

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 743/2014

WILDLIFE RESCUE AND REHABILITATION CENTRE & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 25067/2023 - APPLICATION FOR PERMISSION, IA No. 22818/2023 - APPLICATION FOR PERMISSION, IA No. 47482/2022 - APPLICATION FOR PERMISSION, IA No. 164486/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128765/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128240/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 2765/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 171239/2022 - CLARIFICATION/DIRECTION, IA No. 32655/2019 - CLARIFICATION/DIRECTION, IA No. 128814/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 128242/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 48485/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 128243/2020 - EXEMPTION FROM FILING O.T., IA No. 6061/2019 - EXEMPTION FROM FILING O.T., IA No. 33/2017 - EXEMPTION FROM FILING O.T., IA No. 30/2016 - EXEMPTION FROM FILING O.T., IA No. 28/2016 - EXEMPTION FROM FILING O.T., IA No. 24/2016 - EXEMPTION FROM FILING O.T., IA No. 90925/2019 - INTERVENTION APPLICATION, IA No. 108194/2017 - INTERVENTION APPLICATION, IA No. 28252/2023 - INTERVENTION APPLICATION, IA No. 22824/2023 - INTERVENTION APPLICATION, IA No. 171147/2022 - INTERVENTION APPLICATION, IA No. 39273/2017 - INTERVENTION WITH OT, IA No. 58314/2024 - INTERVENTION/IMPLEADMENT, IA No. 138462/2019 - INTERVENTION/IMPLEADMENT, IA No. 32654/2019 - INTERVENTION/IMPLEADMENT, IA No. 22830/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 47483/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON and IA No. 29/2016 - STAY APPLICATION)

Date : 18-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

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UPON hearing the counsel the Court made the following

O R D E R

1. The issue arising in the instant Writ Petition, filed in public interest, concerns the welfare and well-being of elephants kept in captivity across the country. Typically, such captive elephants have been housed/used by private individuals, circuses, forest departments, zoos, rehabilitation centres, temples, tourist operators, etc. The Record shows that a substantial number of captive elephants are located in the States of Assam, Kerala, Rajasthan, Karnataka, Uttar Pradesh, West Bengal, Madhya Pradesh, Arunachal Pradesh, and Tamil Nadu.

2. This petition proceeds on the basis that captive elephants across the country are being subjected to cruel treatment, in violation of the statutory schemes; that elephants are illegally sold and transferred under the guise of gifts or donations; that captive elephants are being used for commercial and religious activities; and that they are kept in poor and inadequate conditions of housing and upkeep, resulting in severe mental and physical trauma to the elephants.

3. Pursuant to the order passed on 01.11.2018, the Ministry of

Environment, Forest and Climate Change (MoEF&CC) had filed an affidavit in 2019, *inter-alia*, informing that there were 2675 captive elephants in the country, of which Assam had the highest number at 905, followed by Kerala with 518. The MoEF&CC subsequently launched the 'Gajah Suchana' App in 2022, an digital application meant to collect biological samples (DNA) of captive elephants. The availability of such information was supposed assist in preventing the illegal transfer/transport/trade of captive elephants.

4. During the course of hearing, learned senior counsel for the petitioners, *inter-alia*, sought the following directions:

(a) An update on the number of captive elephants in the country and a proper census thereof;

(b) An update on implementation and functioning of 'Gajah Suchana' App;

(c) A direction restraining the bringing of any new elephant into captivity;

(d) Establishment of rehabilitation facilities for captive elephants; and

(e) Uniform Rules for governing the welfare of captive elephants.

5. Ms. Aishwarya Bhati, learned Additional Solicitor General of India has handed over a copy of the Office Memorandum dated 25.02.2026 containing the proceedings of the sixth meeting of the Captive Elephant Healthcare and Welfare Committee (CEHWC), constituted under 'Project Elephant' of the MoEF&CC. The proceedings reveal that CEHWC has resolved to introduce a new sampling kit to be distributed to the States, in order to

facilitate DNA profiling and data capturing in Gajah Suchana App. The Committee has also published a handbook titled "Principles of Captive Elephant Management: A field manual", besides formulating best practices for captive elephant management for elephant handlers. Other guidelines relating to the foot-care of captive elephants and an advisory concerning the measurement and trimming of tusks of the captive elephants are also proposed to be issued.

6. In this regard, we direct the CEHWC to take necessary steps for the implementation of the decision taken by it at the earliest and file a status report.

7. The proceedings of the meeting further reveal that the number of captive elephants has increased from 2675 to 2725 in 2026. Of these, 1678 are owned by private individuals, 47 by circuses, 96 by temples, 768 by the forest department, 63 by zoos and 332 with the rehabilitation centres. We direct the MoEF&CC/CEHWC to submit a comprehensive status report explaining whether DNA profiling of all captive elephants, including those owned by private individuals and those used/housed in circuses, temples, forest departments, zoos, and rehabilitation centres, has been completed. If so, it would also be indicated whether the requisite data has been duly updated on the Gajah Suchana App.

8. At this stage, our concern is not with the question of ownership of captive elephants, but with their upkeep, well-being, and healthcare. We, therefore, direct the Union of India to issue such mandatory guidelines, if so required, and take up the matter with concerned States to introduce an effective and transparent system for establishment of 'elephant clinics', wherein specialised

services for welfare of captive elephants can be provided. It shall be made mandatory for all the owners of captive elephants to take them to the 'elephant clinics' for periodic checkups. The medical record of each captive elephant shall be duly maintained and the Monitoring Committee will ensure that the necessary treatment, as and when required, is provided to them regularly. The CEHWC constituted by the Ministry will also lay down minimum standards for housing, healthcare and upkeep of elephants kept in captivity.

9. We further direct that any change in ownership or transfer and transportation of captive elephants shall not be permitted, except in accordance with the applicable statutory scheme and rules. Each such change, if effected, shall contain the complete particulars of the transferee and transferor along with the purpose of such transfer. There shall also be a functional mechanism for periodic renewal of ownership certificates, and at the time of such renewal, the complete particulars and records pertaining to the concerned captive elephant must be revisited and verified in accordance with the Wildlife (Protection) Act, 1972, the rules framed thereunder, and all other applicable statutory requirements, which will be strictly followed.

10. The status report to be filed will also specifically indicate whether the directions contained in the order dated 01.11.2018 have been duly complied with or not.

11. List on 29.10.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR