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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11925/2023 and CM APPL. 46663/2023 & 46664/2023

ANITA SANTIAGO

..... Petitioner

Through: Mr. Nirbhay Kumar, Mr.Nishant
Mandal, Mr. Anshu Anand &
Mr.Shubham Srivastava, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Simran Jyot Singh, Advocate for
respondent No.1/ MCD.

Mr. Santosh Kumar Tripathi,
Standing Counsel with Mr. Arun
Panwar, Ms. Prashansa Sharma,
Mr.Kartik Sharma & Mr. Pradyumn
Rao, Advocates for respondent No.2/
GNCTD.

Mr. Mukul Singh, CGSC with Ms.Ira
Singh, Advocate for respondent No.3/
AWBI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

11.09.2023

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1. The present Public Interest Litigation (PIL) has been filed by the Petitioner bringing attention to the mechanism adopted by the MCD for the capture and subsequent release of street dogs in Delhi during special events like Independence Day, Republic Day and most recently, the G20 Summit, 2023. The Petitioner prays for the following reliefs:

“i. Allow the present petition and issue a writ of mandamus to respondent no 1 to stop the usage of its machinery for



unlawful purposes;

ii. Issue necessary directions to release the captured dogs and ensure their welfare as per ABC rules and Act;

iii. Conduct an enquiry in a time bound manner into the alleged violations of existent rules and laws by the respondents;

iv. Issue general guidelines to initiate affirmative measures for compliance of Prevention of Cruelty to Animals Act and ABC rules by the concerned officials;

v. Pass any other order this Hon'ble Court may deem fit and necessary, in the interest of justice and in facts and circumstances of this case."

2. Learned Counsel for the Petitioner states that the detailed mechanism for the capture and release of dogs has been prescribed under the Animal Birth Control Rules, 2023 (the "**ABC Rules**") and should be followed diligently by the MCD. It is highlighted that the ABC Rules mandate that the dogs should be identified with numbered collars immediately upon capture so that proper records can be maintained which would subsequently facilitate their release in the same locality from where they were captured. He further argues that the assistance of the Animal Welfare Board of India (the "**AWBI**") should be sought by the MCD.

3. Learned Counsel for the MCD has stated before this court that the process of releasing the dogs that were captured in preparation for the G20 Summit has already been initiated in strict adherence to the ABC Rules and with the assistance of the AWBI. These submissions are affirmed by the Learned Counsel for the AWBI.

4. In light of the aforementioned submissions, the Respondent authorities are directed to ensure strict compliance with all the provisions prescribed under the ABC Rules relating to the capture and release of street dogs.



5. As no further orders are required to be passed in the present PIL, the same stands disposed of.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

SEPTEMBER 11, 2023

B.S. Rohella