

ITEM NO.31

COURT NO.8

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION(CIVIL) No.5/2025

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

Petitioner(s)

VERSUS

Respondent(s)

[MR. GAURAV AGRAWAL, SR. ADVOCATE IS AMICUS CURIAE]

Date : 11-08-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) : By Courts Motion

For Respondent(s) :

Mr. Tushar Mehta, SG
Mr. Praveen Swarup, Adv.
Mr. Rohit Swarup, Adv.
Mr. Devesh Maurya, Adv.
Mr. Ameet Singh, Adv.

Ms. Purti Gupta, AOR
Ms. Henna George, Adv.
Ms. Sunidhi Sah, Adv.
Ms. Pooja Agarwal, Adv.

Mr. Udian Sharma, AOR
Mr. Vishesh Sapra, Adv.
Mr. Sahil Saraswat, Adv.
Ms. Harsha Sadhwani, Adv.

Mr. Sidharth Luthra, Sr. Adv.
Ms. Supriya Juneja, AOR
Ms. Esha Dutta, Adv.
Ms. Shaalini Agarwal, Adv.
Mr. Karl P Rustomkhan, Adv.
Mr. Parv Arora, Adv.
Mr. Siddharth Pandey, Adv.

Mr. Vivek Sharma, AOR

Dr. Vijay Kumar Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. This Court passed the following directions, in terms of the signed Reportable order: -

- (I) The Government of National Capital Territory of Delhi (NCT), the Municipal Corporation of Delhi (MCD) and the New Delhi Municipal Corporation (NDMC) and authorities of NOIDA, Ghaziabad, Gurugram and Faridabad shall at the earliest start picking up stray dogs from all localities, more particularly the vulnerable localities of the city as well as areas on the outskirts. How to do it, is for the authorities to look into. For this, if they have to create a force, they shall do it at the earliest. However, this should be the first and foremost exercise to make all localities within the State and its outskirts free of stray dogs.
- (II) There should not be any lethargy or compromise in undertaking this exercise. If any individual or any organization comes in the way of forceful picking up of the stray dogs and rounding them up, and if it is reported to us, we shall proceed to take the strictest of actions against any such resistance which may be offered. We are issuing these directions keeping only one thing in mind and that is the larger public interest. Infants, young children, aged should not at any cost fall prey to such dog bites that have the propensity to lead to one of the deadliest diseases known to mankind, if not the most i.e., rabies. The action should inspire confidence in the minds of people, young and old that they can move freely and safely on the roads and vicinity of their own homes without any fear of being bitten by a stray dog or a pack of dogs. No sentiments should be involved in this entire exercise. This should be the first step in the process.
- (III) The Government of National Capital Territory of Delhi (NCT), Municipal Corporation of Delhi (MCD), New Delhi Municipal Council (NDMC) and the appropriate authorities of 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), within a period of eight weeks from today.
- (IV) 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 there and not released on the streets/ colonies/ public places. The dog shelters would be monitored by CCTV to ensure that

no dogs are released or taken out.

- (V) We are mindful of the fact that the exercise of rounding up and relocation of the stray dogs in the shelters and pounds carries concerns over the well-being of such stray dogs. We are sympathetic to their lives as-well. Accordingly, we make it clear to all authorities concerned and the personnels deployed at such shelters / pounds, that at no stage should these dogs be subjected to any mistreatment, cruelty or deplorable standards of care. In lieu of this, we direct all the concerned authorities to ensure that there is no overcrowding at the dog shelters / pounds, and all measures shall be taken promptly for avoiding such a situation. The stray dogs who are brought to these shelters / pounds shall not be starved, and it shall be the duty of the concerned officials / authorities to ensure that they are adequately and regularly fed. The stray dogs who are brought to these shelters / pounds shall at no point of time be left completely unmonitored. In this regard, the concerned authorities must ensure that at least two responsible personnels are present at the shelter / pound at all times and proper duty schedule should be drawn up to ensure the same. Apart from the above, timely medical care should be provided by trained veterinarians to all the stray dogs, and the vulnerable and weak stray dogs should be accommodated separately within the shelter / pound as far as possible.
- (VI) We further clarify that it would be open to the concerned authorities to decide the viability of implementing an adoption scheme in respect of the stray dogs that would be kept at the shelters / pounds. However, any such adoption must take place only after a careful consideration, and in terms of the Standard Protocol for Adoption of Community Animals dated 17.05.2022 issued by the Animal Welfare Board of India, and any other condition that the concerned authorities find necessary to impose for such adoption to ensure that the entire exercise envisaged by us, is not defeated. At the cost of repetition, we make it clear, that no such adoption, if any, should result in the re-release of a stray dog back on to the streets. If we find even a single infraction of such kind, we will proceed to take the strictest of action against the official responsible as-well as the individual.
- (VII) Since this is a progressive exercise i.e. the dog shelters would have to be increased over a period of time, authorities concerned shall begin by creating dog shelter(s) for say 5,000 dogs in the next six-eight weeks.
- (VIII) All the Authorities, referred to above, are directed to maintain records of daily stray dogs captured as-well the

number of dogs housed in shelters homes/dog pounds. Such records shall be produced before us on the next date of hearing. However, what is important is, without which this entire exercise which we have undertaken may go futile, that not a single dog picked up from any part of the locality shall be released back on the streets/public spaces. If we come to know that this has happened, we shall take stern action in this regard.

- (IX) We clarify that in this entire exercise, the abovementioned records shall be maintained regularly by the concerned authorities, such that in the event this Court finds any infraction of the directions issued herein, necessary action shall be taken. In this regard, proper measures should be taken for earmarking the stray dogs who have been captured, for the purpose of later identification such that none of them are released back on to the streets.
- (X) We direct the Authorities, referred to above, to create helpline number within a period of one week from today so that all cases of dog bites are immediately reported. Action must be taken to round up/pick up/catch the dog(s) within four hours from the complaint being received. Any resistance offered by any individual or organizations in this regard will be viewed strictly and we may proceed for contempt against such individual or organizations coming in the way of this Court.
- (XI) 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 under any circumstances.
- (XII) The Authorities concerned shall inform the victim of the medical authorities so that the victim is treated immediately.
- (XIII) Report in this regard shall be presented before us on the next date of hearing.
- (XIV) Availability of rabies vaccines is a major concern especially genuine vaccine. The Authorities concerned, more particularly, the Government of NCT of Delhi is directed to put detailed information about the places where such vaccines are available, full stock of the vaccines and the number of persons who report for treatment on monthly basis.

2. 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: -

- (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.
- (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.
- (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.
- (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.

3. 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.

4. Since this is an ongoing exercise, we are not, at this stage, inclined to entertain any intervention applications that have been filed before us. We first want to hear from the concerned authorities as to what they have to say, and the progress made by them. Once these relevant details are placed before us by the concerned authorities, we will take into consideration the intervention applications before us on their own merits.

5. During the course of the hearing, we were apprised about the pendency of a writ petition being W.P. (C) No. 67 of 2023, titled *Parthima Devi v. Municipal Corporation of Delhi* before the High Court of Delhi, wherein a similar initiative of construction of a dog shelter / pound by the municipal corporation was stayed by the High Court. Keeping in mind the similitude of issues involved in the aforesaid matter and the case in hand, we are of the view that the aforesaid petition should be heard by this Court. In such circumstances, we direct the High Court of Delhi to transfer W.P. (C) No. 67 of 2023, titled *Parthima Devi v. Municipal Corporation of Delhi* to this Court along with the entire record at the earliest.

6. Notify this matter once again with an appropriate Status Report along with all the intervention application(s) after a period of four weeks on top of the Board.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed Reportable Order is placed on the file)