IN THEIR OWN RIGHT
– Calling for Parity in Law for Animal Victims of Crimes

A CITIZENS’ REPORT DEMANDING RIGHTS FOR ANIMALS IN INDIA

Foreword by Justice (Retd.) K.S.P. Radhakrishnan
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I have gone through the report documenting and analysing the crimes committed against animals during the period of 2010-2020 against the three main categories: companion, working and street animals. All the three chapters of this report are meticulously structured after an in-depth study and analysis of untold cruelty meted out to this species, blowing in the wind all natural human instincts. The caption of the report “In their own right” is a clear message to the humanity that animals have equal, if not superior, rights over human species.

Humans are violating even the constitutional rights guaranteed to the animals under Article 21, 51 (g), Article 48, Article 48 (A), etc. with impunity. Humans and animals are members of the same ecosystem and share space, time and resources like water, air, light, etc. None is superior to other. Face to face, animals are stronger than humans, though humans are superior in terms of intellect, but with their evil and iniquitous behaviour, humans subjugate animals to all sorts of miseries for their pleasure and convenience. This attitude of humans cannot be tolerated in a civilized society. I am sure this report will be an eye-opener, if humans have eyes and ears, and bring out proper legislative measures to which animals are entitled as a matter of right and not as charity.

Justice (Retd.) K.S.P. RADHAKRISHNAN
VII. Street Animals

Stray to free living street dogs

In the earlier sections, we discussed the limited and inadequate scope of the PCA 1960 and how it inadequately protects companion and working animals. In this current chapter we will discuss one glaring exception: the exclusion of ‘unwanted’ (read stray/street animals) from the scope of the protection of PCA 1960. This exclusion of unwanted animals is coupled with a positive instruction to eliminate them. Section 11 (3) (b) among the exceptions to cruelty lists “the destruction of stray dogs in lethal chambers or by such other methods as may be prescribed; ...(c) the extermination or destruction of any animal under the authority of any law for the time being in force; or”

In addition, one of the primary functions of the Animal Welfare Board of India, under section 9 (f) of PCA 1960 is “to take all such steps as the Board may think fit to ensure that unwanted animals are destroyed by local authorities, whenever it is necessary to do so, either instantaneously or after being rendered insensible to pain or suffering.”

The PCA 1960 in continuation of the British colonial policy of killing unclaimed, ownerless street dogs does the following:

1. It acknowledges a distinction between utilitarian and unwanted animals;
2. It only protects animals that are useful to humans, and in human control;
3. It deems killing as the only consideration for unwanted animals;
4. It separates killing of an unwanted stray animal – by methods of destruction of extermination (thus indicating mass, and not individual animal killing) – from the scope of the crime of cruelty, and hence from the idea of suffering itself.

The word mass culling is used widely with reference to animals that are considered a nuisance and a risk to humans, public health and farmer crops. The etymology, in fact, of the word culling is not to kill, but to separate, select rejected items from a collection, a stock. Humans have historically deemed ‘destruction’, ‘extermination’ and ‘killing’ as the only viable option for animals culled as rejected. Thus unwanted street animals are deemed criminal, similar to the provisions of the controversial colonial 1872 Criminal Tribes Act, which deemed various wandering Indian tribal communities, including hijras, criminal.

Even after 20 years of the ABC rules, rampant killing of animals, considered stray and unwanted, continues across India. We have documented – in the past decade – a total 121 incidents of mass killing, relocation or killing and relocation of animals, mainly dogs, but also cats, pigs, monkeys and nilgais.
Our documentation – as stated in the introduction – is limited to secondary resources and captures only a small fraction of the violence animals on the street face. Through our survey of newspapers, AWO records and social media posts, we have documented a total of 18,000 killings, as part of mass killing drives, and 1,000 animals relocated from their original habitat.

These 19,000 deaths and relocation of street animals, intended to kill them and often resulting in their death, include the following animals:

<table>
<thead>
<tr>
<th>S. No</th>
<th>Animals</th>
<th>Total Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dogs</td>
<td>17,235</td>
</tr>
<tr>
<td>2</td>
<td>Cats</td>
<td>34</td>
</tr>
<tr>
<td>3</td>
<td>Pigs</td>
<td>500 (relocation)</td>
</tr>
<tr>
<td>4</td>
<td>Monkeys</td>
<td>167</td>
</tr>
<tr>
<td>5</td>
<td>Nilgais</td>
<td>995</td>
</tr>
</tbody>
</table>

Table 1: Street animals killed and relocated during 2010-2020

The culling debates mainly focus on street dogs, hence their disproportionate numbers both in active efforts to kill them and also the cases that are reported. Of the 121 incidents documented, 71 are from national news reports, while the rest were reported on social media platforms by animal protection organisations and independent animal rescuers. Of these 105 cases (87 per cent) are just from the past five years, and over 70 cases from the past three years alone. As we discuss below, while the debate over whether street dogs can be killed or not ensues both in the Supreme Court of India and in our national media, rampant killing and relocation of animals considered unwanted continues unabated.
The cases are not limited to any specific region, but happen uniformly across the country. We have documented cases of mass killing of street animals from the following 21 states: Jammu & Kashmir, Haryana, Delhi, Uttar Pradesh, Rajasthan, Madhya Pradesh, Chhattisgarh, Bihar, Jharkhand, West Bengal, Odisha, Assam, Meghalaya, Gujarat, Maharashtra, Goa, Karnataka, Telangana, Andhra Pradesh, Tamil Nadu and Kerala. Our data reveals varied methods of killing: animals being buried alive, beaten to death, burned alive, poisoned, injected with chemicals, shot, strangled with ropes and barbed wires, suffocated, stoned and left to die with their mouths and limbs tied.

This awarding of the punishment to kill, en masse, to rejected animals has created a deeper culture of violence against animals that in modern animal rights understanding are in fact free living street and wild animals. In addition, the vermin exception in the Wildlife Act, 1972 – and repeated attempts by state governments to declare monkeys, wild boars, pigs and nilgais as vermin - has resulted in mass culling of these animals as well as private individual led brutal and intentional acts of violent crimes.

Some of the key cases we have documented show a variety of agencies catching, relocating and killing dogs and other animals en masse. These are municipalities (despite ABC rules), housing societies, privately hired contractors, angry villagers, forest department workers, or just ordinary people who commit brutal, violent acts to kill animals they consider unwanted, nuisance as a service to the society/community of humans at large. In most second and third tier cities, municipalities instead of developing ABC programmes, are catching and killing street dogs, brazenly.

Repeated instances of mass killings of animals like cats, dogs and monkeys – who are largely misunderstood, informs a social sanction and permissibility of individual-led violence against animals. The law remains deeply ambiguous and the policy of ABC hangs at a loose balance. Thus, while we may have come a long way from the colonial policy of electrocuting and gassing street dogs, we have just taken the location of the violence out in the open public fora and adopted far more brutal methods.

A. Cruelty and Kindness

The language of combat and the use of terms like destruction and extermination with reference to street dogs in the PCA allude to a war like situation on the streets. Are we at war against street animals? It appears so. Dogs represent the entire gamut of our relationship with animals.215 We love them as pets, we hate them as unwanted ‘strays’ that must be killed. We worship them in Hinduism as Shvan the beloved companion of Lord Bhairava and we eat them in certain cultures of our society. As Indians, while we show selective anger at the North East for eating dogs, we ignore the pervasive rejection of street dogs and their welfare across the country. In many instances politicians have actively proposed catching and sending street dogs to the North East to be eaten, as a win-win solution for all.216

We also experiment upon dogs across laboratories in Gujarat and Karnataka. We force train them to do unnatural tricks in circuses. In parts of Rajasthan, Haryana, Punjab and NCR we gamble on them in dog races and fatal dog fights. Above all, rampantly across India, we exploit them in ways unimaginable by breeding them to produce puppies that are sold across from online platforms to squalid live animal markets (Please see chapter on Companion Animals).

Kritika Srinivasan in her work on the colonial roots of the dog killing policy rejects the use of the term of stray. Srinivasan argues, and we concur, that most dogs that are beyond the scope of protection, are in fact free living street animals. The killing of street dogs as a matter of policy has roots in colonial urban planning, part of the project to contain rabies, manage public nuisance, sanitise and civilise. Thus, while home dogs are to be loved as pets, street dogs must be ‘controlled as pests.’ It also belies a horrible truth of the deeply dichotomous legal relationship with dogs: the pet versus the street, claimed versus unclaimed. Cruelty laws in India were not designed to protect ALL animals but only those that were considered useful and controllable.

### The Mahalaxmi Dog Pound

The colonial policy was inserted in urban municipal legislations across the country. The dog pound provision which remain uniform, gave power to municipal authorities to catch and kill street dogs - after waiting for a holding period of 48 hours for any owner dogs to be reclaimed.

The place where street dogs were taken to be killed in Bombay was the notorious Mahalakshmi Dog Pound. Abodh Aras, the CEO of the Welfare of Stray Dogs (WSD), recounts in an interview: “WSD – like many other animal welfare work in India, began with opposing the daily violence of the dog pounds.” The power to pick up an unclaimed, ownerless dog from the street – for the sole purpose of killing – was enacted in colonial Municipal Laws. For example, the Bombay Municipal Act 1888 under Section 191-BA prescribed the method for control of dogs:

1. If any dogs are found or reported to be a source of nuisance to the residents of any building or locality, the Commissioner or any person duly authorised by him may enter any premises for the purposes of seizing such dogs.

2. Any dog so seized shall be kept in the municipal kennel and if any person, within three days from the date of such seizure, satisfies the Commissioner that he is the owner or person in charge of such dog, the Commissioner may order it to be delivered to such person on payment of the tax, if any due and the costs incurred by the Commissioner by reason of its detention and on such person giving an undertaking that the dog will thereafter be kept in accordance with the conditions of the licence and will not be a source of nuisance to the residents of the building or locality:

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217 2 men shoot dog to death, booked; The Times of India; December 8, 2017; In December 2017, Two men, including an ex-army man, shot dead a pit bull, booked under Section 429 IPC and Section 11 PCA. https://timesofindia.indiatimes.com/city/chandigarh/punjab-2-men-shoot-dog-to-death-booked/articleshow/61983720.cms

218 The biopolitics of animal being and welfare: Dog control and care in the UK and India Krithika Srinivasan 2013, Transactions of the Institute of British Geographers, 38 (1). pp. 106-119
If any dog detained under sub-section (2) or (3) is after examination found to be suffering from rabies, the Commissioner shall order it to be destroyed forthwith.

(3) If a stray dog has bitten any person the Commissioner may order it to be detained in the municipal kennel for its incubation period, if it is so desired by the person who has been bitten by that dog, and no charge shall be recovered from any person for such detention. If a license dog, which has bitten any person, is brought to the municipal kennel, the Commissioner may order it to be detained therein for its incubation period, if so desired by the owner or person in charge of such dog or the person who has been bitten by that dog, on payment of detention charges not exceeding Rs. 2 per day as may be determined by the Commissioner.

(4) If any dog detained under sub-section (2) or (3) is after examination found to be suffering from rabies, the Commissioner shall order it to be destroyed forthwith.

(5) No damage shall be payable in respect of any dog destroyed under this section.

After 100 years of indiscriminate killing of street dogs, WSD was started in 1985, by a group of Jain philanthropists to rescue dogs from the pounds. Aras recounts the horrors of the pounds:

“If you wished your dog not be picked by the BMC, you had to ensure that the license, which came as a token, known as a billa, was placed on the dog’s neck. Essentially at WSD we would, either track information on where dogs were being picked up from, and regularly visit the pound, and pay Rs. 100 license fees per dog, to get the dogs released. Unclaimed dogs would die a horrific death. They were just thrown in an iron chamber and the staff would raise the voltage and the dogs would be electrocuted. They would often electrocute many dogs at once. It was the easiest and fastest way in their eyes. However, many times we would go and see that dogs after electrocution were still alive and suffering immeasurably...And also puppies were of course. The method of killing the puppies was different. It used to be chloroform chambers. So they used to just go to sleep.”

Aras was a young volunteer with WSD and through his work he and others like him, began to build a relationship with BMC workers who ran the dog pound. Gradually, they all began to realise that it was not working. For as many dogs killed, there were always more dogs, let alone the brutality of the pound itself. Through small pilot programmes and a demonstration that vaccination, sterilisation and release of dogs back to their home territories keeps the dog population in control, makes the dogs less aggressive, prevents new dogs from coming in and overall prevents the threat of attacks and rabies from dogs, the activities of the pound were suspended. In fact, over the years through the work of WSD, the Mahalakshmi dog pound was converted into an ABC centre.
B. Debates over Animal Birth Control

The Animal Birth Control (Dogs) Rules, 2001, redefined the colonial policy of killing street dogs. ABC rules prescribe catching, vaccination, sterilisation and release of street dogs back to their original locations. Under Rule 9, ABC rules limit killing, as humane euthanasia, only of sick and wounded dogs:

“Euthanasia of Street Dogs: Incurably ill and mortally wounded dogs as diagnosed by a qualified veterinarian appointed by the committee shall be euthanised during specified hours in a humane manner by administering sodium pentathol for adult dogs and Thiopental Introperitoneal for puppies by a qualified veterinarian or euthanised in any other humane manner approved by Animal Welfare Board of India. No dog shall be euthanised in the presence of another dog. The person responsible for euthanising shall make sure that the animal is dead, before disposal.”

Under Rule 10, a suspected rabid dog should be isolated, till it dies a natural death. ABC rules are revolutionary and unique to India. Street dogs do not have a right to exist and live freely in the so-called free, modern, western world. However, because of the ABC rules, ‘dogs in India can (exist) without a human owner.’ Thus ABC rules in fact recognise the reality of the urban streets of India and the ecosystem under which there is a way for animals and humans to co-exist.

Despite our troubled and sometimes deeply hypocritical relationships with dogs, we might be the only modern nation that debates their right to live on the streets as free-living street animals. The crux of the debate around street dogs and other ‘stray’ animals are two sides who have almost zero common ground. The core argument for killing of street dogs appears to come from the belief:

- That street dogs are not worth saving.
- A deep objective disagreement on the science behind ABC.
- That every dog bite will lead to rabies.

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219 Rule 10: Furious or dumb rabid dogs: (1) On the receipt of complaints from the public to the Dog Control Cell of the Local Authority or on its own, the dog squad of the Local Authority would catch such dogs, suspected to be rabid. (2) The caught dog would then be taken to the pound where it would be isolated in an isolation ward. (3) The suspected rabid dog would then be subjected to inspection by a panel of two persons i.e. (i) a veterinary surgeon appointed by the Local Authority and (ii) a representative from an Animal Welfare Organisation. (4) If the dog is found to have a high probability of having rabies it would be isolated till it dies a natural death. Death normally occurs within 10 days of contracting rabies. Premature killings of suspected rabid dogs therefore prevents the true incidence of rabies from being known and appropriate action being taken. (5) If the dog is found not to have rabies but some other disease it would be handed over to the AWOs who will take the necessary action to cure and rehabilitate the dog.

220 However, in making street dogs legitimate, the ABC rules do more than just move away from the legal tradition of conceiving animals as human property. They also indirectly make ownerless dogs not killable (Haraway 2008). The significance of making street dogs not killable becomes clearer in light of the pest status of these animals. While dogs under human care, and in private human spaces, are considered pets, dogs that are on the street are regarded as potential threats to human health and safety...Irrespective of whether the presence of street dogs is welcomed by all humans, the fact of their existence is acknowledged and accepted in the very language of Indian law. In India, thus, dogs don’t necessarily have to be owned; they are not always already defined as human property and therefore restricted to living in the pre-determined role of human pets, working animals or experimental objects in laboratories.
Girish Shahane and Coomi Kapoor, liberal writers, editors and columnists, see no scientific basis or scope of success in ABC and openly advocate killing of street dogs. Their opinion is echoed by many. This despite the fact that in its Technical Report Series 931, WHO’s expert consultation on rabies states: “Since the 1960s, Animal Birth Control programmes coupled with rabies vaccination have been advocated as a method to control urban street male and female dog populations and ultimately human rabies in Asia.” (2004)

The fundamental issue is the framing of the street dog protection as an anti-human argument. Justice N. Venkatachala in a 2003 report, as the head of the Lokayukta in Bangalore, echoes the fears of NHRC and further makes the dog protection argument elitist anti-poor agenda when he writes:

“When I have seen these sophisticated people, who are interested in saving stray and ownerless dogs and not interested in saving thousands of their own people (fellow beings) annually dying [sic] on account of the bites of such dogs.” (Quoted in Hiranmay Karlekar’s book on killing of street dogs in Bangalore)

Justice Venkatachala misses an essential point. Compassion towards animals is not the exclusive domain of the rich and comfortable but is liberally exercised – some would argue more so - by the poor he speaks for. Often street dogs are cared for by the poor and working-class communities that work and survive on the streets and they are the first to protest when municipal vans come to capture these dogs that are in fact part of an existing urban ecosystem of the streets.

The articulation that street dogs represent a threat to human rights was orchestrated by the National Human Rights Commission - as a deeply unfortunate human versus animal debate. However, to have minimum consensus, we first need to find common ground on the basic idea of compassion for animals. The debate is not humans versus dogs. It never has been, and it should not.

C. ABC Rules versus Municipal Laws

ABC rules have been enacted without deleting either the municipal dog killing provisions or the exception to kill stray dogs in PCA. This is the primary site of conflict. Indian courts have become a site of angry litigants debating killing street dogs. There is an ongoing case in the SC where anti-stray dog groups have challenged the ABC rules, wanting to revert to colonial municipal laws and legally sanctioned culling. The colonial policy explained above stands as one of the biggest obstacles against the ABC rules today.

221 It’s unpleasant but culling cattle, dogs and monkeys is becoming a necessary evil in India; Scroll.in; March 27, 2019; https://scroll.in/article/917974/its-unpleasant-but-india-needs-to-cull-cattle-dogs-monkeys-to-deal-with-rampaging-animal-problem

222 A bizarre and unscientific policy is behind the menace of stray dogs all over India; The Indian Express; July 31, 2020; Coomi Kapoor; https://indianexpress.com/article/opinion/columns/stray-dogs-india-coronavirus-pandemic-6524760/

223 Do India’s stray dogs kill more people than terror attacks?; BBC News; May 6, 2016; https://www.bbc.com/news/world-asia-india-36035456

Second, and perhaps owing in part to the above, there is widespread non-compliance with these rules. The non-compliance, misinformation and lack of a dialogue have led to a sense of lawlessness. In the urban setting, RWAs and housing societies hire dogcatchers who either capture animals in a brutally violent manner to relocate them or violently kill them on a large scale. Similar acts occur at the initiative of small municipalities and panchayats in rural and semi-urban spaces.

**Bombay High Court**

While there have been many challenges to the ABC rules and demands in courts by citizens for mass killing of street dogs, we focus on one such case from the Goa and Bombay benches of the Bombay High Court. In a 1998 case filed by Vinyog Parivar Trust, a Jain organisation committed to ahimsa, the BMC accepted a set of guidelines – the first policy departure from the colonial policy – ordering “no stray dogs shall be killed as a rule, subject to the exception of critically ill, violent, fatally injured or rabid dogs.”

Around the same time, People for Animals, Goa, headed by Norma Alvares, challenged the ‘barbaric practice of shooting’ street dogs in Goa. PFA-Goa demanded a switch to humane ABC instead and under the direction of the Court, an MoU was signed with the Panjim Municipal Corporation wherein 12,000 dogs would be sterilised each year. Both these cases by creating private MoUs and guidelines were one of the first examples where ABC was seen as a way forward with a departure from mass killing of street dogs by brutal methods.

The Goa MoU was soon challenged in 2001 by a paediatrician called Dr. Rosario Menezes, who started a campaign to eliminate street dogs in the late 90s. Dr. Menezes citing Section 278 of the Goa Municipalities Act that permitted killing of unclaimed dogs argued that mass killing was the only solution against rising cases of dog bites. The court took note of the exception of section 11(3) in the PCA 1960 and referred the matter to a larger bench by a 2003 order, by when the formal ABC (Dog) Rules had come into force.

The promulgation of ABC rules (under the central legislative authority) of PCA that recognise the right of harmless free street dogs to remain, stands at odds with both the local municipal laws and the exception in PCA that permit their killing. This pending issue needs an urgent resolution.

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**Notes:**


226 2003(4) BomCR588, Rosario Menezes (Bombay High Court – Goa Bench)

Respondent: State of Goa and Ors. While at the same time, in a challenge by Animal Rights organisation against attempts by the Airport Authority of India to relocate and kill street dogs in the Bombay Airport tarmac area, the Bombay High Court advised the authorities ‘will do their best to see to it that the sentiments and emotions of the animal lovers are not hurt and to the extent possible, life of animals is respected. May be, in extreme situations harsh measures may have to be evolved which we would like to avoid.’ Airport Authority Of India vs MCGM(2004) 106 BOMLR 915

227 Since 2009, the high courts of Karnataka, Maharashtra and Himachal Pradesh have attempted to reinstate the dog killing regime in one way or another, but such invasive actions have been stayed by the Supreme Court.
A three judge bench of the Bombay High Court – in a case titled and (unfortunately led) by the People for Elimination of Stray Troubles, an organisation that proudly calls itself PEST in a strong reference to street dogs as unwanted pests that must be killed, and opposed by many animal rights organisation – debated the following two questions over a period of five years:

(1) Whether in the circumstances and seriousness of the problem, the danger posed, and the menace caused by the stray dogs, resort can be had to the provisions of Sub-section of Section 11 of the Prevention of Cruelty to Animals Act, 1960 and the relevant provisions of the Bombay Municipalities Act, Maharashtra Municipalities Act and the Goa Municipalities Act and other enactments?

These judgments extended the scope of killing beyond sick and injured to street dogs that were considered a nuisance.

(2) Whether despite the aforesaid provisions of Sub-section (3) of Section 11 of the Prevention of Cruelty to Animals Act, 1960 and other Acts referred to above, the killing of the stray dogs has to be totally prohibited?

Justice D S Radhakrishnan and Justice Bhosale, with different reasoning, arrived at a similar conclusion in a judgment dated 19th December 2008. They saw no conflict between the Municipal laws, the exception in the PCA and the ABC rules, and advocated a harmonious construction to manage and regulate the street dog population. The words of Justice Bhosale in his concurring opinion are key:

“While implementing the dogs control scheme, if a veterinarian comes across dogs which are incurably ill, mortally wounded or rabid, he should not waste his time and energy in treating such dogs and is allowed to put them to sleep. This does not mean that the dogs, other than these categories, cannot be put to sleep which is otherwise allowed under the provisions of Section 11(3) of the Act of 1960 and Section 191-BA of the MMC Act.”

Similarly, the Karnataka High Court in an order dated 7th December 2012 expanded the scope of killing to dogs that may be considered a nuisance. “Dogs which do not come within the scope of Rule 9 or 10 but which are a menace or cause nuisance irrespective of whether there is evidence of such dogs having mauled or bitten children or adults could be exterminated in the manner specified in Rule 9 of the ABC Rules, 2001, under the orders of the Commissioner of the BBMP as per the provisions of KMC Act, 1976….The citizens must also bear in mind that street dogs also have a right to live and therefore, must refrain from attacking these dogs by stone throwing or by beating etc. They must ensure that children do not go near the stray dogs either to play with them or to feed them.”

These judgments extended the scope of killing beyond sick and injured to street dogs that were considered a nuisance. Public nuisance is a vague idea with tremendous potential for misuse thereby bringing every harmless, free living street dog under the purview of catching and impending death. This litigation continued its way to the Supreme Court by way of an SLP (691/2009) where the scope and legality of ABC that protects street dogs versus the municipal laws along with the PCA exception that permit their killing, are being debated.

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228 People for the Elimination of Stray Dogs (Bombay High Court) 2008;https://indiankanoon.org/doc/67377443/
In an interim order, the Supreme Court directed a status quo where ABC and the municipal laws were meant to co-exist – despite being contrary legal provisions and worse expected to work in harmony. The court states 'that all the State municipal corporations, municipal committees, district boards and local bodies shall be guided by the Act and the Rules and it is the duty and obligation of the Animal Welfare Board to see that they are followed with all seriousness. It is also the duty of all the municipal corporations to provide infrastructure as mandated in the statute and the rules. Once that is done, we are disposed to think for the present that a balance between compassion to dogs and the lives of human beings, which is appositely called a glorious gift of nature, may harmoniously co-exist."

It has been more than a decade since, what is now known as the dog case, is pending before the Supreme Court, in which time this report has documented over 17,000 street dog deaths by mass culling drives, still a small fraction of the real numbers. The ambiguity in law will only go if municipal laws that permit killing are struck down by courts.

[230] SC Order dated 18th November 2015 in SLP 691/2009 (also known popularly as the Dog case).
We list twenty such brutal incidents below:

i. In 2011, the Srinagar Municipal Corporation resorted to killing of street dogs by poisoning as a knee jerk reaction to address the problem of dog numbers and rabies. More than 6,000 street dogs were allegedly poisoned, under the orders of Asgar Samoon, Divisional Commissioner, Srinagar.1

ii. In 2012, employees of the Shillong Municipal Board captured street dogs using iron tongs and wooden clubs, caged and killed them in large numbers.2

iii. Over a 100 dogs were killed by injecting cyanide in Thiruvalluvar, Tamil Nadu, in 2012. “Many of us here are night shift workers in companies and it is very difficult to walk along or cycle past this stretch to get home at nights, because the dogs attack us or chase us. We had complained to the panchayat and the officials said they would take care of it,” said another resident. “But we never wanted them to be killed and dumped like this,” he added.3

iv. In 2013, Hindustan University in Tamil Nadu hired a private dog catcher who killed 20 street dogs in its premises by lethal cyanide injections. Blue Cross took up the case, and charges under section 428/429 IPC and Section 11 of the PCA were filed.4

v. In 2014, 400 street dogs were killed and buried at different locations by town panchayat workers along the seashore near Marakkam in Villuppuram. The dogs were initially taken away using vaccination as an excuse. However, it was later learnt the dogs had been injected with cyanide and buried along the seashore in Theerthavari near Konavayankuppam fishing village.5

vi. In 2015, a dentist in the posh Nizamuddin East area of South Delhi got irritated with the seven dogs living in his neighbourhood, abducted five of them and dumped them elsewhere.6

vii. In 2015-2016, it is estimated that over 6,000 street dogs were killed violently and brutally by hiring private contractors to catch and kill street dogs across Kerala.

1 Archival news report from the Greater Kashmir Daily.
2 N-E lawyer saves dogs from torture - Shillong resident takes up animal cause; The Telegraph Online; May 15, 2012; https://www.telegraphindia.com/states/north-east/n-e-lawyer-saves-dogs-from-torture-shillong-resident-takes-up-animal-cause/cid/423146
3 100 dogs killed, stealthily buried in village; The Hindu; May 8, 2012; https://www.thehindu.com/news/cities/chennai/100-dogs-killed-stealthily-buried-in-village/article3394902.ece
4 Social Media Post by Blue Cross of India on their Facebook page.
5 400 dogs poisoned with cyanide and buried, alleges Blue Cross; The News Minute; November 26, 2014; https://www.thenewsmarine.com/article/400-dogs-poisoned-cyanide-and-buried-alleges-blue-cross-18149
viii. In 2017, VIT University Campus in Chennai, Tamil Nadu, hired private catchers to catch and relocate dogs. Several dogs were displaced, then a video emerged of a dog strangled by ropes and dragged out by the hired men. Relocation of dogs is an extremely violent act and often intended to kill the animal.\(^7\)

ix. Around 2017, Animal Aid, Udaipur, (mentioned in an interview with the author) responded to a SOS call by an animal lover. A housing society called Treasure Town had instructed their sweepers to relocate puppies. They saw the three puppies being beaten and tied with plastic strings and were being thrown at the back of a tempo truck. The puppies were rescued and complaints filed. This is probably the most common experience across India – the criminal displacement of young puppies, away from their mothers, by residents of a neighbourhood, which often leads to death of the puppies. Therefore, relocation is equal to murder.

x. In another Animal Aid case, circa 2017 in Nai village, 10 kilometers away from Udaipur, 30-40 live puppies were collected and dumped in an empty plot and bushes, allegedly by the army. The puppies were very young, merely 10-15 days old. Some of them didn’t even have their eyes open. Fortunately, they were rescued and rehomed. (As mentioned in an interview with the author)

xi. From December 2018 to January 2019, in Udupi, Karnataka, several monkeys were found poisoned to death.\(^8\)

xii. In 2018, in Gurgaon, Haryana, animal activists filed complaints when monkeys were being captured, after illegally inducing drugs through bananas, administering pain through cruel handling, breaking up family groups, reportedly selling the juvenile and infant monkeys to madaaris and/or killing them or causing them to disappear in undisclosed locations. All this was being done at the behest of housing societies and residents.\(^9\)

xiii. In a 2018 case, 350 dogs were killed by the municipal corporation of Hassan, Karnataka.\(^10\)

xiv. In 2019, in a village near Bikaner, Rajasthan, more than 50 street dogs were shot dead by angry villagers with airgun. A video surfaced, but no official complaint was lodged.\(^11\)

\(^7\) Video showing dog being strangled and dragged lands VIT in trouble; The Quint; October 12, 2017; https://www.thequint.com/news/india/video-shows-dog-being-strangled-and-dragged

\(^8\) 14-monkey troop poisoned to death; The Times of India; October 28, 2017; https://timesofindia.indiatimes.com/city/mangaluru/14-monkey-troop-poisoned-to-death/articleshow/61282186.cms

\(^9\) Activist files plea in high court against MCG for animal cruelty; The Times of India; March 11, 2018; https://timesofindia.indiatimes.com/city/gurgaon/activist-files-plea-in-high-court-against-mcg-for-animal-cruelty/articleshow/63250866.cms

\(^10\) SC notice over Karnataka ‘dog killing’; The Telegraph Online; November 16, 2018; https://www.telegraphindia.com/india/sc-notice-over-dog-killing/cid/1675578#r=:.text=According%20to%20the%20petition%2C%20the%20law%20and%20the%202001%20rules.

xv. In 2019, in Vaishali, Bihar, forest department hired sharp shooter to cull herds of nilgais after extensive crop damage. Over 500 were culled in July, while 495 in August.

xvi. In another horrific case from Buldhana, Maharashtra, (2019) over 90 dog carcasses were found in the forest with mouth muzzled and limbs tied. After being directed by officials to relocate the dogs, the accused caught them, tied up their limbs and mouths, and piled them up in a vehicle, to transport them 60 kms away. Some dogs were beaten with sticks. Many died due to suffocation en route to the dumping spot. Five people were arrested under PCA, Section 429 of IPC and confessed they were directed to move the dogs by the Municipal Council. A Council committee member claimed that due to several incidents of dog bites, the animals were to be transported to the forest area, not meant to be killed.\(^{12}\)

xvii. In 2019, in Bhopal, Madhya Pradesh, 56 dogs were captured as part of the civic body’s drive to keep roads clear of canine. However, the civic body has been accused of not checking and impounding sterilised dogs, capturing animals in inhuman ways and dumping the dogs at waste dump sites.\(^{13}\)

xviii. In a January 2020 case from Haryana, several dogs were dumped in a deep pit, after tying their feet and mouth, to prevent them from entering the CM’s Republic Day function. The dogs were in a very bad condition and were removed from the pit after several hours and were handled in a very brutal way.\(^{14}\)

xix. During Trump’s visit in February 2020, in Ahmedabad, Gujarat, dogs and nilgais were captured and relocated to keep them away from the VIP route for at least five days, till his visit was over.\(^{15}\)

xx. In 2020, 21 cats were killed by feeding them fish laced with poison by residents of a locality in Poonjar, Kerala. A rescuer buried over 21 of his pet cats and numerous community cats in a period of seven years. Reporters account: “Hundreds of cats are being killed by this lady and her accomplice. 2019-2020 alone 11 bodies of cats were thrown into my compound...the 11th cat was hung on my gate...I have filed a police complaint in the local police station...the enquiry is ongoing.”\(^{16}\)

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\(^{12}\) 90 dogs found dead with legs tied in Maharashtra; The Times of India; September 9, 2019; https://timesofindia.indiatimes.com/city/aurangabad/90-dogs-found-dead-with-legs-tied-in-maharashtra/articleshow/71042044.cms

\(^{13}\) On Day Two, rights activists cry cruelty towards animals; The Times of India; January 18, 2019; https://timesofindia.indiatimes.com/city/bhopal/on-day-two-rights-activists-cry-cruelty-towards-animals/articleshow/67579504.cms

\(^{14}\) Social media post by an animal activist

\(^{15}\) Dogs, nilgais to disappear from Donald Trump route; The Times of India; February 17, 2020; https://timesofindia.indiatimes.com/city/ahmedabad/dogs-nilgais-to-disappear-from-trump-route/articleshow/74166213.cms

\(^{16}\) Social media post by an animal activist
This clarity will strengthen the ABC programme. Implementation of ABC is a momentous task, the burden of which falls squarely and disproportionately on animal rescuers and activists. It remains the only solution for controlling rabies, the dog population and preventing violence.

Failure of ABC and the discontent against it, soon turns into violence, as Shirley Menon of Save our Strays (SOS) Mumbai, explains from her experience of working with street dogs in northern Mumbai suburbs in an interview with the author:

“When we started in Andheri West ... we did a ... there are 700 dogs and not even two per cent of them are neutered. ... The available capacity to us initially was 12 dogs a month. We have this dog in this Anandnagar slum. Obviously we didn’t have the capacity to get her neutered and she littered and begging for food. The slum was so congested, someone called me and said that the dog who you come and feed in a tent has been hit very badly by some of the kids in the slum. So when I went there and I found out that some kids were playing cricket and these kids were 15, 16, 17-year-old boys, who were playing cricket and she kept running up and down for food and she kept obstructing them while they were playing so they just took the bat and bashed her. She was alive when we picked her up and we took her to an animal hospital ... I think she survived for about 8 to 10 hours after that because she had a head injury. So the next day I went to the Oshiwara police station and filed a complaint.”
“India must set a great example to all countries in the world. We must set the example not because I think we are superior, but because we have spoken about ahimsa far more than any other country. The very word ahimsa comes from India; it belongs to us; we have that tradition. We have had examples, great examples in history of ahimsa, and kings like Asoka have practised these things. So, the more we talk about it, the greater is the responsibility to put it into practice and that is why I believe that such a Bill as this is absolutely necessary.”

- Rukmini Arundale, 1954 Rajya Sabha, while introducing the Prevention of Cruelty to Animals Bill 1953.