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Human Safety and Animal Rights: Legal Aspects of Road Accidents – Insights from India

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Abstract: Road accidents caused by cattle have become a serious problem in many parts of the country. Every year, several people lose their lives or suffer serious injuries because stray animals suddenly appear on roads. These accidents not only harm human beings but also lead to the death or injury of the animals involved road accidents because of cattle are preventable if both the public and authorities work together. Awareness, strict rules, and responsible behaviour can make our roads safer for everyone humans and animals alike. Nowadays the main reason of road accident is unauthorised animals on road that creates trouble not only for persons but also it is dangerous for animals too there are many owners they gain profits from animals and after that throw them out of the house it occurs difficulties and increase accidents Cattle related road accidents are preventable if government authorities, animal owners, and citizens work together.

Keywords: Human Safety; Animals Rights; Indian Laws; Judicial Intervention; Legal Framework; Safe Transport

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Introduction

Road accidents caused by cattle have become a serious problem in many parts of the country[1]. Every year, several people lose their lives or suffer serious injuries because stray animals suddenly appear on roads. These accidents not only harm human beings but also lead to the death or injury of the animals involved. According to a report published by NDTV, Haryana recorded 3,383 road accidents involving stray cattle over a five-year period, resulting in 919 deaths and 3,017 injuries.[2]

Over time, the number of road accident fatalities in India has been steadily rising, nearly doubling in the two decades between 2000 and 2022. To put road accident deaths in context, they are usually measured in two ways - relative to population, and relative to the number of vehicles. `The number of fatalities relative to India's population has been steadily rising, going from around eight deaths annually for every 100,000 people in 2000, to 12 deaths for every 100,000 people by 2022. Road accident fatalities are also examined relative to a country's vehicle density. Relative to the number of vehicles in India, fatalities have been on the decline.

Fatalities by road users: Road users are broadly classified by the type of vehicle they were in, or if they were pedestrians. There are around 260 million two-wheelers and 50 million cars registered in India. Two-wheeler riders account for the highest number of fatalities in road accidents in India - nearly half of all deaths in road accidents are of people on two-wheelers. The next largest share of road accident victims are pedestrians`[3].

Geographic Distribution

Six states were responsible for over half of all the road accident fatalities in 2022 - Uttar Pradesh, Maharashtra, Madhya Pradesh, Tamil Nadu, Rajasthan and Karnataka. However, proportionate to their populations, Tamil Nadu, Telangana, and Chhattisgarh have the highest accident rates. to prevent such mishaps, authorities must ensure proper fencing along highways, establish shelters for stray animals, and install warning signs in accident-prone zones. Drivers, too, should

[1] Bíl, M., L. Balčiauskas, M. Bílová, S. Cellina, F. Favilli, D. Gačić, E. Guinard, et al. "Wildlife-Vehicle Collision Liability in Europe: A Review of Existing Approaches and Their Implications." Journal of Environmental Management 380 (2025): 124986. https://doi.org/10.1016/j.jenvman.2025.124986.

[2] Press Trust of India. "Over 900 Deaths Due to Accidents Caused by Cattle in Haryana in 5 Years: Report." NDTV, August 10, 2022. https://www.ndtv.com/india-news/over-900-deaths-due-to-accidents-caused-by-cattle-in-haryana-in-5-years-report-3242428.

[3] Nileena Suresh, "Road Accident Deaths," Data For India, January 17, 2025, updated August 24, 2026, https://www.dataforindia.com/road-accident-deaths/.

remain alert, especially at night and in rural areas. Most importantly, people must realize that road safety is not only a human concern but also an animal welfare issue. Road accidents involving cattle have become a serious public safety issue in India. Every year, thousands of people are injured or lose their lives due to stray animals suddenly appearing on roads. These accidents also lead to the death or injury of the animals themselves, causing both human and animal suffering these incidents cause damage to life and property, delay traffic, and create distress among citizens. The issue highlights poor management of animal control systems and the negligence of some cattle owners who abandon their animals once they become unproductive.

The Legal Framework

The legal framework addressing such accidents primarily derives from the Motor Vehicles Act, 1988, the Prevention of Cruelty to Animals Act, 1960, and the Bharatiya Nyaya Sanhita along with constitutional principles. The Motor Vehicles Act, 1988 imposes a duty on drivers to act responsibly and take precautions to avoid accidents. Section 134[1] of the Act requires drivers to secure medical assistance for victims and report the incident to authorities, while Section 187[2] prescribes penalties for failing to render such assistance. Rule 125E[3] of the Central Motor Vehicles Rules, 1989, further mandates the use of safety devices and proper lighting to prevent collisions with animals. These provisions together aim to prevent accidents and promote safe driving practices. The Prevention of Cruelty to Animals Act, 1960 complements these laws by focusing on the welfare of animals. Section 11(1)(o)[4] penalizes anyone who inflicts pain or injury on animals through reckless driving or negligence, while Section 12[5] prohibits overdriving or overloading animals. This Act also empowers authorities to establish animal shelters and promote humane treatment of animals injured on roads.

Rajasthan High Court Judgement

[1] Sec 134 Of Motor Vehicle Act, 1988.
[2] Sec 187 of the Motor Vehicle Act, 1988.
[3] Government of India, Ministry of Road Transport and Highways. The Central Motor Vehicles Rules, 1989, rule 125E, G.S.R. 590(E), June 2, 1989, as amended. Accessed October 29, 2026. https://cgtransport.gov.in/Notification/CMVR_1989.pdf.
[4] Government of India. The Prevention of Cruelty to Animals Act, 1960, Act No. 59 of 1960, sec. 11(1)(o). December 26, 1960. India Code, Ministry of Law and Justice. Accessed October 29, 2026. https://awbi.gov.in/uploads/regulations/175085130181Prevention%20of%20Cruelty%20to%20Animals%20Act,%201960.pdf.
[5] Sec 12 of Prevention of Cruelty of Animals Act, 1960.

In July 2025, the Rajasthan High Court, sitting in Jodhpur, initiated suo motu proceedings in response to growing concerns about public safety and road accidents involving stray animals, particularly dogs and cattle. The judicial intervention followed reports of increasing dog-bite incidents and the presence of unattended animals on urban roads and national and state highways. The Court recognised that these circumstances presented significant risks to human life, highlighting the need for coordinated preventive measures and greater institutional accountability[1].

A Division Bench comprising Justices Kuldeep Mathur and Ravi Chirania examined the responsibilities of public authorities, including the Ministry of Road Transport and Highways, the National Highways Authority of India (NHAI), state transport authorities, and municipal corporations in Jodhpur, Jaipur, and Udaipur. The proceedings emphasised the importance of effective enforcement of existing legal obligations to maintain safe public roads while ensuring the protection and humane treatment of animals[2].

During the proceedings, the Rajasthan government referred to the Rajasthan Road Safety Bill, 2022, which reportedly contained provisions addressing road accidents and risks associated with stray animals. The Court requested clarification regarding whether the proposed legislation had entered into force, underscoring the importance of distinguishing legislative initiatives from enforceable regulatory obligations.

The Court also drew attention to the increasing number of reported dog-bite incidents, acknowledging that official statistics might underestimate the actual scale of the problem because of underreporting. To support its examination of the legal and administrative issues, the Court appointed Senior Advocate Sachin Acharya, together with Advocates Priyanka Borana and Heli Pathak, as amici curiae.

Subsequently, on 11 August 2025, the Court issued additional directions requiring municipal authorities to undertake targeted measures to remove stray animals from public roads while minimising harm to the animals. Highway authorities were also instructed to conduct regular patrols, and municipal bodies were expected to

[1] High Court of Judicature for Rajasthan at Jodhpur. Suo Moto v. Ministry of Road Transport and Highways, D.B. Civil Writ Petition No. 14726/2025. Order dated July 31, 2025. Accessed October 29, 2026. https://images.assettype.com/barandbench/2025-08-02/mmoqu3x7/Rajasthan_High_Court_suo_motu_stray_animals_case.pdf.

[2] SCC Times. “Rajasthan HC Takes Suo Motu Cognizance of Stray Animal Menace on Public Roads; Issues Directions to Municipal Bodies for Their Removal.” August 12, 2025. Accessed October 29, 2026. https://www.scconline.com/blog/post/2025/08/12/rajasthan-high-court-suo-motu-cognizance-stray-animal-menace-public-roads/.

establish accessible mechanisms for public complaints. These developments illustrate the role of judicial intervention in addressing systemic deficiencies in road safety governance and the need to reconcile public safety obligations with animal welfare considerations[1].

Local Municipal Laws and Panchayat

Local municipal laws and panchayat regulations further support these statutes by assigning responsibility for managing stray cattle and domestic animals to local authorities. Municipal bodies are expected to maintain gaushalas (cattle shelters), control stray populations, and ensure proper fencing along highways. The lack of such measures often results in cattle wandering onto roads, creating serious hazards for both animals and motorists.

Judicial Interpretation

Judicial interpretation has played a crucial role in expanding the understanding of animal rights within India's constitutional framework. In Animal Welfare Board of India v. A. Nagaraja[2] the Supreme Court recognized that animals have the right to live with dignity and free from unnecessary pain and suffering under Article 21[3] of the Constitution. The Court held that humans are guardians of animal welfare and that compassion toward living creatures, as expressed in Article 51A(g)[4], is a constitutional duty. Similarly, in State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat,[5], the Supreme Court upheld the constitutional validity of a state law prohibiting the slaughter of bulls and bullocks, holding that animal protection is consistent with the Directive Principles of State Policy under Article 48[6] and with the fundamental duty of compassion toward all living beings. These landmark judgments affirm that the protection of animals is integral to India's constitutional morality.

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[1] Khan, Hamza. "Now Rajasthan Cities Told to Remove Stray Dogs from Roads, Ensuring 'Minimal Physical Harm'." The Indian Express, August 12, 2025. Accessed October 29, 2026. https://indianexpress.com/article/india/now-rajasthan-cities-told-to-remove-stray-dogs-from-roads-ensuring-minimal-physical-harm-10183628/.
[2] (2014) 7 SCC 547.
[3] Government of India. The Constitution of India. November 26, 1949. Article 21, "Protection of Life and Personal Liberty." Accessed October 29, 2026. https://www.legislative.gov.in/static/uploads/2025/07/c9fe9c9b6840524844316f74bb1c556c.pdf.
[4] Article 51A(g) The Constitution of India.
[5] (2005) 8 SCC 534.
[6] Article 48 of The Constitution of India.

From a punitive standpoint, the Indian Penal Code, 1860, provides for detention and punishment in cases of negligent or cruel behaviour leading to injury or death. Section 279[1] criminalises rash or negligent driving that endangers human life, while Sections 337[2] and 338[3] deal with causing hurt or grievous hurt by negligence. Most notably, Section 429[4] prescribes imprisonment of up to five years for anyone committing mischief by killing or maiming animals. Similarly, under Sections 184[5] and 185[6] of the Motor Vehicles Act, 1988, dangerous or intoxicated driving may lead to imprisonment or fines. The Prevention of Cruelty to Animals Act, 1960, also allows for the detention or impoundment of animals and punishment for owners who allow their cattle to stray onto public roads.

To prevent such incidents, multiple policy measures have been suggested and implemented. These include the creation of animal crossing zones, the use of reflective collars and signboards in animal-prone areas, the installation of CCTV cameras for early detection, and awareness campaigns among rural and urban drivers about animal welfare and road safety.

[1] Section 185 Motor Vehicles Act 1988 oad Accidents in India Report recommends a coordinated approach among the National Highways Authority of India (NHAI), municipal corporations, and Animal Welfare Boards for the effective control of stray animals and mitigation of road accidents.[7]

Preventive Measures

1. Use of Reflective Collars

Cows and other stray animals should wear reflective or night-visibility belts around their necks to make them visible to drivers at night. This simple step can help prevent many road accidents involving animals.

2. Construction of Animal Shelters

[1] Government of India. The Bharatiya Nyaya Sanhita, 2023. Act No. 45 of 2023, sec. 281, "Rash Driving or Riding on a Public Way." New Delhi: Ministry of Law and Justice, 2023. https://prsindia.org/files/bills_acts/bills_parliament/2023/Bharatiya_Nyaya_Sanhita,_2023.pdf.
[2] Section 125(a) of Bhartiya Nyaya Sanhita, 2023.
[3] Section 125(b) of Bhartiya Nyaya Sanhita, 2023.
[4] Section 325 of Bhartiya Nyaya Sanhita, 2023.
[5] Government of India. The Motor Vehicles Act, 1988. Act No. 59 of 1988, sec. 184, "Driving Dangerously." New Delhi: Ministry of Law and Justice, 1988. Accessed October 29, 2026. https://indiacode.gov.in/act/2bbbcc40-38f1-4b15-ae94-646b85db4ee7/details.
[6] Section 185 Motor Vehicles Act 1988.
[7]Ministry of Road Transport and Highways, Government of India. Road Accidents in India 2023. New Delhi: Ministry of Road Transport and Highways, 2024. Accessed October 29, 2026. https://morth.gov.in/sites/default/files/Road-Accident-in-India-2023-Publications.pdf.

The government and local bodies should build proper shelter homes for stray cattle and animals without homes. This will protect them and reduce their presence on busy roads.

3. Identification and Ownership Tracking

Authorities should maintain records to identify animal owners. If no owner is found, the government should allocate funds for their care, vaccination, and safety.

4. Public Awareness and Road Safety Measures

Road safety signs and awareness campaigns should be introduced in areas with a large number of stray animals to alert drivers and prevent collisions.

5. Mapping and Relocation

Areas with a high concentration of stray cattle should be identified, and the animals should be relocated to safe and managed zones to ensure both human and animal safety.

Conclusion

In conclusion, road accidents because of cattle are preventable if both the public and authorities work together. Awareness, strict rules, and responsible behaviour can make our roads safer for everyone humans and animals alike. Nowadays the main reason of road accident is unauthorised animals on road that creates trouble not only for persons but also it is dangerous for animals too there are many owners they gain profits from animals and after that throw them out of the house it occurs difficulties and increase accidents Cattle related road accidents are preventable if government authorities, animal owners, and citizens work together. By constructing shelters, using reflective collars, enforcing tagging systems, and spreading

awareness, India can significantly reduce these tragic incidents. Road safety is not only a human duty but also a moral responsibility toward protecting innocent animals.

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