

The background of the journal cover features a top-down view of a desk. On the left, a pair of black leather brogue shoes is partially visible. In the center, an open notebook with lined pages and a silver pen lies on a light-colored wooden surface. To the right, a black leather bag with a zipper is partially shown, and a black leather watch with a silver dial is resting on the desk. A large, semi-transparent white rectangular box is centered over the image, containing the journal's title and ISSN information.

INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL**
**ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, translated, or distributed in any form or by any means—whether electronic, mechanical, photocopying, recording, scanning, or otherwise—without the prior written permission of the Editor-in-Chief of *White Black Legal – The Law Journal*.

All copyrights in the articles published in this journal vest with *White Black Legal – The Law Journal*, unless otherwise expressly stated. Authors are solely responsible for the originality, authenticity, accuracy, and legality of the content submitted and published.

The views, opinions, interpretations, and conclusions expressed in the articles are exclusively those of the respective authors. They do not represent or reflect the views of the Editorial Board, Editors, Reviewers, Advisors, Publisher, or Management of *White Black Legal*.

While reasonable efforts are made to ensure academic quality and accuracy through editorial and peer-review processes, *White Black Legal* makes no representations or warranties, express or implied, regarding the completeness, accuracy, reliability, or suitability of the content published. The journal shall not be liable for any errors, omissions, inaccuracies, or consequences arising from the use, interpretation, or reliance upon the information contained in this publication.

The content published in this journal is intended solely for academic and informational purposes and shall not be construed as legal advice, professional advice, or legal opinion. *White Black Legal* expressly disclaims all liability for any loss, damage, claim, or legal consequence arising directly or indirectly from the use of any material published herein.

ABOUT WHITE BLACK LEGAL

White Black Legal – The Law Journal is an open-access, peer-reviewed, and refereed legal journal established to provide a scholarly platform for the examination and discussion of contemporary legal issues. The journal is dedicated to encouraging rigorous legal research, critical analysis, and informed academic discourse across diverse fields of law.

The journal invites contributions from law students, researchers, academicians, legal practitioners, and policy scholars. By facilitating engagement between emerging scholars and experienced legal professionals, *White Black Legal* seeks to bridge theoretical legal research with practical, institutional, and societal perspectives.

In a rapidly evolving social, economic, and technological environment, the journal endeavours to examine the changing role of law and its impact on governance, justice systems, and society. *White Black Legal* remains committed to academic integrity, ethical research practices, and the dissemination of accessible legal scholarship to a global readership.

AIM & SCOPE

The aim of *White Black Legal – The Law Journal* is to promote excellence in legal research and to provide a credible academic forum for the analysis, discussion, and advancement of contemporary legal issues. The journal encourages original, analytical, and well-researched contributions that add substantive value to legal scholarship.

The journal publishes scholarly works examining doctrinal, theoretical, empirical, and interdisciplinary perspectives of law. Submissions are welcomed from academicians, legal professionals, researchers, scholars, and students who demonstrate intellectual rigour, analytical clarity, and relevance to current legal and policy developments.

The scope of the journal includes, but is not limited to:

- Constitutional and Administrative Law
- Criminal Law and Criminal Justice
- Corporate, Commercial, and Business Laws
- Intellectual Property and Technology Law
- International Law and Human Rights
- Environmental and Sustainable Development Law
- Cyber Law, Artificial Intelligence, and Emerging Technologies
- Family Law, Labour Law, and Social Justice Studies

The journal accepts original research articles, case comments, legislative and policy analyses, book reviews, and interdisciplinary studies addressing legal issues at national and international levels. All submissions are subject to a rigorous double-blind peer-review process to ensure academic quality, originality, and relevance.

Through its publications, *White Black Legal – The Law Journal* seeks to foster critical legal thinking and contribute to the development of law as an instrument of justice, governance, and social progress, while expressly disclaiming responsibility for the application or misuse of published content.

LEGAL ANALYSIS ON STRAY DOG MANAGEMENT IN INDIA

AUTHORED BY - NAVIN RAJKUMAR & C.SALINI

ABSTRACT

The issue of stray dog management in India presents a complex intersection of public health, animal welfare, and constitutional governance. India continues to face a significant burden of dog bites and rabies cases, raising serious concerns regarding human safety. Simultaneously, the legal framework strongly emphasizes humane treatment of animals, creating a delicate balance between competing interests.

This study critically examines the statutory framework governing stray dogs, particularly the Prevention of Cruelty to Animals Act, 1960 and the Animal Birth Control (Dogs) Rules, as amended in 2023. It evaluates administrative inefficiencies, public perception, and the role of regulatory authorities in implementing these laws. Judicial interventions have played a crucial role in shaping policy, often stepping in to address governance failures.

The paper argues that while India possesses a progressive legal structure, ineffective implementation and lack of accountability hinder its success. It concludes by recommending legal and policy reforms aimed at ensuring both public safety and animal welfare through a coordinated and enforceable approach.

KEYWORDS

Stray dogs, Animal welfare law, Rabies control, Municipal liability, ABC Rules, Public safety, Constitutional law, India.

INTRODUCTION

Stray dogs have become a prominent feature of India's urban and rural landscape. With increasing urbanization, human-animal conflicts have intensified, resulting in rising incidents of dog bites and rabies infections. This has brought the issue of stray dog management into sharp legal and policy focus.

India's legal system attempts to balance two important considerations: the protection of human life under Article 21 of the Constitution and the duty to show compassion toward animals under Article 51A(g). This dual obligation creates a complex legal environment where neither human safety nor animal welfare can be ignored.

Despite the existence of comprehensive laws and policies, implementation remains inconsistent. Municipal bodies often struggle with inadequate resources, while public opinion remains divided. This project seeks to analyze the legal framework, identify shortcomings, and propose viable solutions.

CONCEPTUAL AND CONSTITUTIONAL FRAMEWORK

The regulation of stray dogs in India is rooted in constitutional principles and ethical considerations. The Constitution not only guarantees fundamental rights but also imposes duties that guide legislative and administrative actions.

Article 21 ensures the right to life, which has been interpreted broadly to include protection from health hazards such as rabies. At the same time, Article 51A(g) imposes a fundamental duty on citizens to show compassion toward living creatures, reflecting India's cultural and ethical values.

The legal framework adopts a humane approach through the Animal Birth Control mechanism, which emphasizes sterilization and vaccination rather than elimination. This approach is based on the understanding that stray dogs are part of the urban ecosystem and their removal may lead to unintended ecological consequences.

Thus, the conceptual framework is one of **coexistence and regulation**, rather than eradication.

PUBLIC PERCEPTION AND SOCIETAL RESPONSE

Public perception of stray dogs is deeply divided and often shaped by personal experiences and media narratives. On one side are animal welfare advocates who emphasize ethical treatment and oppose any form of cruelty. On the other side are citizens who express legitimate concerns about safety, particularly in light of increasing dog bite incidents.

Feeding of stray dogs has emerged as a contentious issue. While some view it as an act of compassion, others argue that it contributes to the concentration of dogs in residential areas, increasing risks. This has led to disputes within communities, sometimes requiring legal intervention.

Media coverage plays a significant role in shaping public opinion. Sensational reporting of dog attacks often heightens fear, while stories of animal cruelty evoke sympathy. The lack of a balanced narrative further complicates policymaking.

Ultimately, societal response reflects the broader tension between compassion and safety, making consensus difficult.

ADMINISTRATIVE FAILURES AND GOVERNANCE CHALLENGES

The persistence of the stray dog problem is largely attributable to administrative inefficiencies and governance failures. Despite clear legal mandates, implementation remains weak.

One of the primary issues is the inadequate execution of sterilization and vaccination programs. Municipal bodies often lack the infrastructure, funding, and trained personnel required to carry out large-scale operations. As a result, population control measures remain ineffective.

Poor waste management further exacerbates the problem. Open garbage dumps provide a consistent food source, enabling stray dog populations to grow unchecked. This highlights the interconnection between sanitation and animal control.

Additionally, overlapping responsibilities among various authorities lead to confusion and lack of accountability. The absence of reliable data on stray dog populations and program outcomes further hinders effective planning.

These challenges indicate that the issue is not merely legal but deeply rooted in administrative incapacity.

STATUTORY FRAMEWORK AND LEGAL REGIME

India has a well-developed legal framework governing stray dogs, emphasizing humane treatment and population control.

The Prevention of Cruelty to Animals Act, 1960 serves as the foundational legislation, prohibiting cruelty and establishing principles for animal welfare. The Animal Birth Control (Dogs) Rules provide specific guidelines for sterilization, vaccination, and management of stray dogs. The 2023 amendments have further clarified responsibilities and procedures.

The Indian Penal Code also plays a role by criminalizing harm to animals under Sections 428 and 429. Municipal laws impose duties on local authorities to manage sanitation and public health, indirectly impacting stray dog control.

Importantly, the legal regime prohibits indiscriminate killing of stray dogs, reflecting a shift toward humane governance. However, enforcement remains inconsistent, limiting the effectiveness of these provisions.

REGULATORY AUTHORITIES GOVERNING STRAY DOG MANAGEMENT

The governance of stray dog management involves multiple authorities at different levels.

The Animal Welfare Board of India plays an advisory role, issuing guidelines and monitoring compliance with animal welfare laws. Municipal corporations are the primary implementing agencies responsible for sterilization programs, vaccination drives, and waste management.

State governments provide policy direction and funding, while veterinary departments offer technical expertise. Non-governmental organizations also play a crucial role in assisting with on-ground implementation and public awareness.

Despite the presence of multiple stakeholders, coordination remains weak. The lack of a unified framework often results in fragmented efforts and limited impact.

LEGAL AND POLICY REMEDIES

Addressing the stray dog issue requires a comprehensive and integrated approach.

Strengthening the implementation of sterilization and vaccination programs is essential. This requires increased funding, better infrastructure, and regular monitoring. Waste management reforms must also be prioritized to eliminate food sources that sustain stray populations.

Legal accountability should be imposed on municipal authorities for failure to perform statutory duties. Clear guidelines on feeding practices can help reduce conflicts while ensuring humane treatment.

Public awareness campaigns are equally important in promoting responsible behavior and reducing fear. The use of technology for tracking sterilization and vaccination can improve transparency and efficiency.

These measures, if effectively implemented, can significantly improve the situation.

JUDICIAL APPROACH AND CASE LAW ANALYSIS

The judiciary in India has played a pivotal role in shaping the legal framework for stray dog management. Courts have consistently emphasized the need to balance human safety with animal welfare.

In **Animal Welfare Board of India v. A. Nagaraja (2014)**, the Supreme Court recognized the importance of animal dignity and welfare, expanding the scope of legal protection. Although the case primarily dealt with animal cruelty in a different context, its principles have influenced broader animal welfare jurisprudence.

Various High Courts have addressed issues related to stray dogs, including feeding rights, relocation, and municipal responsibilities. Judicial decisions have generally upheld the prohibition on indiscriminate killing while directing authorities to implement sterilization programs effectively.

The judiciary has also highlighted the responsibility of the State to protect citizens from health hazards, reinforcing the need for effective governance. Judicial intervention often becomes necessary due to administrative inaction.

CONCLUSION AND RECOMMENDATIONS

The management of stray dogs in India represents a complex legal and administrative challenge. While the legal framework is progressive and comprehensive, its effectiveness is undermined by poor implementation and lack of coordination among authorities.

A balanced approach is essential to ensure both human safety and animal welfare. Strengthening institutional accountability, improving infrastructure, and enhancing public awareness are critical steps toward achieving this goal.

The judiciary has provided valuable guidance, but long-term solutions require proactive governance and societal cooperation. By adopting a humane, scientific, and legally enforceable approach, India can address the issue in a sustainable and effective manner.

BIBLIOGRAPHY

Statutes

- Prevention of Cruelty to Animals Act, 1960
- Animal Birth Control (Dogs) Rules, 2001 & 2023
- Indian Penal Code, 1860
- Constitution of India

Reports and Publications

- Animal Welfare Board of India Guidelines
- Government of India Rabies Control Programme
- World Health Organization Reports on Rabies

Cases

- Animal Welfare Board of India v. A. Nagaraja (2014)
- Relevant High Court Judgments on Stray Dog Management

Books and Articles

- Scholarly articles on animal welfare law
- Research papers on urban governance and public health

