogs shall be captured, sterilised, dewormed, and immunised as per the ABC Rules, but "**they shall in no circumstance be released back onto the streets.**" There is a further mandate in the order that all the rounded-up stray dogs shall be kept in the shelters/pounds without there being any scope for release.

25. The framework of the ABC Rules, to be specific, Rule 11(19) clearly provides that once the stray dogs have been sterilised, inoculated, and dewormed, they

have to be released back in the same locality from which they were picked up.

26. The directions given in **paras 12(iii)** and **12(iv)** are for ensuring that the same number of stray dogs does not land back on the streets as were picked up for sterilisation and immunisation, as this would literally become a vicious circle.

27. Nonetheless, one cannot be ignorant of the fact that the mandate to keep all the stray dogs, picked up from Delhi and the adjoining NCR cities, in the municipal shelters/pounds would require logistics of gargantuan proportions including manpower, shelters/pounds, veterinarians, cages and specially modified vehicles for transportation of the captured stray dogs.

28. The provision in Rule 11(19) that the dogs, upon sterilisation and immunisation, should be relocated to the same locality from which they have been picked up, is scientifically carved out inasmuch as it serves two purposes. Firstly, the same prevents the scope of overcrowding in the dog shelters/pounds, and secondly, the picked-up stray dogs after

immunisation and sterilisation are relocated to the same environment where they were living earlier, which is a compassionate treatment.

29. The aggressive sterilisation would definitely put a curb on the rapid growth of the stray dog population, ultimately leading to its reduction. However, this is possible only in an idealistic situation, which seems unlikely in the present scenario.

30. It was argued by some of the counsels appearing for the animal lovers that the process of sterilisation and inoculation has worked wonders in many towns across the country and has significantly brought down the population of stray dogs. To be specific, it was pointed out that towns like Dehradun and Lucknow, which have taken aggressive measures for sterilisation, etc., as per the ABC Rules, have seen a steady decline in the population of stray dogs. A suggestion has also been received that chemical castration is a safe, painless, and effective mode of sterilisation.

31. Thus, the direction given in the order dated 11th August, 2025, prohibiting the release of the treated and vaccinated dogs seems to be too harsh, in our opinion.

32. It cannot be gainsaid that before any direction for impounding the entire stray dog population is given, it would be necessary to have a look at the existing infrastructure and human resources available with the municipal bodies. A blanket direction to pick up all the strays and place them in dog shelters/pounds without evaluating the existing infrastructure may lead to a catch-22 situation because such directions may be impossible to comply with.

33. We, therefore, feel that a holistic approach requires mollification of the directions issued *vide* order dated 11th August, 2025. Accordingly, the directions issued by the two-Judge bench of this Court are supplemented, modified, and clarified in the terms indicated below: -

a. Municipal authorities shall continue to comply with the directions contained in **paras 12(i)** and **12(ii)** of the subject order.

b. The directions contained in **paras 12(iii)** and **12(iv),** to the extent that they prohibit the release of the picked up strays, shall be kept in abeyance for the time being. The dogs that are picked up shall be sterilised, dewormed, vaccinated, and released back to the same area from which they were picked up.

It is, however, clarified that this relocation shall not apply to the dogs infected with rabies or suspected to be infected with rabies, and those that display aggressive behaviour. Such dogs shall be sterilised and immunised, but under no circumstances should they be released back onto the streets. Furthermore, as far as possible, such stray dogs shall be kept in a separate pound/shelter after sterilisation and immunisation.

c. The directions contained in **para 12(v)** shall remain subject to the directions given by us in paras (a) and (b).

d. Municipal authorities shall forthwith commence an exercise for creating dedicated feeding spaces for the stray dogs in each municipal ward. The feeding areas shall be created/identified keeping in view the population and concentration of stray dogs in the particular municipal ward. Gantries/notice boards shall be placed near such designated feeding areas, mentioning that stray dogs shall only be fed in such areas. Under no condition shall the feeding of stray dogs on the streets be permitted. The persons found feeding the dogs on the streets in contravention of the above directions shall be liable to be proceeded against under the relevant legal framework.

The aforesaid directions are being issued in view of the reports regarding untoward incidents caused by unregulated feeding of stray dogs and to ensure that the practice of feeding dogs on roads and in public places is eliminated, as the said practice creates great difficulties for the common man walking on the streets.

e. Each municipal authority shall create a dedicated helpline number for reporting incidents of violation of the above directions. On such a report being

received, appropriate measures shall be taken against the individuals/NGOs concerned.

f. The direction given in **para 13** of the order dated 11th August 2025, is reiterated with a slight modification that no individual or organisation shall cause any hindrance or obstruction in the effective implementation of the directions given above. In case any public servant acting in compliance with the aforesaid directions is obstructed, then the violator/s shall be liable to face prosecution for obstructing the public servant acting in discharge of official duty.

g. Each individual dog lover and each NGO that has approached this Court shall deposit a sum of Rs.25,000/- and Rs.2,00,000/-, respectively, with the Registry of this Court within a period of 7 days, failing which they shall not be allowed to appear in the matter any further. The amounts so deposited shall be utilised in the creation of the infrastructure and facilities for the stray dogs under the aegis of the respective municipal bodies.

h. The desirous animal lover/s shall be free to move the application to the concerned municipal body for adoption of the street dogs, upon which the

identified/selected street dog/s shall be tagged and given in adoption to the applicant. It shall be the responsibility of the applicant(s) to ensure that the adopted stray dogs do not return to the streets.

i. The municipal authorities shall file an affidavit of compliance with complete statistics of resources, viz., dog pounds, veterinarians, dog catching personnel, specially modified vehicles/cages available as on date for the purpose of compliance of the ABC Rules.

34. Since the application of the ABC Rules is uniform all over the country and the same issues which have been taken up in the Suo Moto Writ Petition have either cropped up or are likely to exist in every State, we propose to expand the scope of this matter beyond the confines of New Delhi and the NCR region.

35. For this purpose, we hereby direct the impleadment of all States and Union Territories in this matter through the Secretaries concerned of the Animal Husbandry Department, Secretaries of the local bodies (Municipal Corporation, Municipal Councils, Municipalities, etc.) and the

Administrators of the Union Territories so as to seek information from each authority regarding the steps being taken for compliance of the ABC Rules in their respective jurisdictions.

36. We are also informed that numerous writ petitions/*suo moto* petitions are pending in various High Courts, more or less dealing with common issues. Hence, the Registry shall seek information about such pending writ petitions from the Registrar Generals of all the High Courts, and thereafter, these writ petitions shall stand transferred to this Court for analogous consideration along with the main matter.

37. List the matters after eight weeks for further directions and for receiving the compliance report.

.....J.
(VIKRAM NATH)

.....J.
(SANDEEP MEHTA)

.....J.
(N. V. ANJARIA)

NEW DELHI;
AUGUST 22, 2025.