

Item No.02:

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No. 77 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the News Item in
The New Indian Express Newspaper
Dt. 03.06.2020, "Kerala elephant tragedy:
Another Jumbo suspected to have been killed
in similar fashion"

...Applicant(s)

With

Ministry of Environment, Forest and Climate Change
Rep. by its Secretary,
New Delhi and Ors.

...Respondent(s)

Date of hearing: 05.06.2020.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s):

By Court.

For Respondent(s):

M/s. Kumaresan for R2 to R8.

ORDER

1. The above case has been taken Suo Motu by this Tribunal on the basis of the News item published in The New Indian Express dated 03.06.2020 under the caption ***“Kerala elephant tragedy: Another Jumbo suspected to have been killed in similar fashion”***.
2. It is alleged in the report that a pregnant wild elephant in Silent Valley Forest had fallen victim to an act of human act of using explosive substance kept in a Pineapple which was consumed inadvertently by the wild elephant and which resulted in the death of the pregnant wild elephant and the fetus was also damaged on account of the same and the young one died without seeing the light of the day.
3. This is in fact agitated the minds of the people all over the nation and it has become viral in the social media as well. Probably these things are happening due to various aspects of not following the norms for protecting the wild animals in the forest exposing them to have conflict with human, thereby their lives were put to danger.
4. It is also seen from the newspaper that some action has been taken by the Forest Department and also from Government level including the Central Government. But this case has

been registered for the purpose of taking an effort to avoid such things in future and also for providing some long term strategy to minimize man-animal conflict in wild life area or fringe village adjoining the forest area.

5. On going through the allegation in the report, we are satisfied that there arises a substantial question of environment which requires interference of this Tribunal to resolve this issue atleast in future.
6. When the matter was taken up today through Video Conference, Sri. Kumaresan entered appearance for respondents No.2 to 8. We are admitting the matter.
7. Issue notice to the first respondent. Since respondents No.2 to 8/State Government officials entered appearance through standing counsel, we are dispensing the direct notice to them.
8. However, the Registry is directed to communicate the order passed along with the paper report and gist of the Suo Motu proceedings to all the respondents.
9. In order to ascertain the real state of affairs and also the steps to be taken to protect the wild life and minimize the man animal conflict in future, we feel it appropriate to appoint a joint committee comprising of a Senior officer not below the rank of Chief Conservator of Forest deputed by the Principal Chief Conservator of Forest, Wildlife, Chief Wild Life Warden,

Kerala, a Senior officer from Wildlife Crime Control Bureau, Southern Zone, Wild Life Warden of Silent Valley Division and Divisional Forest Officer of Mannarkkad and Punalur and the District Collector, Palakad to go into the question and submit a factual and action taken report including the long term management plan to avoid such recurrences in future..

10. Wildlife Warden of Silent Valley Division will be the nodal agency for co-ordination and providing necessary logistics for this purpose.
11. If there is already any such scheme, what is the stage of the implementation and how effectively it is being done and whether any further improvement will have to be made in the scheme for this purpose to avoid such tragedies and submit a report along with their suggestions and recommendations, so that the Tribunal can give certain directions to the Government to implement the same in its letter and spirit to avoid such things in future. One month time is granted to the committee to submit the report.
12. The Registry is directed to communicate this order to the members of the committee as well as the respondents, so as to enable them to comply with the direction and also to file their independent response regarding this issue.

13. The official respondents are also directed to submit their statement/report showing the progress of action taken in respect of investigation, arrest and recovery of any compensation as provided as per rules from the persons who are responsible for the same.

14. For appearance of respondents and consideration of report post on 10.07.2020.

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Shri. Saibal Dasgupta)

O.A. No.77/2020
05th June, 2020.
Mn.

