

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE ACTING CHIEF JUSTICE MR. A.MUHAMED MUSTAQUE
&
THE HONOURABLE MR. JUSTICE S.MANU**

Friday, the 16th day of August 2024 / 25th Sravana, 1946
WP(C) NO. 22966 OF 2024(S)

PETITIONER:

ADV. SUNIL KUMAR A. G, AGED 45 YEARS, SECRETARY, ERNAKULAM DISTRICT SCOUT AND GUIDE FELLOWSHIP, S/O A.K GOVINDAN, ACHARIPARAMBIL, THALANJI, POOKKOTTUMANNA P.O., MALAPPURAM DISTRICT, PIN- 679 334.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
2. KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ITS CHAIRMAN, HEAD OFFICE, PATTOM P.O., THIRUVANANTHAPURAM, PIN - 695 004.
3. STATE POLICE CHIEF, KERALA POLICE HEADQUARTERS, THIRUVANANTHAPURAM, PIN - 695 010.
4. DEPARTMENT OF FOREST, REPRESENTED BY ITS SECRETARY, GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
5. MINISTRY OF ENVIRONMENT, REPRESENTED BY ITS SECRETARY, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA, NEW DELHI, PIN - 110 003.
6. KERALA FOREST DEVELOPMENT CORPORATION, REPRESENTED BY MANAGING DIRECTOR, "AARANYAKOM". KOTTAYAM – THIRUVARPU ROAD, KARAPPUZHA, KOTTAYAM , PIN - 686 003.

Writ Petition (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents to issue appropriate orders prohibiting provisionally or banning provisionally; carrying and use of harmful plastics like PET bottles, single use plastic bags, plastic parking materials etc. in national parks, tiger reserves, wildlife sanctuaries and in the forest areas in the State of Kerala and also to take urgent actions to remove the accumulated plastic wastes from national parks, wildlife sanctuaries, tiger reserves and forest areas in the State of Kerala at the earliest or in a time bound manner during the pendency of this case.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SMT. NIHARIKA HEMA RAJ, Advocate for the petitioner, SPECIAL GOVERNMENT PLEADER for R1, R3 & R4, STANDING COUNSEL for R2, CENTRAL GOVERNMENT COUNSEL for R5 and of STANDING COUNSEL for R6, the court passed the following:

A.Muhamed Mustaque, Acg. C.J.

&

S. Manu, J.

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W.P.(C)No. 22966 of 2024-S

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Dated this the 16th day of August, 2024

ORDER

A.Muhamed Mustaque, Acg. C.J.

In this Public Interest Litigation, the petitioner raised an important question as to the use of plastics in forests, national parks, wildlife sanctuaries and tiger reserves in the State of Kerala.

2. A detailed report is necessary from the Forest Officials as to the requirement to ban the use of plastics in these areas and what measures can be taken by them to ensure these areas as non-plastic zones to protect the flora and fauna.

3. Admit. Learned Special Government Pleader takes notice for respondents 1, 3 and 4. Learned standing counsel takes notice for the 2nd respondent. Learned Central Government Counsel takes notice for the 5th respondent. Learned standing counsel takes notice for the 6th respondent.

4. Learned Special Government Pleader is directed to file a statement and shall also get instructions regarding the stand of the Government.

Post on 24.09.2024.

Sd/-
A.Muhamed Mustaque
Acting Chief Justice

Sd/-
S. Manu
Judge

vpv