



Analysing the Animal Euthanasia Scenario in India in Light of the Constitutional Provisions

Latika Choudhary* and Hardik Daga*

Abstract

When Mahatma Gandhi said that “the greatness of a nation can be judged by the way its animals are treated”, he clearly implied that equality must exist between the evolved animals, i.e. Humans and the rest of the animal clan. Humans have always adamantly self-proclaimed themselves as the ‘superior’ species, granting to themselves an authority to govern the rest, backed by a well-drafted constitution. While it is undeniable that a democratic society ensures fundamental rights to its citizens, a more civilized and sensitive one does not shy away from extending the same to its animals, too. The Apex Court of India in 2011 broke all barriers and differences in the famous Jallikattu case, whereby it brought animals under the ambit of the right to life guaranteed under Art. 21 of the Indian Constitution. While now this fundamental right has been constitutionally guaranteed to animals to live with dignity, a pertinent question to be asked is, does the right also encompass the right to die. The Supreme Court, in the case of Aruna Shanbaug, did declare that passive euthanasia is legal in India, thus bestowing the scope of passively ending the life of a terminally ill patient. Considering that animals may also very much be under the same circumstances, is this right of passive euthanasia applicable to them as well. This paper will thus dwell into analyzing the current scenario in India pertaining to euthanasia of ailing and terminally ill animals, the legal provision & judicial precedents worldwide on the issue and the moral rationale behind the same.

Keywords – Animal rights, Animal Welfare Board of India, Article 21, Culling, Right to life

* School of Law, UPES, India; latika.choudhary269@gmail.com;
dagahardik@gmail.com

1. Is Animal Euthanasia Ever Justified?

In the realm of animal jurisprudence, akin to human ethical considerations, euthanasia finds justification solely when the animal endures undue suffering stemming from an incapacitating ailment with scant prospects of complete recuperation. Regan aptly terms this as "preference-respecting euthanasia."¹ In the domain of animal jurisprudence, parallels exist with euthanasia protocols observed in humans nearing the terminal phase of illnesses. Nonetheless, distinct disparities emerge between human and animal euthanasia practices, thus adding complexity to the discourse surrounding animal euthanasia. Primarily, in contrast to humans, animals lack the cognitive ability to articulate a wish for euthanasia, rendering the concept of "voluntary euthanasia" irrelevant in their case. Secondly, as articulated by Bernard Rollin, an esteemed professor at Colorado State University, animals, particularly pets, lack the mental capacity to envision the possibility of their suffering subsiding over time. "... [A]n animal is its pain," he states, "for it is incapable of anticipating or even hoping for cessation of that pain"² Consequently, we must refrain from presuming that pets possess the capacity to endure enduring suffering akin to humans in anticipation of potential future pleasures. Moreover, lacking comprehension of death, pets neither dread nor desire it. Thus, Rollin advocates for administering medical interventions to animals provided their quality of life remains satisfactory. Both the owner and the veterinarian bear the onus of deciding on behalf of the pet, with quality of life serving as the decisive factor. Indeed, the discourse surrounding the quality of life constitutes the crux of deliberations regarding animals.

¹Regan, T. (1986). A case for animal rights. In M.W. Fox & L.D. Mickley (Eds.), *Advances in animal welfare science 1986/87* (pp. 179-189). Washington, DC: The Humane Society of the United States.

² *Id* at 1015

1.1 Lacking an Intrinsic Interest in Preserving Own Lives

The central tenet of this perspective underscores the paramount importance of optimizing the quality of life, thereby guaranteeing an animal's well-being for as long as it persists. Essentially, the ethical imperative revolves around mitigating the animal's suffering to the fullest extent possible. R. G. Frey, an esteemed professor at Bowling Green State University, stands as the foremost advocate of this viewpoint, which concurrently represents the prevailing societal consensus.³ Its rationale is rooted in the cognitive disparities between humans and animals. Frey posits that the cognitive processes of animals diverge significantly from those of humans, thus warranting distinct moral considerations. According to Frey's framework, animals can only lay claim to what he terms as "interests." For instance, an animal may possess an interest in fulfilling its fundamental needs, such as the requirement for sustenance. However, the capacity for "taking an interest in things," which entails forming desires, is uniquely human. With desires emerge beliefs regarding the feasibility of fulfilling those desires. Yet, beliefs hold significance solely within the realm of language. Frey contends, "Without language, it is impossible for animals to believe that any particular statement (e.g., that the purpose of food is to satisfy hunger) is true or false." Consequently, devoid of language, animals cannot engage in the process of taking an interest in things.

1.2 A Utilitarian Perspective

The fundamental premise underlying the second perspective on animal euthanasia is the consideration of the aggregate quality of life of all animals involved. In essence, the overarching goal is to maximize the cumulative quality of life across all animals. This approach is grounded in one of the

³ Frey, R. G. *Interests and Rights: The Case Against Animals*. Oxford: Clarendon Press, 1980.

most frequently employed ethical principles, namely utilitarianism. According to this principle, the most morally sound course of action is one that accords "equal consideration" to the interests of all parties involved. Utilitarianism suggests that the interests at hand can be evaluated and combined, resulting in the prioritization of the side with the highest overall interest. Therefore, having more individuals or a higher level of interest per individual is considered beneficial. When it comes to the difficult decision of euthanasia, there is often a conflict of interest between pet owners and their beloved companions. Owners may be concerned about the financial burden or other stresses that come with caring for a sick pet, while the pet's primary concern is to avoid unnecessary suffering or death.⁴

1.3 The Conjecture of Consent

Considering the absence of consent from dogs in the context of euthanasia, it is pertinent to reference Section 377 of the Indian Penal Code. This section stipulates that engaging in "*whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished...*" is subject to punishment. Section 377 is founded on three fundamental principles: the order of nature, consent, and the right to life. In the case of *Navtej Singh Johar v. Union of India*, one of the grounds for the decriminalization of homosexuality was the recognition that consensual sexual acts between adult humans should not be penalized. However, bestiality remains criminalized since animals lack the capacity to provide or communicate consent. Thus, while homosexuality is no longer considered a crime, bestiality remains so due to the inherent

⁴ Euthanasia: An Ethical Decision | Department of English, <https://english.umd.edu/research-innovation/journals/interpolations/interpolations-spring-2009/euthanasia-ethical-decision> (last visited May 7, 2024).

inability to obtain consent in one scenario compared to the other.

Ironically, the Animal Birth Control Rules (ABC Rules), 2023, grant the State authority to euthanize dogs if they are deemed "incurably ill or mortally wounded" without seeking their consent. This stance contrasts with the significance the State previously placed on consent in cases of bestiality. Peter Singer, a distinguished Professor of Bioethics at Princeton University and author of 'Animal Liberation,' posits that "sex with animals does not always involve cruelty." He emphasizes that the crucial determinant of cruelty in such scenarios is the consent of the animal. As obtaining consent from animals is unattainable, the State rightly imposes restrictions in this regard. However, the very concept of consent, previously deemed crucial by the State, is disregarded in the context of euthanasia, where the State assumes the desires of the animal. It might be deemed acceptable for Indian courts, or any legal jurisdiction, to prioritize saving human life over animal life. Nonetheless, it is imperative for these courts to establish a clear delineation regarding the treatment of animal life to foster societal recognition of animals' intrinsic value. The dilemma arises: to what extent can animal life be sacrificed if there exists an anthropocentric bias? This question becomes particularly challenging, especially considering statements like that of the Madras High Court, which asserted, "Man occupies a higher spot in the evolutionary hierarchy. But that does not make him superior to others." This statement presents a perplexing contradiction; while the judiciary underscores animal rights, it often falls short of upholding these standards in practical cases such as Jallikattu and stray dog euthanasia.

1.4 Culling and Euthanasia

The Kerala government has appealed to the Supreme Court to sanction euthanasia or culling of aggressive stray dogs,

particularly those believed to be at risk of contracting rabies.⁵ Culling, a conventional method in public health strategies, is employed to manage animal populations.⁶ Animal culling serves as a primary public health policy, extensively utilized for population control purposes, including human safety, conservation efforts, or disease management.⁷ Justice Devan Ramachandran remarked, “Normatively, killing and culling of wild animals, which trespass into human habitat, as the sole method of defence, can never be thought of as a panacea;”⁸

Animal euthanasia, distinct from culling practices, is conducted by licensed veterinarians primarily to alleviate suffering in animals afflicted with incurable illnesses, severe injuries, or behavioural issues. Governed by strict ethical guidelines, euthanasia ensures a painless and peaceful death for the animal, emphasizing compassion and mercy. In contrast, culling, regulated by laws such as the Wildlife Protection Act of 1972 and state wildlife legislation, employs methods like hunting, trapping, or poisoning for population control. Culling decisions often revolve around public health, ecological conservation, or human safety concerns, such as disease management or habitat preservation. While euthanasia targets individual animals to end suffering, culling aims to address broader ecological or societal challenges associated with wildlife populations. While culling may be permitted in certain situations and regulated by authorities, it is imperative that these actions are carried out responsibly, prioritizing

⁵Rintu Mariam Biju, *Allow Euthanasia Or Culling Of Violent And Rabid Stray Dogs: Kerala Govt Requests Supreme Court*, (2022), <https://www.livelaw.in/top-stories/supreme-court-stray-dog-attacks-euthanasia-kerala-government-210348> (last visited May 7, 2024).

⁶Lederman, Z., Magalhães-Sant’Ana, M. & Voo, T.C. Stamping Out Animal Culling: From Anthropocentrism to One Health Ethics. *J Agric Environ Ethics* 34, 27 (2021). <https://doi.org/10.1007/s10806-021-09868-x>

⁷Supra n.6

⁸M.N. Jayachandran v Union of India, WP(C). NO.36422 OF 2023(C).

animal welfare and the preservation of natural environments and strictly adhering to relevant laws and regulations. Justice Dipak Mishra has stated in this context, “.... But culling should only be carried out in accordance with law,”.⁹

2. Animals and Fundamental Rights under the Constitution of India - The Consonance

*“No human being is justified in regarding any animal whatsoever as a meaningless automation, to be worked or tortured, or eaten, as the case may be, for the mere object of satisfying the wants or whims of mankind”.*¹⁰

It is a philosophical belief, and very justified too, that animals should have the right to live, free from any interference by humans.¹¹ In fact, the welfare of animals is extremely critical to livelihoods, food security, the economy of the country, etc.¹² The need to allow rights viewed from the perspective of protection is greater today than ever before owing to the atrocities humans have resorted to on animals, seldom for entertainment at the cost of its pain. It thus becomes imperative that animals be protected legally from the cruelty of humans, who, interestingly, are ‘evolved’ animals themselves. The very first law in the world for preventing cruelty against animals was the Cruel Treatment of Cattle Act,

⁹Dog culling should only be carried out in accordance with law: SC, INDIA TODAY (2017), <https://www.indiatoday.in/mail-today/story/canine-culling-supreme-court-963855-2017-03-04> (last visited May 7, 2024).

¹⁰ Henry S. Salt, ANIMALS’ RIGHTS CONSIDERED IN RELATION TO SOCIAL PROGRESS, 13th Ed. 1922, p. 32.

¹¹ Bhumika Sharma and Priyanka Sharma, “Freedom of Animals: Need to Aware and Sensitize Masses in India”, LAW AND SOCIETY: A NEW CHALLENGE, Vol. 47, July-Dec 2016.

¹²J. Cumes, “Animals Are Key To Human Development: A Guidebook For Incorporating Conservation And Animal Welfare Into Development Planning”, IFAW, https://d1jyxxz9imt9yb.cloudfront.net/resource/572/attachment/original/ifaw_animals_are_key_to_human_development_report.pdf, (last visited on May 30, 2022).

1882 in England, which was also popularly known as the Martin's Act. This Act was repealed and replaced by the Cruelty to Animals Act of 1849. After the commencement in this direction, many countries took cognizance of the cause and began to recognize the need for the rights of animals and even incorporated provisions under their Constitutions. For instance, today, countries such as Germany, Brazil, Serbia, Egypt, etc., have provisions in their constitution for the protection of animals. Switzerland was the very first country to implement the dignity of animals as a protection-worthy value in the Constitution.¹³ Internationally the United Nations and many other organizations have been involved actively for the cause of animal protection.¹⁴ Many instruments are also in place which sensitize and raise awareness about animal rights, a very prominent example of it being the Declaration of Animal Welfare¹⁵ and the Universal Declaration of Rights of Mother Earth.¹⁶ It is thus undeniable that world over animals are given significant importance especially with respect to their protection and conservation.

India is no exception to this and has multiple enactments for protecting and preserving animals and their rights. Some of the important legislations in this regard are the Prevention of Cruelty Act of 1960, the Wildlife Protection Act of 1972, the Indian Fisheries Act of 1897, the Indian Forest Act of 1927, etc. The provisions of laws and their enforcement are drastically changing, becoming more effective. The non-profit organizations fulfilling their duty by standing up for the voiceless animals and petitions being filed by activists are

¹³Bolliger Gieri, "Legal Protection of Animal Dignity in Switzerland: Status Quo And Future Perspectives", ANIMAL LAW, Vol. 22/311, 2016, p. 311.

¹⁴Bhumika Sharma and Priyanka Sharma, "Rights Of Animals: An Overview Of Efforts Of International Non-Governmental And Inter-Governmental Organisations", LawZ, Aug 2017.

¹⁵Declaration of Animal Welfare 1977.

¹⁶Universal Declaration of Rights of Mother Earth, 22 April 2010

resulting in the Courts taking cognizance of the concerns and ensuring effective enforcement of animal rights. The judiciary has put in commendable efforts in the sphere of animal rights by not only reiterating the constitutional provisions such as fundamental duties and directive principles which require the citizens and the state to dutifully safeguard animals, but has also extended fundamental rights to them. In *State of Gujrat v. Mirzapur Moti Kureshi Kassab*,¹⁷ the Apex Court enacted clause g in Article 51-A, bestowing upon it the status of fundamental duty. It also stated that the legislative intent behind the directive principle provided under Articles 48 and 48A should be honoured and implemented in a true sense as a fundamental duty.¹⁸ In another important judgement by the Supreme Court in the case of *Centre for Environment Law, WWF-I v. Union of India & Others*¹⁹, it was observed that human beings have an inherent duty to preserve other species from extinction and must encourage and adopt an effective species protection regime.²⁰ In 2000, in the case of *N.R. Nair v. Union of India*²¹, the Kerala High Court addressed the issue of extending fundamental rights to animals, underscoring that legal rights should not be “the exclusive preserve of humans which has to be extended beyond people, thereby dismantling the thick legal wall with humans all on one side and all non-human animals on the other side”.²² In the case of *Animal Welfare Board of India v. A. Nagaraja*,²³ the Supreme Court of India notably redirected this perspective. By prohibiting the traditional Tamil Nadu sport of Jallikattu, a bullfighting festival, the Court made a groundbreaking decision, asserting that animal life

¹⁷ *State of Gujrat v. Mirzapur Moti Kureshi Kassab*, AIR 2006 SC 212.

¹⁸ *Supra* n.17., para 44.

¹⁹ *Centre for Environment Law, WWF-I v. Union of India & Others*, 2013 (8) SCC 234, Para 42

²⁰ *Supra* n.19, para 42.

²¹ *N.R. Nair and Ors. v. Union of India*, AIR 2001 SC 2337

²² *Supra* n 19, para 13.

²³ *Animal Welfare Board of India v. A. Nagaraja*, 2014 (7) SCC 547.

falls under the purview of the fundamental right outlined in Article 21 of the Indian Constitution.²⁴ This landmark ruling expanded the concept of the right to live with dignity beyond humans to encompass animals. Consequently, animals are entitled to protection against unnecessary torture or suffering inflicted by humans. In the case of *Abdul Kadar Mohamad Azam Sheikh v. State of Gujrat*²⁵, the Gujarat High Court ruled that confining birds in cages constitutes illegal imprisonment, violating their fundamental right to freedom of movement. Similarly, in *Ramesh Sharma v. State of Himachal Pradesh and others*²⁶, the Himachal Pradesh High Court mandated the State government to propose regulations to prohibit animal sacrifice. In both instances, the courts invoked the 'doctrine of parens patriae' to safeguard the fundamental rights of animals.²⁷

Further reinstating the A. Nagaraja judgement, the Delhi High Court stated in *People for Animals v. MD Mohazzim & another*²⁸ that birds have the fundamental rights enshrined in the Indian Constitution, which includes the right to dignity, and thus, they cannot be cruelly treated by anyone. Birds also have the fundamental right to fly in the sky, and humans have no right to keep them caged or restrict their movement. The Uttarakhand High Court, in the case of *Narayan Dutt Bhatt v. Union of India & Ors.*²⁹ not only reiterated that "Article 21 of the Constitution, while safeguarding the rights of humans, protects life" but also that "the word 'life' means the animal

²⁴ *Id.*, para 62

²⁵ *Abdul Kadar Mohamad Azam Sheikh v. State of Gujrat*, Special CR APP. No 1635 / 2010, dated May 12, 2011.

²⁶ *Ramesh Sharma v. State of Himachal Pradesh and others*, CWP No. 9257 of 2011, along with CWP No.4499/2012 and CWP No.5076/2012, dated September 29, 2014.

²⁷ *Supra* n.26, para 84.

²⁸ *People for Animals v. MD Mohazzim & another*, 2015(3) RCR (Criminal) 94.

²⁹ *Narayan Dutt Bhatt v. Union of India & Ors.*, (PIL) NO. 43 OF 2014.

world".³⁰ This decision was the very first and the most significant one, as it granted legal personhood to animals. This decision was followed further in the recent case of *Karnail Singh and others v. State of Haryana*³¹, whereby the Punjab and Haryana High Court recognized all animals of the animal kingdom as legal entities. The latest development in this direction came from the Supreme Court on 19th May 2022 when it lifted its stay order on a 2021 Delhi High Court judgement whereby it had ordered that community dogs have the right to food & water and the citizens of the country have the right to feed them.³² The Supreme Court had ordered an interim stay in March 2022 on the plea of 'The Humane Foundation for People and Animals, stating that feeding stray dogs may create menace.³³ Lifting the ban, the Apex Court emphasized the right of the community dogs (stray or street dogs) to be fed, "but in exercising this right, care and caution should be taken to ensure that it does not impinge upon the rights of others or cause any harm, hindrance, harassment and nuisance to other individuals or members of the society."³⁴ Thus, the judiciary has time and again intervened and guaranteed fundamental rights to non-human animals.

3. Right to Life and Right to Die- The Current Legal Scenario Under the Constitution of India

While Article 21 of the Indian constitution states that 'no person shall be deprived of his life or private liberty, anticipate consistent with technique set up by regulation', in the recent

³⁰*Id.*, para 74(iii).

³¹ *Karnail Singh and others v. State of Haryana*, 2019 SCC Online P&H 704.

³² *Dr. Maya D. Chablani v. Smt Radha Mittal &Ors*, 2021 SCC OnLine Del 3599.

³³ Nandini Singh, "Supreme Court Lifts Stay on Delhi High Court Judgment Upholding Right to Feed Stray Dogs", INDIA TODAY, May 19, 2022, <https://www.indiatoday.in/law/story/supreme-court-lifts-stay-delhi-high-court-judgment-upholding-right-to-feed-stray-dogs-1951720-2022-05-19>, (last visited on May 30, 2022).

³⁴ *Supra* note 32, para 32.

past, this fundamental right has been extended to encompass within its horizon many new rights such as right to live with basic human dignity, right to refuge, right to privacy, right to food etc. One very critical and relatively new right to be included under the ambit of Article 21 is the right to be euthanized. While euthanasia and the right to die are often interchangeably used, the two are very different from one another in meaning and legal scope. In fact, the question of the legality of the right to die has been considered and addressed multiple times by the judiciary in the country.

The term Euthanasia is derived from two Greek words, namely 'eu' implying good and 'thanatos' meaning death. Thus, the term broadly translates into good death or happy death.³⁵ Euthanasia implies and is understood to mean an act to relieve a person from pain and misery, thereby allowing the person a 'good death'.³⁶ Even though the widely accepted notion of euthanasia is that one should be relieved of an ailment or suffering to which there is no cure or hope for betterment, however few countries, such as the Netherlands and Switzerland, have legalized euthanasia not only for terminally ill patients but also for any consenting adult with a strong genuine reason.³⁷

Right to die, on the other hand, is a loosely used term for euthanasia, which, in essence, implies the right to take one's life away. Under the Indian Penal laws, abetment³⁸ and attempt to suicide³⁹ are both criminal offences. The Constitutional validity of Section 309 of the Indian Penal Code,

³⁵ Hazel Biggs, EUTHANASIA, DEATH WITH DIGNITY AND THE LAW, 1st Ed. 2021, p. 12.

³⁶ Suresh Bada Math and Santosh K Chaturvedi, "Euthanasia: Right to Life vs Right to Die", IJMS, Vol. 136(6), 2012, p. 899.

³⁷ Kumar Amarasekara and Mirko Bagaric, EUTHANASIA, MORALITY AND THE LAW, 19th ed. 2002.

³⁸ The Indian Penal Code, 1860, S. 306, No.45, Acts of Parliament, 1860

³⁹ The Indian Penal Code, 1860, S. 309, No.45, Acts of Parliament, 1860

1860 i.e. attempt to suicide, was challenged in the Supreme Court in the case of *P. Rathinam v. Union of India*⁴⁰ and held to be unconstitutional as it is violative of Art 21 of the Indian Constitution.⁴¹ This decision was short-lived as the Apex Court of the country overruled it in the case of *Gian Kaur v. State of Punjab*⁴² whereby the Petitioner and her husband were punished for abetment of suicide. The Supreme Court, even though it held that Section 306 of the Indian Penal Code, 1860, which criminalizes abetment to suicide, is constitutional, established a very fine distinction between the meaning of 'right to die' and 'right to die with dignity'.⁴³ 'Right to die' does not find any legal validity under the constitutionally guaranteed fundamental right under Article 21 as the same implies an inherent right to terminate one's life at his own whim. 'Right to die with dignity' on the other hand, implies an individual's right to live a dignified life even during his final moments. In these moments, it is this very right which guarantees to him a dignified process of death. In the context of a terminally ill patient who has no hope for cure or recovery, the Apex Court observed that the demand of the patient for termination of life would be well within the ambit of the 'right to die with dignity'.⁴⁴ It was thus clarified that the right to accelerate the death of a person when the natural death process has already commenced will also be under the ambit of the constitutional provisions, further implying that any unnatural termination of one's life is not guaranteed by the constitution and is beyond the scope of Article 21.⁴⁵

⁴⁰ *P. Rathinam v. Union of India*, 1994 (3) SCC 394.

⁴¹ *Id.*, para 110.

⁴² *Gian Kaur v. State of Punjab*, 1996 AIR 946

⁴³ *Id.*, para 24.

⁴⁴ *Supra* n.42, para 25.

⁴⁵ *Supra* n. 42

3.1 The Apex Court on Aruna Shanbaug

The case of Aruna Shanbaug⁴⁶ has been by far the most significant judgement in the direction of legalizing euthanasia in India. Aruna, a working nurse at a hospital in Mumbai, was raped and strangulated with a chain which led to loss of oxygen supply to the brain, thereby pushing her into a persistent vegetative state. Aruna had been in this state with her brain virtually dead for almost 37 years when the petition for euthanizing her was filed in the Supreme Court.⁴⁷ Laying the law on Euthanasia for the very first time in India, the Supreme Court allowed passive euthanasia after a thorough examination of certified medical practitioners of the condition of the patient. While active euthanasia refers to actively committing an act which causes or accelerates the process of death, passive euthanasia involves the omission of steps which help sustain life. Withdrawing treatment of a disease which would naturally lead to death is understood as passive euthanasia.⁴⁸ Thus, in many countries, including India, passive euthanasia has been viewed as legal, whereas active euthanasia remains illegal. After the Aruna Shanbaug judgement, the Law Commission of India has acknowledged the need for a law which legalizes passive euthanasia, yet the legislature is struggling to give any law on the subject matter. The Court, while exercising its powers vested under Article 142 of the Constitution⁴⁹ laid down guidelines which have to be adhered to while implementing an advance directive given by the patient. Some of these guidelines include that the patient has to be an adult of sound mind, the directive should state clearly when exactly the medical treatment is to be withdrawn, name of the guardian or close relative who would give or

⁴⁶Aruna Ramachandra Shanbaug v Union of India, 2011 (4) SCC 454.

⁴⁷ Supra n.46

⁴⁸Common Cause v Union of India, 2018 (5) SCC 1, para. 385.

⁴⁹ Article 142 of the Constitution of India, 1950.

withhold consent in a situation where the executor of the directive turns incompetent etc.

4. Animal Euthanasia Laws around the Globe

Foreign jurisdictions like Tanzania and Denmark have made significant strides in recognizing animals as sentient beings with rights to life. For instance, the Tanzanian Animal Welfare Act explicitly acknowledges animals as sentient beings. Similarly, Denmark's Animal Welfare Act emphasizes the importance of respecting animals as sentient beings. In contrast, India does not expressly recognize animals as sentient beings with such rights.

4.1 United States of America

In the United States, forty-nine states have enacted legislation to govern the euthanasia of animals,⁵⁰ outlining that only licensed veterinarians or technicians can perform such procedures. While methods of euthanasia are often specified in laws or regulations, veterinarians also rely on guidance from established best practices, notably those outlined by the American Veterinary Medical Association (AVMA). The AVMA has developed guidelines aimed at assisting veterinarians in alleviating the "pain and suffering of animals that are to be euthanized."

States endeavour to incorporate the recommendations of the American Veterinary Medical Association (AVMA) into their laws regarding animal euthanasia. The predominant method endorsed by the AVMA and adopted by most states involves using sodium pentobarbital administered by injection. However, some states permit alternative methods such as using different chemicals for injection or utilizing gas chambers for euthanasia, although this is less common. In a

⁵⁰ Animal Euthanasia | Animal Legal & Historical Center, <https://www.animallaw.info/intro/animal-euthanasia> (last visited May 8, 2024).

minority of states, the use of gas chambers for euthanasia is either confirmed or suspected. Additionally, certain states have enacted legislation addressing emergency euthanasia, particularly in situations where law enforcement officers must euthanize a dog for public safety reasons. These laws aim to shield officers from liability for animal cruelty when humane euthanasia by gunshot is the only viable option. This scenario typically arises when a dog poses a threat to public health or safety or when the dog is severely injured or diseased and efforts to locate the owner have been unsuccessful. Under such circumstances, euthanizing the dog is deemed necessary to prevent further pain and suffering.

4.2 Italy

Laws governing animal welfare, experimentation, games involving animals, and addressing issues like abandonment and abuse lack specificity regarding the euthanasia of dogs with owners. Italian legislation, while prohibiting the euthanasia of captured dogs housed in public facilities like kennels or shelters, allows exceptions for terminally ill or dangerous individuals. However, there is a gap concerning dogs whose euthanasia is at the discretion of their owners. Aside from Law No. 189/2004⁵¹, which broadly refers to ‘everybody who causes the death of an animal’ only specific Italian regional laws provide limited protection for animals with owners.⁵²

⁵¹ Italia. Legge 20 luglio 2004, n. 189. Disposizioni concernenti il divieto di maltrattamento degli animali, nonché di impiego degli stessi in combattimenti clandestini o competizioni non autorizzate. Gazzetta Ufficiale n. 178, 31 luglio 2004.

⁵² *Euthanasia of companion animals: A legal and ethical analysis*. Available from: https://www.researchgate.net/publication/6446310_Euthanasia_of_companion_animals_A_legal_and_ethical_analysis [accessed May 01 2024].

Another regional law⁵³ provides that “in case the owner for serious reasons cannot continue to hold the animal, he shall communicate it to the veterinary section of the Local Health Unit (ASL, Azienda Sanitaria Locale), which has the responsibility to take it and give it to public or private recovery structures, operating within the national health service”. This regulation does not grant the owner the choice but establishes specific prohibitions and orders. Also, Regional law n. 35⁵⁴ decrees: “putting down animals should be done only on the owner’s request for valid health reasons”.⁵⁵

Another regional law stipulates that animals may only be euthanized by a licensed veterinarian, who must issue the corresponding certification⁵⁶. It mandates the euthanasia of captured dogs solely if they are severely ill, incurable, proven dangerous, or pose a risk to public health and safety (in the absence of provisions in articles 86, 87, 91, and 104 of DPR⁵⁷ and subsequent modifications).⁵⁸

4.3 Animal Euthanasia in India- Is the Current Law Sufficient?

Animal welfare has always been a growing concern and an endeavour for constant improvement in India. In fact, it appears to be a cycle which should ideally go hand in hand but in reality, the concerns any day outweigh the remedies. Recent trends indicate a strong adoption of animal euthanasia as a welfare mechanism so as to give them respite from their pain and suffering. This approach has been endorsed by

⁵³ Article 7, Regional law no. 39 made on 04-09-1990 by the Autonomous Region Friuli Venezia Giulia.

⁵⁴ Number 35 made on 21-10-1999 by Abruzzo Region.

⁵⁵ *Id*

⁵⁶ Article n. 2 of n. 9 Regional law by the autonomous Bolzano province made on 15-05-2000.

⁵⁷ Italia. Decreto del President Della Repubblica 8 febbraio 1954, n. 320. Gazzetta Ufficiale n. 142, 24 Giugno 1954.

⁵⁸ *Supra* n.57, Article 4

academicians and embraced by the judiciary as well, which is evident from various decisions whereby it has allowed animal euthanasia on humane grounds. In the absence of a law or judicial precedent which formally and expressly recognizes the right of animals to be euthanized, the judicial intervention and existing guidelines become the primary source of authority and motivation.

One significant incident which has given validity to animal euthanasia by holistically recognizing the animal's right to life under Article 21 was the decision of the Madras High Court in 2018. Rajeshwari, a temple elephant in Salem city in Tamil Nadu, had been terminally ill for a long, suffering from an abscess on their right hip and arthritis. Feeling compassionate for Rajeshwari, animal lovers filed a public interest litigation to seek permission to euthanize her. The Madras High Court, taking consideration of her condition, ordered her euthanasia⁵⁹ on the condition that it be certified by a local government veterinarian that keeping the animal alive would prolong its suffering.⁶⁰ In March 2023, there was a rapid issuance of two sets of Rules within a mere 10-day period under the Prevention of Cruelty to Animals Act (PCA Act) of 1960. This development was likely prompted by numerous judicial directives from several High Courts and the intervention of the Supreme Court regarding the administration of stray dog populations. The second set of Rules introduced was the Animal Birth Control Rules, 2023.⁶¹ Previously, in 2001, the Animal Birth Control (Dogs) Rules of 2001⁶² were established with the objective of

⁵⁹S. Muralidharan v. Arulmigu Suguvaneswarar Temple, W.P. No.9035 of 2018

⁶⁰Syed Muthahar Saqaf, "Temple Elephant Dies A Natural Death", THE HINDU, April 22, 2018, <https://www.thehindu.com/news/national/tamil-nadu/temple-elephant-dies-a-natural-death/article23632219.ece>, (last visited on May 30, 2022).

⁶¹ Animal Birth Control Rules, 2023 <https://awbi.gov.in/uploads/regulations/167956418266ABC%20Rule%202023.pdf> (last visited on Sep. 22, 2023)

⁶² Animal Birth Control (Dogs) Rules, 2001 https://chdanimalhusbandry.gov.in/pdf/ABC__Dogs__Rules__2001.pdf (last visited on Sep. 22, 2023)

capturing, sterilizing, and releasing street dogs, with the responsibility for achieving these goals resting on local authorities. The 2023 Rules maintain the core principles of the 2001 Rules but incorporate additional provisions aimed at addressing this issue in a more humane manner. These Rules authorize the local Animal Birth Control Monitoring Committee, which delegates the authority to a team to euthanize dogs deemed incurably ill or fatally wounded.⁶³ Euthanasia procedures must adhere to humane standards and be administered by a certified veterinarian. Furthermore, it's essential that euthanasia is carried out away from the presence of other dogs.⁶⁴

The Animal Welfare Board of India, which is a statutory body of the Indian government established in 1962 under the Prevention of Cruelty to Animals Act 1960, has laid down guidelines to be followed while euthanizing animals. One of the primary requirements of the same is the performance of euthanasia by a qualified veterinarian who understands the “anatomical landmarks and the equipment and drugs used for the humane euthanasia of animals.”⁶⁵ Other guidelines have also been recommended with regard to the procedure to be followed while euthanizing the animal.⁶⁶

While the above provisions and guidelines may appear to be sufficiently advocating the legal scenario in India pertaining to animal euthanasia, constitutionally, the same poses a big question as despite animals being guaranteed the Right to life under Art 21 and being bestowed personhood, the right to be euthanized has not yet evolved from the very fundamental right. Just as the judiciary in the country interpreted Art 21 to

⁶³*Id.*, Rule 15

⁶⁴ *Supra* n. 62, Rule 15(2)

⁶⁵ Notification dated April 25, 2013, of the Animal Welfare Board of India, <https://hasindia.org/img/about/animal-law-docs/AWBI-about euthanasia.pdf>, (last visited on May 30, 2023).

⁶⁶*Id.*

imply that the right to live with dignity includes the right to give up life if it cannot be lived with a certain dignity and is full of pain and suffering, thereby allowing passive euthanasia, the country still awaits a judicial precedent of the same nature and stature pertaining to animal euthanasia.

In addition to the above issue, the subject of animal euthanasia, specifically wild animals, remains a sensitive concern as, in the absence of any clear definition, ambit and scope, it amounts to hunting⁶⁷ which is a punishable offence. Thus, not only cognizance but also defining the terms in the Indian context and identification of relevant procedures, implementing agencies, etc., are all important to be addressed in the interest of animal welfare. The draft National Wildlife Action Plan 2017-2031 report, which was unveiled by the Ministry of Environment, Forest & Climate Change in 2016, revealed the urgency of the definition of euthanasia and mercy killing of terminally ill animals. The Plan, which was unveiled on 2nd October 2017, serves as the future roadmap for wildlife conservation in the country.

4.4 Role of the Municipalities

At the core of animal welfare legislation lies the Prevention of Cruelty to Animals Act of 1960, providing a robust legal foundation dedicated to safeguarding animal rights and welfare. Although not explicitly addressing euthanasia, this Act empowers municipal authorities to ensure animal protection and welfare, particularly in cases of severe suffering. Additionally, the Animal Birth Control (Dogs) Rules, 2001 supplement these provisions by offering detailed guidelines for managing stray dog populations, emphasizing non-lethal methodologies while recognizing municipalities' discretion to employ euthanasia when necessary. In their comprehensive efforts to manage animal welfare,

⁶⁷ The Wildlife (Protection) Act, 1972, Section 9, No. 53, Acts of Parliament, 1972

municipalities establish and maintain animal shelters or pounds, conduct sterilization and vaccination programs to control stray populations, and make euthanasia decisions based on thorough deliberation and adherence to established protocol.

Rule 15 of the Animal Birth Control (Dogs) Rules, 2001, sets forth the procedure for euthanizing stray dogs, marking a significant milestone. Dogs deemed incurably ill or mortally wounded by a designated team appointed by the Local Animal Birth Control Monitoring Committee are to be euthanized humanely, following specified protocols. This process entails the intravenous administration of sodium pentobarbital or another authorized humane method by a veterinarian with appropriate qualifications. The euthanasia team, consisting of the Jurisdictional Veterinary Officer, the Project in charge, and a Representative of the Board or State Board, ensures that euthanasia occurs without the presence of other dogs and verifies the animal's death before disposal. Thorough records of euthanasia, including the reasons for the decision, are meticulously maintained and endorsed by the appointed team, representing a notable advancement in animal euthanasia practices, albeit currently limited to stray dogs. Moreover, the Government of India has recognized the importance of imparting education in animal welfare science through structured programs. The establishment of the National Institute of Animal Welfare (NIAW) in Ballabgarh, Haryana, in 2006 addresses this need. Additionally, at the state level, governments are mandated to establish and fund Societies for Prevention of Cruelty to Animals (SPCAs) in each district.⁶⁸ SPCAs play a crucial role in assisting state governments, the Animal Welfare Board of India, and local authorities in enforcing provisions of the Prevention of Cruelty to Animals

⁶⁸ The Prevention of Cruelty to Animals (Establishment and Regulation of Societies for Prevention of Cruelty to Animals) Rules, 2001.

Act, including seizing animals, collecting fines, and handing over perpetrators of animal cruelty to the police.

5. Way Forward

Kerala struggled with the stray dog menace in 2022, whereby as many as 21 deaths occurred due to rabies in the state⁶⁹. Government data⁷⁰ revealed that Kerala has about 290000 street dogs, which, even though not in the top ten list of Indian states with the most street dogs, was placed 6th in terms of dog bites reported in the country in the first seven months of 2022. The situation caused panic amongst people of the state, leading to torture⁷¹ and mass killings of street dogs in the garb of natural death due to poisoning or the dogs were subjected to torture and succumbed.⁷² In fact, a businessman, Kochouseph Thomas Chittilappilly, who happens to be the president of the Stray Dog Free Movement, has gone to the extent of offering cash rewards for killing street dogs.⁷³ Sterilized dogs which are released were attacked, and lactating mother dogs and sterilized stray dogs were killed in large numbers in Kerala to curb the growing “menace” of dog bites and overcrowding of street dogs.

⁶⁹ Snigdha Choudhary, “Kerala’s Stray Dog Menace”, *The INDIA.COM* <https://www.india.com/news/india/kerala-stray-dogs-menace-street-dogs-killed-poisoned-21-people-dead-rabies-vaccine-5637893/>, (last visited on Sep. 22, 2023)

⁷⁰ “Telling Numbers: 18 lakh fewer stray dogs in 7 years, and the 1.53 crore still on streets”, *The Indian Express* <https://indianexpress.com/article/explained/18-lakh-fewer-stray-dogs-in-7-yrs-and-the-1-53-crore-still-on-street-s-8066644/>, (last visited on Sep. 22, 2023)

⁷¹ Sohini Goswami, “Kerala Dog killing: Activists demand end to cruelty, stage stir at Jantar Mantar”, <https://www.hindustantimes.com/india-news/kerala-dog-killing-activists-demand-end-to-cruelty-stage-stir-at-jantar-mantar-101664025158860.html>, (last visited on Sep. 22, 2023)

⁷² *Supra* n.69

⁷³ Abhishek. R “Gods own country to Dogs own hell”, <https://www.veganfirst.com/article/gods-own-country-to-dogs-own-hell>, (last visited on Sep. 22, 2023)

In the 2015 case of *AWBI v. People For Elimination of Stray Troubles*⁷⁴, the Apex Court aimed to "strike a balance between compassion to dogs and the lives of human beings." This quote, however, reflects an anthropocentric bias, emphasizing humans' need for compassion towards animals rather than valuing animal life intrinsically. This bias was previously criticized in *A. Nagaraja*, where the Supreme Court acknowledged the intrinsic worth of animal life. Yet, the same bias persists, as evidenced by the limited approval of euthanasia for humans contrasted with the widespread euthanization of dogs permitted by the 2017 Supreme Court judgment in *AWBI v. People For Elimination of Stray Troubles*.

The escalating number of stray dogs euthanized in Chennai alone, reaching approximately 2,790 from 2011 to 2015, reflects a nationwide trend of increasing euthanizations. This stark contrast underscores the procedural complexities involved in euthanizing human life compared to the relatively straightforward process for euthanizing dogs, which merely requires the opinion of a qualified veterinarian. While euthanasia for humans is sparingly permitted and only in passive forms, adult dogs and puppies are actively administered sodium pentothal and thiopental intraperitoneal, respectively. These disparities persist despite India's stringent animal welfare laws, indicating that animal life is often regarded as lacking intrinsic worth and is instead subject to the convenience of human desires and preferences. In a report issued by the World Organization for Animal Health (OIE), animal welfare is defined as the adaptation of a creature to its living conditions. Additionally, John Webster, an English philosopher, outlines three positive conditions for animal welfare: leading a natural life, being healthy, and experiencing happiness. Recent trends in print media indicate a growing inclination towards the adoption of animal euthanasia,

⁷⁴ Animal Welfare Board of India v People for Elimination of Stray (2016): SCC, SC, 2

particularly to relieve animals from distressing situations where humanity seems to falter towards inhumanity. In the context of the Indian legal system, euthanasia for animals entails allowing them to peacefully pass away through the deliberate withdrawal of life-sustaining treatment, ultimately leading to death. Essentially, this practice of passive euthanasia is carried out by consistently refraining from interventions that prolong life, allowing nature to take its course and enabling the body to reach its natural end, as deemed appropriate in that particular circumstance.⁷⁵

This section outlines the currently recommended methods for ensuring a humane death for various species encountered in the context of working with pet animals. It also emphasizes that species-specific procedures exist for the humane control of pest animals. In the realm of animal law, several critical factors must be weighed when determining the most suitable method of euthanasia. These include the species, size, safety, and the animal's location, alongside the proficiency and inclination of the operator. Optimal consideration must be given to selecting a method that aligns with the specific requirements dictated by the species, age, and size of the animal. Furthermore, it is imperative that euthanasia procedures be carried out by individuals possessing the necessary competence and qualifications in the chosen methods or under the direct oversight of a suitably skilled individual. Certain methodologies demand substantial Comprehensive training for euthanasia should encompass several key elements. This includes becoming acquainted with the typical behaviour patterns exhibited by the species undergoing euthanasia, as well as understanding how the process of handling and restraint can impact animal behaviour. Moreover, it is crucial to grasp the mechanisms underlying the chosen euthanasia

⁷⁵EUTHANASIA IN ANIMALS: AN INDIAN PERSPECTIVE | Pashudhan Praharee, <https://www.pashudhanpraharee.com/euthanasia-in-animals-an-indian-perspective/> (last visited May 7, 2024).

technique, comprehending how it induces unconsciousness and ultimately leads to death. Additionally, individuals conducting euthanasia must be adept at recognizing signs indicative of pain and distress in animals, ensuring that the process is conducted with utmost care and empathy.

6. Recommendations

6.1 Animal Welfare Considerations

6.1.1 Impact on Target Animals

- Humane procedures must always be utilized when euthanizing animals, prioritizing the avoidance of distress, reliability, and the rapid induction of unconsciousness without pain until death.
- Proper handling and restraint are essential in many euthanasia methods to minimize the animal's experience of pain, fear, distress, and anxiety while also ensuring the safety of the operator.
- In scenarios, where capturing or restraining an animal could potentially cause considerable pain, injury, or distress to the animal or pose risks to the individual handling it, the administration of sedatives and/or immobilizing drugs beforehand may be deemed necessary.
- Some physical euthanasia methods, such as stunning followed by exsanguination, may lack aesthetic appeal but can still be humane by ensuring immediate insensitivity to pain. The choice of technique should prioritize the welfare of the animal over the sensitivities of observers or operators.
- Whenever feasible, arrangements should be made to euthanize the young dependants, if any, or arrangements to be made for their care and well-being.

6.2 Methods of Euthanasia

From the perspective of animal law, while no single method of euthanasia can be deemed perfect, the chosen procedure should strive to meet a set of specific criteria. These include ensuring that the process is painless, swiftly induces unconsciousness and death, and interrupts consciousness and reflexes simultaneously. Moreover, the method should require minimal restraint and avoid causing excitement or significant psychological stress to the animals. It should also be suitable for the age of the animal and demonstrate consistent and predictable action. Additionally, it should be easily and safely administered by adequately trained personnel while minimizing emotional effects on both operators and observers. Importantly, the chosen method should not be susceptible to abuse by humans, nor should it contribute to disease or environmental issues. Furthermore, it should not result in tissue changes that could complicate post-mortem diagnosis, and it should be economically viable and readily accessible. Lastly, it should not leave behind carcasses that, if consumed, could lead to secondary poisoning.

Below mentioned are concise descriptions of several recommended euthanasia methods.

6.2.1 Physical methods

a. Shooting

Shooting is often employed as a swift and humane method for euthanizing animals, particularly in field settings where other options may be impractical. Headshots, specifically aimed to halt brain function, are preferred for animals immobilized by injury or physical restraint, ensuring immediate loss of consciousness. Precision is vital to ensure the projectile enters the brain, considering variations in brain position and skull structure among species. In circumstances where a precise headshot is unattainable, such as with free-ranging or unrestrained injured animals, chest shots may be necessary.

These result in death due to extensive tissue damage and haemorrhage from major blood vessels. Insensibility typically follows within seconds to a minute after the shot, with rapid unconsciousness if the heart's function is halted.

Qualified individuals with firearms experience and proper licensure should conduct shooting procedures, adhering to legislative and safety protocols. Prior testing of firearm accuracy against inert targets is imperative, and non-essential personnel should maintain distance to minimize agitation. Patience and calmness are crucial, waiting for the animal to be motionless before firing to ensure accuracy and achieve a humane death with a single shot.

6.2.2 Chemical Methods

a. Inhalant agents

Euthanasia using inhaled gases presents challenges due to the slow process of reaching the required concentration in tissues for effect. It necessitates a closed chamber to contain the gas, with careful consideration for personnel safety to prevent exposure to toxic gases. However, this method is unsuitable for animals that can hold their breath or have low breathing frequency, such as diving or burrowing birds and mammals, amphibians, and reptiles.

Inhalant methods have certain limitations when it comes to neonatal animals, as they tend to show a certain level of immunity to hypoxia. Neonates have inherent physiological mechanisms to protect their brains from damage in situations where oxygen is scarce at birth. The tolerance to hypoxia decreases as they get older, resulting in a longer time for inhalant agents like carbon dioxide to cause unconsciousness and death in newborns compared to adults. Therefore, it is strongly recommended to avoid using inhalant agents as the sole means of euthanasia for neonatal animals younger than 16 weeks.

b. Sedative drugs

A comprehensive analysis of sedative, tranquilizing, or anaesthetic drugs, like ketamine, for wildlife is not within the purview of this research. Detailed resources outlining these substances, their methods of application, and field utilization are readily accessible in scientific literature. Recommendations regarding suitable drugs, including their combinations, dosage rates, and application techniques, may differ significantly among species. Individuals utilizing sedative drugs are encouraged to refer to the most recent species-specific literature and manufacturer guidelines before their application in field settings. It's imperative to recognize that the majority of these drugs are categorized as restricted substances. This classification dictates that their distribution is limited to medical, dental, or veterinary prescription or supply or authorized use in research. Additionally, some of these drugs are subject to stringent storage and record-keeping requirements. For precise information concerning the distribution, possession, utilization, and storage of these drugs, consultation with pertinent state and territory legislation is essential.

6.3 Disposal of Carcasses

Animals that have been euthanized by chemical agents may have residues that could be potentially hazardous. It is crucial to dispose of these carcasses in a way that precludes humans or predatory/scavenger species from consuming them. Instances of toxicosis, drowsiness, and mortality have been recorded in domesticated animals and wild animals that have consumed portions of carcasses that were euthanized using particular chemical substances. When a dead body presents a danger to animals because of contagious pathogens or remnants of euthanasia substances, it is advisable to either burn it completely or enter it in a deep pit with a lime coating.

If a substantial number of animals are euthanized, it is essential to establish appropriate measures for the disposal of their carcasses.

6.4 Signs of Death

Following the implementation of a euthanasia procedure, confirming the animal's death is imperative. Below are signs indicating death:

- Absence of respiratory movement, while important and primarily a sign; however, alone is not sufficient, as post cessation of breathing, the heart may still be alive and beating.
- Absence of heartbeat: which can be ensured with the use of a stethoscope.
- Absence of pulse: The femoral pulse, found in the proximal medial aspect of the hind limb, is palpable in live animals but absent after death, particularly useful in larger species.
- Loss of colour in mucous membranes: Mucous membranes become pale, mottled, and fail to refill after pressure application, especially notable in larger species.
- Loss of corneal and palpebral reflexes: No response should occur when the eyeball or eyelids are stimulated.
- Glazing of eyes: The cornea loses its clarity, becoming opaque, dry, and somewhat wrinkled shortly after death.

Before concluding that an animal has passed away solely based on immobility or apparent cessation of breathing, it's crucial to confirm these signs. If uncertainty remains, the operator should either repeat the same procedure or consider an alternative method. In situations where the animal is unconscious, severing the major blood vessels in the neck with

a sharp knife can be employed to induce exsanguination, ensuring cessation of life.

Hypothetically, if a veterinarian advises euthanasia for an ailing animal and is opposed by staff or the owner considering it as an 'act of cruelty', who will come to the rescue of the animal who is alive and miserable? This situation and the above analysis of the present scenario of laws on animal euthanasia in India pose a very relatable and practical problem with no concrete solution. The existing provisions serve only as a starting foundation to build upon a concrete future which includes a well-thought-out and structured framework for the euthanasia of animals. Not only does this serve as a guiding light to be followed, but it also helps one make an informed decision when such a situation arises. While it is understandable that animal care, rescue and management of animal population operate multi contextually and thus there cannot be a pigeon hole which fits into every situation. Yet the absence of the same leads to conflicts whereby animal welfare takes a backseat. We should acknowledge and try to understand that suffering is the same for humans and animals, and if humans have been legally allowed the right to end their misery, so should the animals. Thus, an effective policy or guideline which will allow one to make objective decisions and is most suited to the present and future requirements must be developed.

7. Conclusion

The evolution of animal rights within Indian jurisprudence remains a dynamic process, and as conflicts between humans and animals persist, inconsistencies within the Indian legal framework will gradually be resolved. In the ongoing dispute between stray dogs and humans, the Siri Jagan Committee, although currently inactive, played a pivotal role in assessing compensation for victims of stray dog attacks and provided reports and recommendations that significantly influenced

governmental decisions. Drawing from these reports, the Indian government recognized the imperative to safeguard its citizens, particularly in light of the escalating incidents of dog bites, which surged from 135,749 in 2017 to 196,552 in the initial eight months of 2022. Highlighting the inadequacy of the prevailing policy of sterilization and vaccination, the committee underscored that releasing dogs back into the same locality did not offer a viable short-term solution. Consequently, the rise in stray dog-related violence stemming from existing policies necessitates governmental authorities to consider implementing more stringent measures, potentially including liberalizing standards for euthanizing the stray dog population. Faced with such pressing circumstances, the Indian Government will inevitably be compelled to take a definitive stance on its policy, as has already been done by other nations.

The Indian legal landscape is beset with complexities, as illustrated above, reflecting a broader shift in global perspectives. Traditional Western values, including anthropocentrism, are being reassessed, paving the way for a more environmentally conscious approach. Therefore, in the aforementioned critical scenario, the Indian Government must delve into its rich cultural heritage and embody the principle of '*vasudhaivakutumbakam*', wherein every living being is regarded as part of the global family and not sacrificed for the benefit of another species.