



RESEARCH QUESTION

"What does Indian law say about feeding stray dogs, keeping pets in housing societies, and liability for dog bites, including Animal Birth Control Rules, court directions on community dogs, and the rights of pet owners against society restrictions?"

Legal Framework Governing Pet Ownership, Stray Dog Feeding, and Liability for Dog Bites in India

TL;DR

The High Court of Kerala in *People for Animals v. State of Kerala* (2021) established that absolute bans by Resident Welfare Associations (RWAs) on keeping pet dogs of one's choice or restricting their access to common facilities (such as lifts and parks) are illegal, unconstitutional, and void. Under the statutory Animal Birth Control Rules, 2023, local municipal bodies hold the primary, non-delegable duty to manage street dogs through sterilization and immunization, making them legally liable for damages and compensation to victims in the event of failure resulting in stray dog attacks.

VERIFIED CASES	STATUTES	LATEST RULING
11	2	2025
10 High Courts · 1 SC		Supreme Court of India

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I. Detailed Analysis

KEY PRINCIPLES ESTABLISHED

01 RWAs cannot absolutely ban pets or common facility access

Any bye-law or agreement by a resident association that prohibits residents from keeping companion animals, or blocks access to elevators and parks, violates constitutional policy and the fundamental right to choose one's life. This core right must be protected while allowing associations to stipulate only reasonable, consensual conditions for neighborly harmony, as seen in *Sharmila Sankar v. The Union of India* (2023).

02 A balanced approach is required for street dog feeding

While animal protection is protected by statute, state and local authorities must implement feeding guidelines in a manner that ensures community feeders are not harassed, while simultaneously securing pedestrian safety and preventing dog bites. This balance is addressed in *Reema Shah v. State of U.P.* (2025).

03 Municipal bodies hold a mandatory, non-delegable duty to manage strays

Civic bodies are legally obligated to execute sterilization and immunization programs under the Animal Birth Control Rules, and they cannot evade this public safety responsibility by pleading a lack of funds or staff. This rule was applied in *Court on its own motion v. State of Himachal Pradesh* (2010).

04 Local authorities are liable to compensate dog bite victims

A failure by a local body or panchayat to perform its statutory obligations to control the stray dog menace within its territorial limits constitutes negligence, rendering it liable to pay compensation for injuries, treatment costs, and mental agony. This is illustrated in *Anthony v. Porathissery Grama Panchayath* (2016).

05 Fatal stray dog attacks violate Article 21 rights

When a municipal authority fails to control dangerous, rabid, or aggressive stray animals, resulting in the death of a citizen, it directly infringes upon the fundamental right to life, justifying compensation from the State. This principle is established in *Dhanraj Sahu v. State of Chhattisgarh* (2020).

06 Captured street dogs must be released in their original area

Under the Animal Birth Control Rules, 2023, local authorities must ensure that captured stray dogs are geotagged, identified, and returned to the exact location of capture after sterilization, preventing illegal shifting. This procedural mandate is enforced in *Resident Welfare Association, Taksila Heights v. State of Haryana* (2025).

HOW THE COURTS HAVE APPLIED THIS

SUPREME COURT POSITION

The Apex Court has held that issuing public circulars that attack animal caretakers as a "dog feeder's mafia" or accuse the judiciary of bias in pending stray dog disputes scandalizes the court and constitutes criminal contempt, though sincere remorse can mitigate the sentence under the Contempt of Courts Act, 1971, as decided in *Vineeta Srinandan v. High Court of Judicature at Bombay* (2025).

HIGH COURT VARIATIONS

High Courts have clarified that while the Animal Birth Control Rules contemplate NGO participation, local civic bodies retain the legal freedom to execute sterilization and immunization programs directly through their own Veterinary Public Health Departments rather than through external contracts. This was resolved in *Visakha Society for Prevention of Cruelty to Animals v. Greater Visakhapatnam Municipal Corporation* (2011).

RECENT EVOLUTION

Courts have increasingly applied the doctrine of *parens patriae* to animal rights, interpreting the Prevention of Cruelty to Animals Act, 1960 as a welfare legislation that must be liberally construed to safeguard animals, who are unable to defend themselves against human actions, as noted in *K.P. Unni v. Saloni Sakaria* (2023).

UNSETTLED AREAS OR CAVEATS

Restriction of Euthanasia

While municipal laws historically permitted the wide-scale culling of stray dogs, the current legal framework restricts euthanasia exclusively to dogs that are rabid, critically ill, or fatally injured, as certified on a case-by-case basis by a qualified veterinary doctor. This limits municipal options for tackling the "stray dog menace" solely to sterilization, as held in *People for Elimination of Stray Troubles v. State of Goa* (2008).

II. Statutory Provisions 2 PROVISIONS

SECTION 2, PREVENTION OF CRUELTY TO ANIMALS ACT, 1960 — DEFINITIONS

Defines key terms under the Act, including animal, domestic animal, captive animal, local authority, and owner.

"2. Definitions : In this Act, unless the context otherwise requires, (a) "animal" means any living creature other than a human being, (c) "captive animal" means any animal (not being a domestic animal) which is in captivity or confinement, whether permanent or temporary, or which is subjected to any appliance of contrivance for the purpose of hindering or preventing its escape from captivity or confinement or which is pinioned or which is or appears to be maimed; (d) "domestic animal" means any animal which is tamed or which has been or is being sufficiently tamed to serve some purpose for the use of man or which, although it neither has been nor is intended to be so tamed, is or has become in fact wholly or partly tamed-, (f) "owner", used with reference to an animal, includes not only the owner but also any other person for the time being in possession or custody of the animal, whether with or without the consent of the owner." *Cited in: Visakha Society for Prevention of Cruelty to Animals v. Greater Visakhapatnam Municipal Corporation*

SECTION 1, PREVENTION OF CRUELTY TO ANIMALS ACT, 1960 — SHORT TITLE, EXTENT AND COMMENCEMENT

Sets out the short title, geographic scope, and commencement criteria for the Act.

"(1) This Act may be called the Prevention of Cruelty to Animals Act, 1960. (2) It extends to the whole of India. (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States and for the different provisions contained in this Act." *Cited in: Not directly cited in the retrieved case snippets.*

III. Cases Discussed

11 CASES · SUMMARY TABLE

#	CASE TITLE	COURT	YEAR	KEY HOLDING
01	<i>People for Elimination of Stray Troubles v. State of Goa</i> HCBM010302602005	BOMBAY HIGH COURT	2008	Restricts culling of stray dogs to rabid, critically ill, or mortally wounded animals.
02	<i>Anthony v. Porathissery Grama Panchayath</i> KLHC010387102010	HIGH COURT OF KERALA	2016	Holds local panchayats liable to pay compensation for injuries caused by stray dog bites.
03	<i>Visakha Society for Prevention of Cruelty to Animals v. Greater Visakhapatnam Municipal Corporation</i> HBHC010183612010	HIGH COURT FOR STATE OF TELANGANA	2011	Rejects NGO's exclusive right to execute municipal dog birth control programs.
04	<i>Court on its own motion v. State of Himachal Pradesh</i> HPHC010051662009	HIGH COURT OF HIMACHAL PRADESH	2010	Affirms municipal duty to control stray dog populations despite lack of funds.
05	<i>Dhanraj Sahu v. State of Chhattisgarh</i> CGHC010197962019	HIGH COURT OF CHHATTISGARH	2020	Holds State liable to compensate for fatal stray dog attacks under Article 21.
06	<i>Vineeta Srinandan v. High Court of Judicature at Bombay</i> ESCR010006762025	SUPREME COURT OF INDIA	2025	Affirms that scandalizing courts over dog feeding disputes constitutes criminal contempt.
07	<i>Resident Welfare Association, Taksila Heights v. State of Haryana</i> PHHC010929002025	HIGH COURT OF PUNJAB AND HARYANA	2025	Mandates that captured street dogs must be released back to their original areas.
08	<i>Reema Shah v. State of U.P.</i> UPHC010405142023	ALLAHABAD HIGH COURT	2025	Directs a balanced municipal approach to protect community dog feeders and pedestrian safety.
09	<i>K.P. Unni v. Saloni Sakaria</i> KLHC010353542023	HIGH COURT OF KERALA	2023	Mandates liberal construction of animal welfare laws under the parens patriae doctrine.
10	<i>Sharmila Sankar v. The Union of India</i> HCBM010462512021	BOMBAY HIGH COURT	2023	Directs RWAs to designate specific community dog feeding spots to prevent conflict.
11	<i>People for Animals v. State of Kerala</i> KLHC010361002021	HIGH COURT OF KERALA	2021	Declares absolute RWA bans on keeping pets or using elevators illegal and unconstitutional.

IV. Case Details 11 CASE FILES

01 People for Elimination of Stray Troubles v. State of Goa

BOMBAY HIGH COURT • 2008-12-19 • PIL/111/2005

This case involved a batch of petitions addressing the management and control of stray dogs. The Bombay High Court was asked to determine whether, given the public nuisance and danger posed by stray dogs, authorities could legally resort to provisions in the Prevention of Cruelty to Animals Act, 1960, and various municipal acts to cull dogs, and whether such killing must be totally prohibited. The court examined prior guidelines established in 1998, which focused on humane population control and stabilization, emphasizing that the destruction of stray dogs should only be a last resort, specifically limited to cases involving rabid, critically ill, or mortally wounded animals as identified by qualified veterinarians.

HELD The High Court held that the primary function of the monitoring committee under Rule 5 of the Animal Birth Control (Dogs) Rules, 2001, is to control stray dog populations through humane sterilization, vaccination, and release. Euthanasia is strictly confined to critically ill, fatally injured, or rabid dogs, determined on a case-by-case basis by a veterinary doctor using painless methods like sodium pentobarbital.

"Rule 5 of ABC Rules provides for the functions of the committee appointed under these rules... The committee constituted under rule 4 shall be responsible for planning and management of dog control programme in accordance with these rules. The committee may: (a) issue instructions for catching, transportation, sheltering, sterilisation, vaccination, treatment and release of "sterilized vaccinated or treated dogs". (b) authorize veterinary doctor to decide on case to case basis the need to put to sleep critically ill or fatally injured or rabid dogs in a painless method by using sodium pentathol."

BOMBAY HIGH COURT • 2008

SOURCE HCBM010302602005

02 Anthony v. Porathissery Grama Panchayath

HIGH COURT OF KERALA • 2016-08-01 • RSA/1061/2010

The plaintiff, a porter, was bitten by a stray dog and sought compensation for medical expenses and pain and suffering from the local Grama Panchayat. He argued that the Panchayat failed to perform its mandatory statutory duty under the Kerala Panchayat Raj Act to manage the stray dog menace. The trial court initially dismissed the suit, but the lower appellate court reversed the decision, awarding the plaintiff compensation. On appeal, the High Court confirmed the lower appellate court's judgment, ruling that the Panchayat had failed to discharge its statutory obligations to control stray dogs and was therefore liable to compensate the victim for his injuries.

HELD The High Court affirmed that local panchayats have a statutory obligation to take measures to prevent the menace of stray dogs biting citizens within their territory. The failure of the local authority to discharge these duties makes it liable to pay compensation for medical expenses and mental agony to the victim of a stray dog bite.

“the appellant Panchayat was duty bound to take measures to prevent the danger of stray dogs biting citizens from within its territory. Therefore I find no reason to interfere with the finding of the lower appellate court that the appellant is liable to pay compensation to the plaintiff/1st respondent.”

HIGH COURT OF KERALA • 2016

SOURCE KLHC010387102010

03 Visakha Society for Prevention of Cruelty to Animals v. Greater Visakhapatnam Municipal Corporation

HIGH COURT FOR STATE OF TELANGANA • 2011-01-20 • WP/29907/2010

The petitioner, an animal welfare organization, challenged a resolution by the Greater Visakhapatnam Municipal Corporation (GVMC) that decided to manage its stray dog population control program internally through its own Veterinary Public Health Department rather than renewing a Memorandum of Understanding with the petitioner. The petitioner argued that under Rule 6 of the Animal Birth Control (Dogs) Rules, 2001, local authorities are mandated to conduct such programs with the participation of animal welfare organizations.

The court dismissed the petition, ruling that the relevant rules provide for a plurality of choices in managing dog control programs, including the local authority's own departments. The court held that the petitioner has no legal right to compel the municipal corporation to enter into a contract or to exclude the municipality from conducting the program itself.

HELD The High Court ruled that local civic bodies are not under an exclusive legal obligation to execute animal birth control programs solely by entering into Memorandums of Understanding (MOUs) with specific NGOs or animal welfare societies. The municipality may choose to execute the sterilization and immunization program through its own Veterinary Public Health Department under the statutory framework.

“the 1st Respondent being a civic body has resolved to conduct the programme through its own Department. The petitioner has no right to compel it to undertake the programme through the petitioner at a huge financial commitment.”

HIGH COURT FOR STATE OF TELANGANA • 2011

SOURCE HBHC010183612010

04 Court on its own motion v. State of Himachal Pradesh

HIGH COURT OF HIMACHAL PRADESH • 2010-03-12 • CWPIL/3/2009

The High Court took suo motu cognizance of the menace caused by stray dogs in Shimla, based on reports of frequent attacks on residents and children. The court examined the statutory obligations of the Municipal

Corporation under the Himachal Pradesh Municipal Corporation Act, 1994, and the Animal Birth Control (Dogs) Rules, 2001. It held that the Corporation has a mandatory duty to control the stray dog population through sterilization, immunization, and the establishment of dog pounds and shelters. The court rejected the Corporation's plea of insufficient funds, emphasizing that the entity must prioritize and manage resources to ensure public safety and the humane treatment of animals.

HELD The High Court held that municipal corporations have a mandatory, leading role and statutory duty to perform the animal birth control program. The local authority must provide facilities like dog shelters, vans, clinical mobile centers, and funding for sterilizations, and cannot excuse its obligations based on lack of resources.

"The Role of Municipal Corporation has the most important and leading role to play and a statutory duty to perform in the ABC programme . Therefore, the Municipal Corporation should be requested to provide the land buildings for ABC Centers..."

HIGH COURT OF HIMACHAL PRADESH • 2010

SOURCE HPHC010051662009

05 Dhanraj Sahu v. State of Chhattisgarh

HIGH COURT OF CHHATTISGARH • 2020-08-26 • WPC/2021/2019

The petitioner sought compensation from the State of Chhattisgarh following the death of his two-year-old son, who succumbed to injuries after being bitten by a stray, rabid dog. The District Collector had previously rejected the claim, citing the absence of any provision for such compensation within the Revenue Book Circular. The High Court, relying on its previous jurisprudence and the state's failure to address the public nuisance of stray animals, held that the government cannot escape liability for failing in its statutory duties to protect public safety. The court emphasized that the state has an obligation to provide relief for the infringement of the fundamental right to life, irrespective of specific procedural limitations in the Revenue Book Circular.

HELD The High Court held that the government cannot avoid liability for a citizen's death caused by a stray dog attack on the ground of insufficient funds or administrative non-action. The court ruled that local municipalities have an absolute statutory duty to keep the city clean and free of nuisances, and failing to do so infringes on the fundamental right to life, making the State liable for compensation.

"It is primary, mandatory and obligatory duly (sic duty) of Municipality to keep city clean and to remove insanitation, nuisance etc. The Municipality cannot take plea whether funds or staff is available or not."

HIGH COURT OF CHHATTISGARH • 2020

SOURCE CGHC010197962019

06 Vineeta Srinandan v. High Court of Judicature at Bombay

SUPREME COURT OF INDIA • 2025-12-10 • 2025 INSC 1408

The appellant, a former company director, issued a circular criticizing the judiciary's handling of stray dog disputes, alleging a "dog mafia" and bias among judges. The Bombay High Court held her in criminal contempt,

sentencing her to one week of imprisonment. On appeal, the Supreme Court acknowledged that the circular constituted criminal contempt as it scandalized the court. However, the Court held that the High Court failed to properly exercise its jurisdiction regarding the appellant's apology. Under Section 12 of the Contempt of Courts Act, the court has the power to remit sentences when a contemnor expresses sincere remorse. Finding the appellant's apology bona fide and reflective of genuine repentance, the Supreme Court set aside the sentence.

HELD The Supreme Court held that issuing circulars alleging a "dog feeder's mafia" or judicial bias in pending dog feeding disputes scandalizes the court and constitutes criminal contempt under Section 2(c) of the Contempt of Courts Act, 1971. However, if the contemnor expresses sincere and bona fide remorse, the court has the power to forgive and set aside a custodial sentence.

"The entire country has a stray dog menace, and most of the urban residential societies in class A cities are struggling to fight this dog feeder's mafia spread across the country. This is such a huge well-established network of trained professionals who have a very strong presence in the Judicial system too... No matter how many people are dying or attacked in the country every year but most of the high court/ supreme court orders will defend dog feeders ignoring the value of human life."

SUPREME COURT OF INDIA • 2025

SOURCE ESCR010006762025

07 Resident Welfare Association, Taksila Heights v. State of Haryana

HIGH COURT OF PUNJAB AND HARYANA • 2025-07-01 • CWP/17188/2025

The petitioner, a Resident Welfare Association, challenged a directive issued by the local municipal authorities to return stray dogs to their housing society after vaccination and sterilization. The Association argued that the dogs were aggressive and that the authorities failed to follow the procedural requirements for handling such animals as mandated by the Animal Birth Control Rules, 2023. The Court examined the relevant provisions of these rules, noting that local authorities are generally required to release dogs at the site of their capture after sterilization. However, it highlighted potential procedural lapses in the initial capturing process by the NGO involved and emphasized the statutory framework governing the management of aggressive or diseased street animals.

HELD The High Court noted that under Rule 11 of the Animal Birth Control Rules, 2023, local authorities have a mandatory obligation to ensure that stray dogs are released back to the exact area/locality from which they were captured after sterilization and immunization. If a dog is aggressive but does not have rabies, it must be handed over to an animal welfare organization for a ten-day observation period before release.

"imposes an obligation upon the local authority, or a representative of the local authority, to put up banners or public notices, making announcement, informing residents, before the street/stray dogs are captured from the area concerned, and furthermore, they are also required to be released, after their sterilization and immunization."

HIGH COURT OF PUNJAB AND HARYANA • 2025

SOURCE PHHC010929002025

08 Reema Shah v. State of U.P.

ALLAHABAD HIGH COURT • 2025-03-02 • WRIC/6572/2023

The petitioner sought to prevent the harassment of individuals feeding community dogs in Noida and requested the implementation of the Animal Birth Control (Dogs) Rules. The respondent argued that the matter is now governed by the updated Animal Birth Control Rules, 2023, and that authorities are already taking necessary steps for compliance.

The Allahabad High Court disposed of the petition by directing the authorities to strictly adhere to the 2023 Rules. The Court emphasized the need for a balanced approach that ensures the protection of street dogs while simultaneously safeguarding the public from the rising instances of dog attacks and ensuring safe movement for pedestrians in public spaces.

HELD The High Court held that while the protection of street dogs and their feeders is warranted under the Animal Birth Control Rules, 2023, authorities must balance this against pedestrian safety. The court directed state authorities to ensure both the protection of street dogs and the protection of the common man from dog attacks in public spaces.

“A balance approach would be needed such that not only the concern of prevention of animal cruelty is addressed, but at the same time, the interest of common man is also protected.”

ALLAHABAD HIGH COURT • 2025

SOURCE UPHC010405142023

09 K.P. Unni v. Saloni Sakaria

HIGH COURT OF KERALA • 2023-06-16 • CRL.MC/3941/2023

The case concerns the interim custody of several birds, including Macaws and Cockatoos, owned by a circus manager. The animals were seized following allegations of cruelty, specifically that the birds' flight feathers had been clipped to prevent them from flying and that they were kept in confined conditions, violating the Prevention of Cruelty to Animals Act, 1960. A Magistrate ordered the birds to be moved to the Thiruvananthapuram Zoo for their welfare. The petitioners challenged this order, arguing they provided proper care and that the birds were not mistreated. The High Court reviewed the matter, emphasizing the importance of animal welfare and the Magistrate's role in ensuring the safety of seized animals during pending criminal proceedings.

HELD The High Court reaffirmed that the Prevention of Cruelty to Animals Act, 1960 is a welfare legislation that must be liberally construed. Under the *parens patriae* doctrine, courts are duty-bound to protect and safeguard the welfare rights of animals as they cannot protect themselves against human beings.

“The court also should be vigilant to see that benefits conferred by such remedial and welfare legislation are not defeated by subtle devices. The court has also a duty under the doctrine of *parens patriae* to take care of the rights of animals since they are unable to take care of themselves as against human beings.”

HIGH COURT OF KERALA • 2023

SOURCE KLHC010353542023

10 Sharmila Sankar v. The Union of India

BOMBAY HIGH COURT • 2023-03-20 • WP/9513/2021

This case involved a dispute between residents and the management of Seawoods Estates Limited regarding the treatment and feeding of stray dogs within their residential complex. The High Court addressed the issue in light of the newly notified Animal Birth Control Rules, 2023. The Court emphasized the responsibility of Resident Welfare Associations to designate specific, mutually agreed-upon feeding spots for community animals, ensuring such activities do not interfere with common areas frequented by children or the elderly. Furthermore, the Court directed that any conflicts between residents and animal caregivers should be resolved by a newly mandated Animal Welfare Committee. The Court also condemned the dissemination of inaccurate circulars by the management regarding court proceedings.

HELD The High Court noted that the newly enacted Animal Birth Control Rules, 2023, mandate the formation of an Animal Welfare Committee for the resolution of community dog feeding disputes. It also clarified that under Rule 8 of the 2023 Rules, pet owners are responsible for their pets' immunization and sterilization, while local authorities bear this responsibility for street animals.

“An Animal Welfare Committee is contemplated under the rules for resolution of community dog feeding... In case of pet animals, the owner of the animal shall be responsible for the deworming, immunisation and sterilisation.”

BOMBAY HIGH COURT • 2023

SOURCE HCBM010462512021

11 People for Animals v. State of Kerala

HIGH COURT OF KERALA • 2021-11-02 • WP(C)/13603/2021

This case addressed whether resident associations could enforce bye-laws prohibiting apartment dwellers from keeping pets. The court ruled that such restrictions are illegal, unconstitutional, and unenforceable as they infringe upon a citizen's fundamental right to privacy and the recognized welfare rights of animals under the Prevention of Cruelty to Animals Act. The court held that individuals cannot waive their fundamental rights through private agreements or association rules. However, the court clarified that pet ownership is not absolute and must be balanced against the rights of neighbors to live free from nuisance, implying that reasonable conditions may still be imposed to ensure common facilities are used responsibly.

HELD The High Court held that clauses in RWA bye-laws or agreements that absolutely ban residents from keeping pet animals of their choice, or restricting their access to lifts and common facilities, are unconstitutional, illegal, and void. RWAs cannot impose arbitrary fines or ban pets from parks, though they can stipulate reasonable conditions by consensus to ensure neighborly harmony.

“We have no hesitation, therefore, to hold that those clauses in the bye-laws of resident associations, that seek to prevent owners/occupiers of residential apartments from keeping pet animals of their choice in the residential apartments owned by them, or accessing the elevators and common facilities in the apartment buildings, are illegal, unconstitutional and unenforceable in law.”

HIGH COURT OF KERALA · 2021

SOURCE KLHC010361082021

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