

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 22959 of 2018
(NITIN SINGHVI Vs UNION OF INDIA AND OTHERS)

Dated : 14-10-2024

Shri Anshuman Singh - Advocate for the petitioner.

Shri B D Singh - Dy. Advocate General for the respondents No. 2, 3 &

4.

Pursuant to the order dated 12.09.2024, respondents have filed the compliance report whereby it is stated that the expert committee which was constituted on 26th July, 2024 has given its report to the Chief Wild Life Warden (CWLW) of the State of M.P., Bhopal on 19.09.2024. On the basis of the aforesaid report the Competent Authority under Section 11(1)(a) of the Wild Life Protection Act, 1972 shall take final decision in respect of the rehabilitation of the elephant maintained in Bandhavgarh Tiger Reserve, within a short time. It is further stated that if the said committee accepts such recommendation in respect of such rehabilitation, then it shall take further time of about 2-3 months to procure the satellite collar for the elephant, so as to facilitate intensive monitoring of its movement, behaviour and wildlife herd interaction which can provide scientific expertise and data support for this pioneering effort in State.

As per the compliance report, 10 elephants are in captivity and the respondents have decided to release 01 elephant out of them.

Counsel for petitioner has pointed out that respondents are keeping the elephants in captivity and in process giving inhuman treatment and also that

out of 10 elephants, 02 elephants died; which fact respondents have concealed from this Court. This submission is disputed by learned counsel for respondents.

In view of aforesaid, respondents are directed to take final decision in consonance with Section 11 (1)(a) of the Wild Life Protection Act, 1972 specially second proviso thereof and file status report before the next date of hearing, specifically stating that how many live elephants are in their captivity and under what orders? Respondents are also at liberty to take help from Centre for Elephants Studies College of Veterinary Animal Sciences, Kerala, if so required.

Since the respondents have sought 2-3 months' time to file compliance report, let the matter be posted in the week commencing 16.12.2024.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

SKM