



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

SUO MOTU PUBLIC INTEREST LITIGATION NO. 01/2025

(COURT ON ITS OWN MOTION **VERSUS** STATE OF MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri D.V. Chavan, Senior Advocate and Government Pleader/Public Prosecutor with
Shri N.S. Rao, Assistant Government Pleader for the respondent-State.

CORAM : NITIN W. SAMBRE AND MRS.VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 06, 2025

P. C.

In the Marathi edition of newspaper 'Loksatta' dated January 05, 2025, a news item was published about the Gypsies driven by the approved Drivers from the Forest Department guided by trained tourist Guides carrying tourists for tiger safari thereby blocking the way of the Tigress, named as 'F2' and her five cubs. Subsequent thereto, a video clip was circulated on the social media depicting the mode and manner in which the Gypsies blocked the way of the F2-Tigress and her five cubs. Not only the picture but also the video reflects shocking and disturbing scenario. The aforesaid incident had taken place in Umrer-Paoni-Karandla Tiger Reserve.

2. In response to the Court's query, Shri D.V. Chavan, Senior Advocate and Government Pleader/Public Prosecutor on instructions from the Field Director informs that the aforesaid incident was taken note of after the video clip was circulated on the social media.

3. The Field Director initially appears to have taken a very lenient approach whereby he has issued suspension orders of Guides and Drivers of Gypsies for seven days, as is reflected from the news item in daily 'Loksatta'. Further, it appears that after publication of the news item, the Field Director has reviewed the said order and enhanced the suspension of the Gypsy Drivers and Guides for three months and imposed a fine of Rupees Twenty Five Thousand.

4. We are informed by Shri D.V. Chavan that in addition to above action, the Principal Chief Conservator of Forest (Wild Life) and the Field Director are contemplating for putting additional embargo on the movement in the area where the F2-Tigress and her five cubs are moving.

5. We were expecting the response of the Chief Conservator of Forest (Wild Life). However, Shri D.V. Chavan informs that for some reasons, he was not available and shall extend his assistance on the next date of hearing. We have already recorded our opinion after having viewed the video clip and also the news item. We have noticed that the very conduct of the Gypsy Drivers, Guides and the Tourists was completely unruly and in defiance of not only the rules of nature but also the same has resulted in creating a very disturbing situation for the F2-Tigress and her cubs.

6. There is another facet to the matter. There is a complete failure of intelligence on the part of the Forest Department as instead of their own staff reporting the matter, it appears that they have got the inputs from the video clip which was circulated on social media and the news article which was published in the newspaper 'Loksatta' and thereafter the order of punishment on the Gypsy Drivers and Guides was modified.

7. We are equally required to be sensitive to the provisions of the Wild Life (Protection) Act, 1972. Section 27 puts restriction on the persons for entry in the sanctuary without proper permission or causing disturbance and Section 27(4) puts restriction on teasing or molesting any wild animal. Section 9 deals with prohibition on hunting which is an offence under the Act of 1972. We need to make the Forest Officials sensitive to the above provisions of law also.

8. At this stage, though Shri D.V. Chavan has tried to place on record certain documents demonstrating the action taken, however we expect the response of the highest officer viz. the Principal Chief Conservator of Forest (Wild Life) who shall file the detailed affidavit having regard to the observations made hereinabove and also the proposed action the Forest Department intends to take in the matter.

9. Let the response be placed before this Court on January 10, 2025.

10. List the *Suo Motu* Public Interest Litigation for further consideration on January 10, 2025.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)