

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR

Friday, the 7th day of November 2025 / 16th Karthika, 1947

SSCR NO. 29 OF 2025

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER
REPORT - SM.NO. 29/2025 - REPORT REGARDING THE STEPS TO BE TAKEN TO PROVIDE
ADEQUATE FACILITIES TO SABARIMALA PILGRIMS AT THE EDATHAVALAMS FOR THE MANDALAM
MAKARAVILAKKU FESTIVAL SEASON 2025-2026 (1201 M.E.) - SUO MOTU PROCEEDINGS
INITIATED - REG:

PETITIONER:

SUO MOTU

RESPONDENTS:



1. UNION GOVERNMENT, MINISTRY OF RAILWAYS,
REPRESENTED BY THE DIVISIONAL RAILWAY MANAGER,
(THIRUVANANTHAPURAM DIVISION), THIRUVANANTHAPURAM-695001
2. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001
3. TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCOD, KAWDIAR POST,
THIRUVANANTHAPURAM - 695003
4. DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS, NANTHANCOD,
THIRUVANANTHAPURAM - 695003

5. EXECUTIVE OFFICER
SABARIMALA, PAMPA TRIVENI P.O., PATHANAMTHITTA - 689670
6. EXECUTIVE MAGISTRATE
OFFICE OF THE SABARIMALA SPECIAL COMMISSIONER, SABARIMALA,
PATHANAMTHITTA, PIN - 689713
7. SECRETARY, DISTRICT TOURISM PROMOTION COUNCIL (DTPC),
KODIMATHA, KOTTAYAM - 686013
8. COCHIN DEVASWOM BOARD
REP.BY ITS SECRETARY, ROUND NORTH, THRISSUR - 680001
9. MALABAR DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE - 673006
10. GURUVAYUR DEVASWOM MANAGING COMMITTEE
GURUVAYUR DEVASWOM, GURUVAYUR, PIN - 680101,
REPRESENTED BY ITS ADMINISTRATOR
11. ERUMELI GRAMA PANCHAYATH
REPRESENTED BY SECRETARY, SH 44, ERUMELI, KOTTAYAM - 686509
12. DISTRICT COLLECTOR, COLLECTORATE, ALAPPUZHA - 688001
13. DISTRICT POLICE CHIEF,
MUKHAM PURAYIDOM, CIVIL STATION WARD, ALAPPUZHA 688012
14. CHENGANNUR MUNICIPALITY
REP. BY ITS SECRETARY, CHENGANNUR, ALAPPUZHA - 689121
15. DIVISIONAL MANAGER
SOUTHERN RAILWAY, THIRUVANANTHAPURAM DIVISION
16. STATION MASTER, CHENGANNUR RAILWAY STATION
17. STATION MASTER, ERNAKULAM SOUTH RAILWAY STATION
18. ADMINISTRATIVE OFFICER, ERUMELI DEVASWOM
19. DISTRICT POLICE CHIEF, KOTTAYAM
20. DISTRICT COLLECTOR, KOTTAYAM
21. STATION HOUSE OFFICER, ERUMELI POLICE STATION
22. STATION HOUSE OFFICER,
ERNAKULAM TOWN NORTH (KASABA) POLICE STATION, CHITTOOR ROAD,
KACHERIPADY, ERNAKULAM - 682018

23. COMMISSIONER OF POLICE, KOCHI CITY

24. EXECUTIVE MAGISTRATE

PORUMKAL KADAVU ROAD, ERUMELI, KOTTAYAM - 686509

*ADDL.R25 IMPEADED

25. THE EXECUTIVE ENGINEER,

MINOR IRRIGATION DEPARTMENT, PATHANAMTHITTA

*IS SUO MOTU IMPEADED AS ADDL.25TH RESPONDENT AS PER ORDER
DATED 07/11/2025 IN SSCR.NO.29/2025

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY DEPUTY SOLICITOR GENERAL OF INDIA

BY STANDING COUNSEL FOR TRAVANCORE DEVASWOM BOARD

BY STANDING COUNSEL FOR COCHIN DEVASWOM BOARD

BY STANDING COUNSEL FOR MALABAR DEVASWOM BOARD

BY STANDING COUNSEL FOR GURUVAYOOR DEVASWOM MANAGING COMMITTEE

BY SMT.CHITHRA CHANDRASEKHARAN, SC, ERUMELY GRAMA PANCHAYATH

BY SRI.HARIDAS V.N., SC, CHENGANNUR MUNICIPALITY

BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA
SPECIAL COMMISSIONER

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDERS AGAIN ON 07/11/2025, UPON PERUSING THE REPORT AND THIS COURT'S
ORDER DATED 29/10/2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

SSCR No. 29 of 2025

Dated this the 7th day of November, 2025

ORDER

Raja Vijayaraghavan V, J.

The learned Standing Counsel appearing for the Cochin Devaswom Board submitted that all necessary arrangements have been made at the Edathavalam within their jurisdictional limits.

2. The learned counsel for the Chengannur Municipality submitted that the directions issued by this Court have been duly complied with, and a compliance report is being filed.

3. The learned counsel appearing for the Guruvayur Devaswom submitted that one of the Edathavalams, under its jurisdiction, namely, the Keezhedam Temple, has made all necessary arrangements, and that a separate queue system has been established in the Guruvayur Temple for the convenience of Sabarimala pilgrims.

4. Insofar as the Travancore Devaswom Board is concerned, it is submitted that there are 52 Edathavalams under its control. Though it has been submitted before this Court that all arrangements are in place, we direct the Devaswom Commissioner to file a consolidated report detailing the specific measures taken to implement this Court's directions and to ensure that sanitation, crowd management, and environmental safeguards are effectively

maintained across all Edathavalams.

5. The learned Government Pleader, on behalf of the Assistant Commissioner of Police, Kochi, submitted that police pickets have been established at the North and South Railway Stations, as well as at the KSRTC bus stand, and that pre-paid autorickshaw and taxi counters are operational at both railway stations. He has further assured the Court that all arrangements are in place to ensure that the pilgrims visiting Sabarimala are not subjected to any inconvenience or hardship during the ongoing pilgrimage season.

6. The learned Standing Counsel appearing for the Erumeli Grama Panchayat submitted that a joint inspection was conducted in and around the Erumeli Sastha Temple by the Internal Vigilance Officer, the Enforcement Squad, and the Health Inspector. During the inspection, considerable quantities of solid waste were found accumulated in the Erumeli Valiya Thodu, forming a dense heap in stagnant water and thereby creating an unhygienic and unsanitary condition in the surrounding area. This matter was immediately brought to the notice of the Administrative Officer. It is submitted that the accumulated waste has since been removed in compliance with the directions issued.

7. The learned counsel further submitted that in the Valiya Thodu, the stream passing in front of the temple, a substantial quantity of silt has accumulated, obstructing the natural flow of water and aggravating both environmental and public health concerns. She further stated that the said portion of the stream falls under the administrative control of the Minor Irrigation Department. In view of the same, the Executive Engineer, Minor Irrigation Department, Pathanamthitta, is suo motu impleaded as an additional respondent in this proceeding. The Executive Engineer, Minor Irrigation Department, shall carry out an immediate site inspection and take expeditious

steps to remove the accumulated silt and sand deposits so as to restore proper drainage and prevent further contamination of the watercourse.

8. It is further submitted by the learned counsel for the Panchayat that the indiscriminate disposal of small plastic shampoo sachets has become a serious environmental menace in the area. Such non-biodegradable materials are being dumped into the Thodu, particularly during the Sabarimala pilgrimage season, thereby choking the natural flow of the stream, degrading water quality, and causing irreparable damage to aquatic life and the surrounding ecosystem. It is suggested that nets be installed and temporary check dams be constructed across the stream during the pilgrimage period to intercept and collect floating debris, including sachets and plastic waste.

9. We find considerable merit in the submission. It is pertinent to note that this Court has already issued a complete ban on the use of plastic and other biohazardous materials at Sabarimala Sannidhanam, Pamba, Nilakkal, and also along the trekking path from Pamba to Sannidhanam, as per the order in SSCR No. 5 of 2025 .

10. By the said order, this Court had directed that Kuthaka holders of hotels and light refreshment stalls at Sabarimala Sannidhanam, Pamba, Nilakkal, and along the trekking path from Pamba to Sannidhanam shall segregate food and plastic waste into biodegradable bags for scientific disposal. The Court further directed that strict action be initiated against shops that dump mixed waste directly into food waste pits, resulting in plastic contamination. This Court had expressly reiterated that the use of plastic and other biohazardous materials in these areas stands prohibited, and that any violation of these directions shall invite prosecution under the relevant provisions of the Environment (Protection) Act, 1986, and allied rules.

11. Having regard to the facts, we would make it clear that continuous serious violations of the conditions of the Kuthaka will entail cancellation of the Kuthaka licence. Furthermore, in terms of the directions issued by the Division Bench of this Court in **George v. Executive Officer, Sabarimala** (DBP No. 136 of 2015, dated 15.12.2015) ¹, the Travancore Devaswom Board shall issue an advance public notice through its official website, as well as through print and electronic media, informing pilgrims of the prohibition on the use and carriage of plastic materials, including plastic packaging materials such as sachets, wraps, and covers, in the Irumudi. An appropriate advisory shall also be published on the Virtual-Q platform, for the information and compliance of pilgrims.

12. We also take cognizance of the increasing use of synthetic Kumkum or coloured powder by pilgrims and devotees during Pettathullal. Traditionally, the colours employed in this ritual were derived from natural sources such as turmeric, sandalwood, marigold, hibiscus, indigo, and neem, substances that were biodegradable and possessed inherent medicinal and antiseptic properties. However, with the commercialization of traditional practices, these organic materials have been replaced by cheap, synthetic alternatives.

13. Synthetic colour powders, now widely used to spray on humans and animals during festivals and processions, are often produced in unregulated small-scale industries using industrial pigments intended for textiles, plastics, or paints rather than for human contact. Consequently, what was once a celebration of nature has turned into a source of chemical exposure, dermatological toxicity, and environmental degradation.

14. These powders typically contain Copper Sulphate, Malachite

¹ [2016 (2) KLT 546]

Green, Lead Oxide, Carbon Black, Aluminium Bromide, Red Mercury Sulphide (Vermilion), Azo dyes, Prussian Blue, and Cobalt compounds. Such substances are non-biodegradable, non-food-grade, and carcinogenic, and are frequently mixed with talc, mica, and starch to increase volume and brightness. Their use causes dermatological disorders, ophthalmic injuries, respiratory distress, systemic toxicity, and long-term carcinogenic effects.

15. The environmental consequences are equally grave. When washed off with soaps and detergents, these chemicals enter soil, rivers, and groundwater systems, resulting in aquatic toxicity and depletion of dissolved oxygen levels—often causing mass fish mortality. The Kallotti Stone Sucker, an endemic freshwater species in Kerala, is particularly sensitive to such contaminants. Moreover, the accumulation of these toxins leads to bioaccumulation, soil infertility, and waste mismanagement, undermining local ecosystems. Under no circumstances shall such chemical dyes or colour powders be brought by pilgrims either to the Sannidhanam or to Erumely, where the ritual of Petta Thullal is performed. .

16. In **George M.L.** (supra), a Division Bench of this Court had noted the issues involved owing to the indiscriminate use of plastics, and it was observed as under:

6. The Punyam Poomkavanam Project of segregation and classification of biodegradable and non - biodegradable materials for waste management is aimed at the aforementioned purpose. Giving a comprehensive consideration, it is noted that a cohesive management of the segregation of biodegradable and non - biodegradable waste can be given effect to, only if plastic is excluded from among the packing materials while holy irumudies are prepared by the pilgrims for being carried reverentially to the Sabari hill top. If 'Punyam' or betterment in its multitude facets is

the expectation of a pilgrim from 'Poomkavana Nadhan' that is 'Sree Dharmasastha Ayyappan of Sabarimala', the holy Pampa has to be treated with such care as has to be extended to a mother and the glorious Sabari hills have to be given the paternal status. Reverential prayers have necessarily to be coupled with purity; not only in words and thoughts; but also in deeds which obviously insist on cleanliness and purity of one's own precincts being maintained. The participation in the Punyam Poomkavanam project is an opportunity for the pilgrims and others who come to Pampa and Sannidhanam, that would enthuse every such person to attain laudable bench marks in one's own evolution as a better human being.

7. Responsible existence is needed not merely for the future of the human beings, but for the future of Earth, which is the home of all animals, birds, vegetations and other living beings; as also, the seat of the non - living objects as well. See for support, the decisions of the Apex Court in *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*, 2005 (8) SCC 534 and in *Animal Welfare Board of India v. A. Nagaraja and Others*, 2014 (7) SCC 5471. The ultimate management of one's life has necessarily to be with a vision of universal citizenship. Universal citizenry is a vision to be in concordance with all the core values and principles of reasonable and responsible existence of human beings in the society, who belong to the biological identification as 'homo sapiens'.

8. Holistic management of the part of Earth called India; is conceived, prescribed and required to be governed by the Constitution of India and the laws made thereunder. The effectuation of the principles of law noted hereby is to be attained through a proper operationalisation of the Directive Principles of State Policy, the Fundamental Duties of citizens and the Fundamental Rights; understood and applied, having regard to the different managerial tools available within the Constitution of India for collective existence as a Nation.

9. Art.51A of the Constitution of India ordains that it shall be among the Fundamental Duties of every citizen of India to protect and improve the natural environment, including forests, lakes, rivers and wild life, and to have compassion for living creatures. It shall also be the duty of every citizen to safeguard

public property and to abjure violence. Every citizen has the Fundamental Duty to strive towards excellence in all spheres of individual and collective activity so that the Nation constantly rises to higher levels of endeavour and achievement. It is also the Fundamental Duty of every citizen to value and preserve the rich heritage of our composite culture. The concept of higher levels of endeavour and achievement spoken of while laying down the Fundamental Duties through Art.51A cannot be achieved, if the material resources of the community are not properly preserved and utilised to subserve the common good. Preservation of material resources includes the requirement to protect and improve the natural environment, including forests, lakes, rivers and wild life. It is also the fundamental Duty of citizens in terms of Chapter IV A of the Constitution of India to develop humanism and the spirit of inquiry and reform along with scientific temper. The concept of reformation indicated as part of the Fundamental Duties is the reformation of the individual; because, that alone can lead to the reformation and transformation of the immediate society of that citizen and pave way to the reformation of the Nation as the whole, in its forward march to excellence in all spheres of individual and collective activity. The intricate connection between the pebbles of wisdom embodied as part of the Directive Principles of State Policy and the prescriptions as to Fundamental Duties run hand in hand. This is best demonstrated here. While Art.48A among the Directive Principles of State Policy notifies that the State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country, the corollary Fundamental Duty is prescribed in Clause (g) of Art.51A making it obligatory on every citizen to protect and improve the natural environment, including forests, lakes, rivers and wild life. The laws relating to forests and environment unequivocally show that legislative measures have been taken in relation to such subjects. It is the Fundamental Duty of every citizen to abide by the Constitution and respect its ideals and institutions. The laws on land are to be respected; the citizens have to abide by them and to regulate their commissions and omissions in accordance with such regulations. All such principles have to be given effect to in their fullest effect in practice, if the Sabari hills which are part of the Periyar Tiger Reserve and the flora and fauna of that area are to be sustained and preserved. We say so speaking from the constitutional domain of the extraordinary prerogative jurisdiction which obliges us to

do so in the realm of a matter relating to the voiceless flora and fauna; as also, the environment in general. We say this here and now hoping that 'Nature' would pardon the lethargy of all concerned to protect 'Her' and excuse her moieties and children from 'Her' wrath.

17. Following the observations in **George ML** (supra), this Court in **Suo Motu v State of Kerala**² has ordered a complete ban on the use of plastic and other biohazardous materials at Sabarimala Sannidhanam, Pamba, Nilakkal, and also along the trekking path from Pamba to Sannidhanam. By the said order, this Court had directed that Kuthaka holders of hotels and light refreshment stalls at Sabarimala Sannidhanam, Pamba, Nilakkal, and along the trekking path from Pamba to Sannidhanam shall segregate food and plastic waste into biodegradable bags for scientific disposal. The Court further directed that strict action be initiated against shops that dump mixed waste directly into food waste pits, resulting in plastic contamination. This Court had expressly reiterated that the use of plastic and other biohazardous materials in these areas stands prohibited, and that any violation of these directions shall invite prosecution under the relevant provisions of the Environment (Protection) Act, 1986, and allied rules.

18. We make it clear that continuous and serious violations of the conditions stipulated in the Kuthaka will entail the cancellation of the Kuthaka licence. Furthermore, in terms of the directions issued by the Division Bench of this Court in **George M.L** (supra), the Travancore Devaswom Board shall issue an advance public notice through its official website, as well as through print and electronic media, informing pilgrims of the prohibition on the use and carriage of plastic materials, including plastic packaging materials such as sachets, wraps, and covers—in the Irumudi and chemical dyes. An appropriate

² [2025 KHC OnLine 512]

advisory shall also be published on the Virtual-Q platform for the information and compliance of pilgrims.

19. As held by this Court in **George M.L** (supra), while Art.48A among the Directive Principles of State Policy notifies that the State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country, the corollary Fundamental Duty is prescribed in Clause (g) of Art.51A making it obligatory on every citizen to protect and improve the natural environment, including forests, lakes, rivers and wildlife. It is the Fundamental Duty of every citizen to abide by the Constitution and respect its ideals and institutions. The laws on land are to be respected; the citizens have to abide by them and to regulate their commissions and omissions in accordance with such regulations. All such principles have to be given effect to their fullest effect in practice, if the Sabari hills which are part of the Periyar Tiger Reserve and the flora and fauna of that area are to be sustained and preserved.

20. Accordingly, we direct the State Government and the Travancore Devaswom Board to take immediate and coordinated action to ban the sale and use of chemically manufactured Kumkum within the area and to promote the use of traditional, naturally derived alternatives. The respondents shall also issue an advance public notice through its official website, as well as through print and electronic media, informing pilgrims. According to the petitioner, despite being the sole tenderer and having a good track record, he was informed on 29.10.2025 that the tender had been cancelled pursuant to a Board decision dated 28.10.2025. It is in the aforesaid circumstances that the petitioner has approached this Court seeking the following reliefs:" of the prohibition on the use and carriage of plastic materials, including plastic packaging materials such

as sachets, wraps, and covers, in the Irumudi and also chemical dyes. An appropriate advisory shall also be published on the Virtual-Q platform, for the information and compliance of pilgrims.

These measures are essential to mitigate the continuing and substantial environmental harm, to protect endemic species, and to preserve the ecological integrity of the Sabarimala region.

Post on 12.11.2025.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE**



Sd/-
**K.V. JAYAKUMAR,
JUDGE**

msp