

2023 LiveLaw (SC) 616

IN THE SUPREME COURT OF INDIA

B.R. GAVAI; J., PAMIDIGHANTAM SRI NARASIMHA; J., PRASHANT KUMAR MISHRA; J.

Writ Petition(s)(Civil) No(s). 337/1995; 07-08-2023

CENTRE FOR ENVIRONMENT LAW WWF 1

versus

UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE & ORS.

Wildlife - Issue regarding death of Cheetahs taking place in Kuno National Park - Supreme Court requests Centre to take into consideration suggestions of expert committee in right earnest. (Para 13)

For applicant(s) Mr. P.C. Sen, Sr. Adv. Ms. Somya Yadav, Adv. Mr. P.S. Sudheer, Adv. Ms. Miranda Solaman, Adv. Ms. Akshata Chhabra, Adv. Mr. Aayush Agarwala, Adv. M/S. PBS Legal, AOR Mr. T. V. S. Raghavendra Sreyas, AOR Mr. Siddharth Vasudev, Adv. Ms. K. V. Bharathi Upadhyaya, AOR

For Respondent(s) Mrs. Aishwarya Bhati, A.S.G. Mrs. Ruchi Kohli, Adv. Mrs. Swarupama Chaturvedi, Adv. Mrs. Shraddha Deshmukh, Adv. Mrs. Suhasini Sen, Adv. Mrs. Swati Ghildiyal, Adv. Mr. Prashant Singh (I), Adv. Mr. Amrish Kumar, AOR Mr. Tushar Mehta, Solicitor General Ms. Aishwarya Bhati, A.S.G. Mr. Gurmeet Singh Makker, AOR Mr. Prashant Singh-i, Adv. Ms. Shradha Deshmukh, Adv. Ms. Swati Ghildiyal, Adv. Ms. Swati Ghildiyal, Adv. Ms. Deepabali Dutta, Adv. Ms. Ruchi Kohli, Adv. Mr. Madhav Sinhal, Adv. Ms. Swarupama Chaturvedi, Adv. Mr. Pratush Shrivastava, Adv. Dr. Arun Kumar Yadav, Adv. Mr. Rohan Gupta, Adv. Mr. P. V. Yogeswaran, AOR Ms. Kamini Jaiswal, AOR Mr. Abhishek Chaudhary, AOR Ms. Kaveeta Wadia, AOR Mr. Rajesh Srivastava, AOR Mr. Ranjan Mukherjee, AOR Mr. Ashok Mathur, AOR Mr. Ajit Pudukkery, AOR Mr. Rajeev Kumar Sharma, AOR Mr. Shankar Divate, AOR Mr. Rajesh Singh, AOR Mr. M. R. Shamshad, AOR Mr. Naresh K. Sharma, AOR Ms. Sushma Suri, AOR Mr. Anil Shrivastav, AOR Ms. G. Indira, AOR Mrs. Rachana Joshi Issar, AOR Mr. P. Parmeswaran, AOR Mrs. Lalita Kaushik, AOR Ms. Sumita Hazarika, AOR Mr. Pradeep Misra, AOR Vinay Arora, AOR Mr. Ejaz Maqbool, AOR Mr. G. Prakash, AOR Mr. V. K. Sidharthan, AOR Mr. Jagjit Singh Chhabra, AOR Ms. A. Subhashini, AOR Mr. Dharmendra Kumar Sinha, AOR Mr. Rajiv Mehta, AOR Mr. Niraj Sharma, AOR Mr. Devadatt Kamat, Sr. Adv. Mr. Nishanth Patil, A.A.G. Mr. V. N. Raghupathy, AOR Mr. Javedur Rahman, Adv. Mr. Anubhav Kumar, Adv. Mr. Manendra Pal Gupta, Adv. Mr. K. R. Sasiprabhu, AOR Mr. Shail Kumar Dwivedi, AOR M/S. Arputham Aruna And Co, AOR Mr. Rajesh Prasad Singh, AOR Mr. Vikram Singh, AOR Mrs. Rani Chhabra, AOR Mr. Ravindra Keshavrao Adsure, AOR Mr. Yash Prashant Sonavane, Adv. Mr. Anil Kumar Jha, AOR Mr. Abhimanyu Tewari, AOR Ms. Eliza Bar, Adv. Ms. Swati Ghildiyal, AOR Ms. Devyani Bhatt, Adv. Mr. Vinod Sharma, AOR Mr. Samir Ali Khan, AOR Mr. Saurabh Mishra, A.A.G. Mr. Sunny Choudhary, AOR Mr. Mukesh Verma, Adv. Mr. Bharat Bagla, Adv. Mr. Siddharth Dharmadhikari, Adv. Mr. Aaditya Aniruddha Pande, AOR Mr. Sourav Singh, Adv. Ms. Ranjeeta Rohatgi, AOR Mr. Ajay Pal, AOR Mr. Mayank Dahiya, Adv. Ms. Sugandh Rathor, Adv. Ms. Bhupinder, Adv. Mr. Raghvendra Kumar, AOR Mr. Anand Kumar Dubey, Adv. Mr. Ashish Kumar Sinha, Adv. Ms. Purnima Krishna, AOR Mr. Karamveer Singh Yadav, Adv. Mr. M.f. Philip, Adv. Mr. S. R. Singh, Sr. Adv. Mr. Rajeev Kumar Dubay, Adv. Mr. Ashiwan Mishra, Adv. Mr. Kamalendra Mishra, AOR Ms. Diksha Rai, AOR Ms. Ragini Pandey, Adv. Mr. Siddharth Sangal, AOR Ms. Nilanjani Tandon, Adv. Mr. Chirag Sharma, Adv. Mr. Lalit Allawadhi, Adv. Ms. Richa Mishra, Adv. M/S. Venkat Palwai Law Associates, AOR Mr. Nishe Rajen Shonker, AOR Mrs. Anu K Joy, Adv. Mr. Abraham C. Mathew, Adv. Mr. Alim Anvar, Adv. Ms. Ranjeeta Rohatgi, AOR Mr. Aravindh S., AOR Mr. Abbas, Adv. Ms. Swati Ghildiyal, AOR Ms. Devyani Bhatt, Adv. Ms. Srishti Agnihotri, AOR Mr. Nishanth Patil, AOR Mr. Sriharsha Peechara, Adv. Mr. Duvvuri Subrahmanya Bhanu, Adv. Ms. Pallavi, Adv. Ms. Kriti Sinha, Adv. Mr. Rajiv Kumar Choudhry, AOR Mr. Avijit Mani Tripathy, AOR Mr. T.K. Nayak, Adv.

ORDER

IA No. 192/2017 – I.A. FOR DIRECTION

1. This application pertains to the issue regarding death of Cheetahs taking place in Kuno National Park.
2. Shri P.C. Sen, learned senior counsel appearing for the applicant submits that the Union of India is not taking effective steps for preventing the death of cheetahs in Kuno National Park.

3. He further submits that though the Consulting Panel of International Cheetah Experts has been constituted, the said panel is not being consulted. He relies on a letter by Dr. Laurie Marker, CCF, Namibia addressed to the Court stating that she is not being consulted.

4. An affidavit dated 31st July 2023 has been placed on record sworn by Hemant Singh, Assistant Inspector General of Forests (AIGF), National Tiger Conservation Authority (NTCA). It is stated in the affidavit that out of the twenty cheetahs relocated, fourteen have survived and six have died.

6. It is submitted that the figure given in the newspapers is incorrect, inasmuch as the 3 additional deaths reported are out of the 4 cubs born to a trans-located cheetah.

7. The affidavit has Annexure-I dated 25th May 2023 shows that a Cheetah Project Steering Committee consisting of 11 experts in the field of Wildlife has already been constituted. Apart from that Consulting Panel of International Cheetah Experts consisting of 4 experts has also been constituted.

9. Ms. Aishwarya Bhati, learned Additional Solicitor General appearing for the Union of India makes a specific statement that members on the Consulting Panel of Cheetah Project Steering Committee are being consulted and, in any event, if there is any lack of communication, all the four experts will be consulted for ensuring that the deaths of the cheetahs are prevented and they are managed in a proper manner.

10. We see no reason to disbelieve the statement made on affidavit. In any case, this is an area which is best left to the experts in the field, inasmuch as this court does not possess any expertise in the said field.

11. As to whether a particular person needs to be nominated on the said Committee or not, is a matter which is exclusively within the domain of the Union of India and we do not wish to thrust any member upon the said Committee.

12. In the affidavit, learned Additional Solicitor General further states that the concerns expressed by the present applicant are also being taken into consideration and sought to be addressed by the Union of India.

13. If the applicant has any further suggestions, the same can be forwarded to the Union of India. We request the Union of India to take into consideration such suggestions in right earnest.

14. With these observations, this application is disposed of.