

'ഭരണഭാഷ - മാതൃഭാഷ'



**പതിനാലാം കേരള നിയമസഭ
പതിനാറാം സമ്മേളനം**

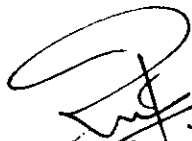
നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നം. 4481

13.11.2019 ന് മറുപടിയ്ക്ക്.

ഇതരസംസ്ഥാനങ്ങളിൽ നിന്നും ആനകളെ കൊണ്ടുവരുന്നതിനുള്ള നിബന്ധനകൾ്

ചോദ്യം		മറുപടി	
<p>ശ്രീ. ഇ.കെ.വിജയൻ ശ്രീമതി ഇ.എസ്.ബിജിമോൾ ശ്രീ. വി.ആർ. സുനിൽ കുമാർ ,, എൽദോ എബ്ദഹാം :</p>		<p>അഡ്വ. കെ.രാജ് (വനവും, മൃഗസംരക്ഷണവും, മൃഗശാലകളും വകുപ്പുമന്ത്രി)</p>	
(എ)	<p>ആനകളെ എഴുന്നള്ളിപ്പിന്നം മറ്റുമായി ഇതരസംസ്ഥാനങ്ങളിൽ നിന്നും കേരളത്തിലേക്ക് കൊണ്ടുവരുന്നതോടൊപ്പം അതിനുള്ള നിബന്ധനകൾ വ്യക്തമാക്കുമോ;</p>	(എ)	<p>കൊണ്ടുവരാറില്ല.</p>
(ബി)	<p>കേരളത്തിൽ നിന്നും ഇതര സംസ്ഥാനങ്ങളിലേക്ക് ആനകളെ ഇത്തരത്തിൽ കൊണ്ടുപോകുന്നതിന് അനുമതി നൽകുന്നുണ്ടോ; ഇതു സംബന്ധിച്ച നിബന്ധനകൾ വ്യക്തമാക്കുമോ;</p>	(ബി)	<p>അനുമതി നൽകാറുണ്ട്. 2012-ലെ കേരള നാട്ടാന പരിപാലന ചട്ടത്തിലെ ചട്ടം 9-ൽ പറയുന്ന വ്യവസ്ഥകൾക്ക് വിധേയമായി അനുമതി നൽകി വരുന്നുണ്ട്. (പ്രസക്ത ഭാഗം അനുബന്ധം(1)ആയി ചേർക്കുന്നു)</p>

(സി)	<p>നാട്ടാനകളെ സംസ്ഥാനത്തിന് പുറത്തുനിന്ന് വിലകൊടുത്ത് വരുന്നതിന് തടസ്സമുണ്ടോ; വ്യക്തമാക്കുമോ?</p>	(സി)	<p>ബഹു.കേരള ഹൈക്കോടതിയുടെ W.P.(C) 30959/2007-ലെ 18/08/2007-ലെ ഉത്തരവിന്റെ അടിസ്ഥാനത്തിൽ 20/06/2008-ലെ സർക്കാർ ഉത്തരവ് 38/2008/വനം പ്രകാരം പുറപ്പെടുവിച്ച നാട്ടാനകളുടെ വിൽപന കൈമാറ്റം, മറ്റു ഇടപാടുകൾ എന്നിവയ്ക്കുള്ള മാർഗ്ഗനിർദ്ദേശങ്ങളിലെ 3-ാമത്തെ നിർദ്ദേശപ്രകാരം 18/08/2007-ന് ശേഷം സംസ്ഥാനത്തിന് പുറത്തു നിന്നും കൊണ്ടുവരുന്ന ആനകളുടെ കൈമാറ്റം, വിൽപന എന്നിവ അനുവദിക്കുകയില്ല എന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ട്. (പകർപ്പ് അനുബന്ധം(2)ആയിചേർക്കുന്നു.) ബഹു. സുപ്രീംകോടതിയുടെ W.P.(C) 743/2014 നമ്പർ കേസിലെ IA 25 & 27-ൽ 04/05/2016-ലെ ഇടക്കാല ഉത്തരവ് പ്രകാരം നാട്ടാനകളുടെ എല്ലാ രീതിയിലുമുള്ള കൈമാറ്റങ്ങളും തടഞ്ഞുകൊണ്ട് ഉത്തരവായിട്ടുണ്ട്. (പകർപ്പ് അനുബന്ധം(3)ആയി ചേർക്കുന്നു.)</p>
------	---------------------------------------------------------------------------------------------------	------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------


 സെക്ഷൻ ഓഫീസർ

3983932/2019/OS-F&WL

11

8

- (11) A mahout in inebriated condition shall not be allowed to handle the elephant.
- (12) The life of mahout and cavady shall be insured for a minimum of ₹ 5 lakhs (Rupees five lakhs only) each to cover risk of life due to the elephant going amok.
- (13) Every owner shall maintain an Elephant Data Book as specified by the Chief Wildlife Warden for each captive elephant.
9. *Transport norms for elephant.*—(1) The owner of the elephant or his authorized agent shall submit application before the officer authorized under sub-section (1) of section 48 (A) of the Act for permission to transport elephant from Kerala to any other State fifteen days before the actual date of transport.
- (2) No Objection Certificate of the Chief Wildlife Warden of the State to which elephant is transported shall be produced for issuing transport permit.
- (3) For transportation of the elephant, necessary permission from the Chief Wildlife Warden or any other Officer authorized by the Government in this behalf shall be obtained as provided under section 48 A of the Act.
- (4) A valid fitness certificate from a Veterinary Doctor to the effect that the elephant is fit to travel by road or rail, as the case may be, and is not showing any signs of infectious or contagious disease shall be obtained in the form given in Appendix II.
- (5) In the absence of a certificate mentioned in sub-rule (4), the carrier shall refuse to accept the consignment for transport.
- (6) The elephant shall be properly fed and given water before loading.
- (7) Necessary arrangements shall be made for feeding and watering the elephant enroute.
- (8) No elephant shall be made to walk for more than three hours at a stretch.
- (9) While transporting elephants by walk during nights, two prominent reflectors shall be placed at the front and hind portion of the elephant.
- (10) No elephant shall be made to walk for more than 30 kilometers a day and any transportation for more than 50 kilometers shall be carried out in a vehicle.

- (11) No elephant shall be transported in a vehicle for more than six hours at a stretch. The transport can be resumed only after sufficient feeding and rest for at least six hours.
- (12) Trucks with length less than 12 feet shall not be used for carrying elephants except calves (height below of and 1.50 m).
- (13) One truck shall not be used to carry more than two weaned calves (height below 1.50 m) or one elephant with one unweaned calf or one adult/sub-adult elephant (height above 1.51 m).
- (14) Cow elephants in advanced stage of pregnancy should not be transported by trucks other than for health care.
- (15) While transporting elephants by rail, an ordinary goods wagon should not carry more than three adult elephants or six calves on broad gauge, or not more than two adult elephants or three calves on metre gauge or not more than one adult elephant or two calves on narrow gauge.
- (16) While transporting elephants by truck or train, care shall be taken to maintain constant speed avoiding jerks and sudden stops and reducing effects of shocks and jolts to the minimum.
- (17) Each truck or wagon carrying elephant should have at least two attendant mahouts.
- (18) Side bodied truck has to be used for carrying elephants.
- (19) While transporting elephants through public road, a wooden pole should be kept for avoiding accidents from electric lines, cable wires passing across the road.
- (20) While the elephant is in transit, suitable protocols shall be in place for safe guarding and regulating the elephant.
- (21) During night hours, when the elephants are in transit, prominent reflectors in red colour shall be provided at the front, and rear side of elephants.

- (22) While transporting elephants during night hours, appropriate lights should be provided in the vehicle for observing the animal as well as for enabling the driver of the vehicles coming from the opposite direction to be attentive of the elephant under transport.
- (23) Inter state transport permit shall be issued for a specified time and specified place. The owner shall bring back the elephant within the stipulated time.
- (24) Adequate quantity of feed in the ready to serve form shall be available in the vehicle carrying the elephant. Small quantity of food may preferably be served more frequently.
- (25) The trucks used for transport of elephants shall have a minimum length of 420 cm and tyre shall be of size 900-20. Each vehicle shall have footsteps proportional to the width of the vehicle and each footstep shall have a minimum of width of 100 cm. Vehicle shall be strengthened using steel pipes or wooden poles which shall cover at least half the height of the elephant. The horizontal pipes/poles shall be provided on all four sides so that the elephant is secure and it is able to hold on to the front bar with its trunk. Elephant should be kept at least 60 cm away from the cabin partition. Fitness Certificate obtained for the vehicle from the concerned officers of the Motor Vehicle Department shall also be produced before the officer authorized under sub-section (1) of section 48 (A) of the Act for obtaining permit for the vehicle for using it for transporting elephant.
- (26) Contact telephone number shall be displayed on the vehicle for contacting concerned persons whenever emergency arises.
- (27) Both the elephant and its mahouts shall be given adequate rest at the conclusion of each transport.



ಎಂ.ಎಸ್.ಎಸ್. ಶಶಿಶಂಕರ್

Bromj nmmwo (2)

20/6/2008

Secy 37 33W2008.5 Lakh GPM © Govt of Kerala



4609

GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department – Sale, Transfer and other Dealings involving Changing of Hands of Captive Elephants – Guidelines - Approved - Orders Issued.

FOREST & WILDLIFE (F) DEPARTMENT

38/2008

GO (MS) No. 38/2008/F&WLD

Thiruvananthapuram, Dated: 20.6.2008

Read: 1. Judgment dated 18.8.2007 in WP (C) 30959/2008 and connected cases in the Hon'ble High Court of Kerala.
2. Letter No. W.L.5 - 6991/07 dated 29.10.07 from the Chief Conservator of Forests (Wildlife).

ORDER

In the judgment read above the Hon'ble High Court has held that sale, transfer and other dealings involving changing of hands of captive elephants should be done only with the approval and in accordance with the norms prescribed by the Chief Wildlife Warden, and transfer should be permitted only on condition of purchasers satisfying of the requirement under Captive Elephant (Management and Maintenance) Rules, 2003, Wildlife (Protection) Act, 1972 and Guidelines issued in this regard. It was also held that Government should issue instruction to The Revenue and Police Department officials to coordinate with the Chief Wildlife warden and the officials to ensure that the Captive Elephant Management Rules are enforced.

In the circumstance, Government are pleased to issue Guidelines regarding sale, transfer and other dealings involving changing of hands of captive elephants in compliance to above judgment.

The guidelines are appended.

By Order of the Governor

K. RAMACHANDRAN
Additional Secretary

To

- The Principal Chief Conservator Forests, Thiruvananthapuram.
- The Home Department
- The Revenue Department
- The Chief Conservator of Forests (Wildlife), Thiruvananthapuram.
- The Accounts General (Audit/A&E), Kerala, Thiruvananthapuram.
- The Private Secretary to Minister (Forest and Housing)

Forwarded / by order

Section Officer

28/4/08

L-5

28/4

26/08

Guidelines In Respect of Sale, Transfer and Other Dealings Involving Changing of Hands of Captive Elephants.

(Issued as per the common judgment of the Hon'ble High Court in WP (C) Nos. 30959/2007 and others dated 18-08-2007)

Section 40 (2) of the Wildlife (Protection) Act, 1972 says that no person shall after commencement of this Act acquire, receive, keep in his control, custody or possession, sell, offer for sale or otherwise transfer or transport any animal specified in Schedule I or Part II of Schedule II or any uncured trophy or meat derived from such animal or the salted or dried skins of such animals or the musk of a musk deer or the horn of a Rhinoceros except with the previous permission in writing of the Chief Wildlife Warden or the authorized officer. Section 43 of this Act deals with the regulation of transfer of animals, which says that, a person who does not possess a certificate of ownership shall not transfer by way of sale or offer for sale or transfer by any other mode of consideration of commercial nature, such animal, article or trophy or uncured trophy as specified in schedule I or Part II, scheduled II of the Act. The Hon'ble High Court, by a common judgment dated 18-08-2007 in WP (C) 30959/07 as an interim measure until amendment is made to section 43 of the Wildlife (Protection) Act, 1972, declared that hereafter the sale, transfer and other dealings involving changing of hands of captive elephants should be only with the approval and in accordance with the norms prescribed by the Chief Wildlife Warden, who will ensure that purchasers have the required facilities to maintain the captive elephants purchased by them. It was also stipulated that transfer should be permitted only on condition of purchasers satisfying of the requirement under the Captive Elephants (Management and Maintenance) Rules, 2003 and guidelines issued by the Government or the Chief Wildlife Warden.

Therefore, in compliance of the order of the Hon'ble High Court, the following guidelines are issued with regard to the sale transfer and other dealing involving changing of hands of captive elephants, for the implementation of the interim direction of the Hon'ble High Court of Kerala in W.P's mentioned above.

1. The guidelines are issued as an interim measure until amendment is made by the central government in section 43 of the Wildlife (Protection) Act, 1972.
2. The guidelines are applicable to sale, transfer and other dealings involving changing of hands of captive elephants strictly within the State of Kerala.
3. No sale or transfer in respect of an elephant brought to the State from other states after 18-08-2007 will be permitted.
4. The seller should clearly state the compelling reason to sell the elephant to the satisfaction of the Chief Wildlife Warden that he can not afford to maintain the elephant. The intending purchaser should present an application in the format attached to these guidelines to the Chief Wildlife Warden for permission for the purchase of the elephant.
5. The intending seller should possess ownership certificate issued by the Chief Wildlife Warden of Kerala as per section 42 of the Wildlife (Protection) Act, 1972 in respect of the captive elephant and should be implanted with microchip.

6. The intending purchaser should have adequate facilities for housing, maintenance and upkeep of the elephant as stipulated in section 42 of the Act and in rule 4 of the Kerala Captive Elephants (Maintenance and Management) Rules, 2003.
7. The purpose for which the elephant is intended to be purchased is to be clearly specified by the intending purchaser to the satisfaction of the Chief Wildlife Warden.
8. The intending purchaser should have in his control trained mahout and an assistant mahout to look after the elephant.
9. The intending purchaser should prove to the satisfaction of the Chief Wildlife Warden that he has adequate means to maintain the elephant and the mahouts by means of copy of income tax return or solvency certificate issued by revenue authorities.
10. The application form should be accompanied by a certificate of health in respect of the elephant issued by a competent Government veterinarian in the locality in which the elephant is kept at the time of application.
11. The intending purchaser should produce along with the application form evidence for adequate veterinary care for the elephant intended to be purchased and maintained by him.
12. The intending purchaser should maintain all records stipulated in the Kerala Captive Elephants (Management and Maintenance) Rules, 2003 relating to vaccination, disease and treatment, movement, feeding and work in the format attached

to the Kerala Captive Elephants (Maintenance and Management) ,
2003.

13. The intending purchaser should furnish undertaking to the effect that the provisions contained in the Kerala Captive Elephants (Management and Maintenance) Rules, 2003 will be strictly complied with in respect of the following.

- (i) Housing of elephants
- (ii) Care of elephants
- (iii) Feeding of elephants
- (iv) Workload of elephants.
- (v) Norms and standard of transportation
- (vi) Retirement of elephants
- (vii) Cutting of tusks.
- (viii) Prevention of cruelty to elephants

14. The application should be recommended by the Divisional Forest Officer of the locality in which the elephant is proposed to be kept in the space provided for the same in the application form.

15. All transportation of the elephant beyond the locality in which it is kept is to be only as per the transport permit issued by the Chief Wildlife Warden or any other officer authorized by him in this regard.

16. The application should be accompanied by a fee of Rs 1000/- by way of demand draft in favour of the Chief Wildlife Warden

Government (1)

effect that
of the
ants

drawn on any Nationalised or Scheduled bank situated
Thiruvananthapuram.

17. Application for the purchase of the elephant for the purpose of offering
to a temple is to be accompanied by an undertaking by the Devaswom
or the temple authorities to the effect that they have adequate facilities
to maintain the elephant including availability of service of trained
mahouts and facilities for veterinary care.

18. Government shall have the power to make necessary modifications /
amendments to the said guidelines, at any time as and when requires.

Application for Sale, Transfer and Other Dealings Involving Changing of Hands of
Captive Elephants.

(Based on guidelines issued in WL...../07 dated of the Chief Wildlife Warden)

- 1 Name of the applicant
- 2 Postal address
- 3 Taluk
- 4 District
- 5 Telephone number
- 6 Details of application fee remitted
 - (i) DD Number
 - (ii) Name of Bank
 - (iii) Amount
- 7 Name of the seller of the elephant
- 8 Address of the seller
- 9 Name of the elephant
- 10 Details of the existing possession certificate of the elephant
 - (i) Certificate number
 - (ii) Date of issue
 - (iii) Name of the authority who issued the certificate
 - (iv) Identification mark of the elephant
- 11

- 12 Details of the elephant
 - (i) Male/Female
 - (ii) Height in centimeters
 - (iii) Dimensions of the tusk
- 13 Purpose for which the elephant is to be acquired
- 14 Name and address of the veterinary officer presently attending the elephant
- 15 Name and address of the veterinary officer who will provide care for the elephant.
- 16 General health condition of the elephant (Certificate is to be attached)
- 17 Details of housing facility available
- 18 Name of the mahout to be engaged by the applicant
- 19 Address of the mahout
- 20 Details of training of the mahout
- 21 Name of the assistant mahout
Address of the assistant mahout
Details of training of the assistant mahout
Description of behavior shown in the past

- (i) number of persons killed
- (ii) Number of cases of running amuck
- (iii) Number of times the elephant is tranquilized

25 Details of elephants already in the custody of the applicant (Name, number of possession certificate etc)

Declaration by the Applicant

.....s/o.....residing in house number
.....of.....Panchayath / Municipality / Corporation hereby

declare that the particulars given above are true to the best of my knowledge and belief

Signature and date of the applicant

WL(1)- 5792 /19 (47)

Undertaking by the Applicant

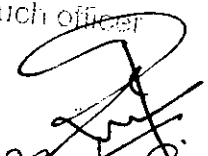
(To be given in a non-judicial stamp paper worth Rs. 100/-)

.....s/o
.....residing in house number
.....of Panchayath / Municipality / Corporation hereby
undertake that I will abide by the Kerala Captive Elephants (Management and
Maintenance) Rules, 2003, more particularly those relating to the below mentioned
subjects and the instructions issued by the Chief Wildlife Warden, Kerala or any officer
authorized by him in the maintenance of the elephant proposed to be purchased.

- (i) Housing of elephants
- (ii) Care of elephants
- (iii) Feeding of elephants
- (iv) Workload of elephants
- (v) Norms and standard of transportation
- (vi) Retirement of elephants
- (vii) Cutting of tusks.
- (vii) Prevention of cruelty to elephants.

Also I undertake that that I will maintain the following records stipulated by the
Kerala Captive Elephants (Management and Maintenance) Rules, 2003, in the forms
prescribed in the said rules and will afford all facilities to the Chief Wildlife Warden or
any officer authorized by him in this behalf for inspection on demand by such officer

- nutrition record
- health and treatment record


മനുജൻ പിള്ള



REGISTRAR GENERAL

Bromfomw6(3)

04/05/2016

04/05/2016

Documents should be addressed to the Registrar Supreme Court by designation, (NOT by name)

SUPREME COURT
INDIA
NEW DELHI

DATED: 06th May, 2016

FROM: Assistant Registrar, PII. (WRIT)

TO:

1. Government of Kerala
Through the Chief Secretary
Secretariat,
Thiruvananthapuram - 695 001

2. Chief Wildlife Warden, State of Kerala
Forests Headquarters, Vanalakshmi
Thiruvananthapuram - 695 014,
Kerala

306
12
9/5

3. Animal Welfare Board of India
13/1 Third Seaward Road,
Valmiki Nagar, Thiruvanniyur,
Chennai-600041

IN THE MATTER OF

INTERLOCATORY APPLICATION NO. 25 & 27
(Application for Directions)

IN

WRIT PETITION (CIVIL) NO. 743 OF 2014
(Under Article 32 of the Constitution of India)

Wildlife Rescue and Rehabilitation Centre and Ors. ... Petitioners
Versus

Union of India & Ors. ... Respondents

Sir,

2016
9/5

I am directed to forward herewith for your information, compliance and necessary action a certified copy of the Order as contained in the Record of Proceedings of this Court dated 04.05.2016 passed in the Interlocutory Application in Writ Petition above-mentioned.

Please acknowledge receipt.

Yours faithfully,

Assistant Registrar

For: Registrar

COURT NO. 4

SECTION 711 (7)

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

W. P. No. 27/2016 in Writ Petition(s) (Civil) No(s). 743/2014
WILDLIFE RESCUE AND REHABILITATION CENTRE AND ORS. Petitioner(s)
337063

VERSUS

UNION OF INDIA AND OTHERS

(for directions and office report)

Respondent(s)

Certified to be true copy

26/5/16
Assistant Registrar (Judicial)
Supreme Court of India

Date : 04/05/2016 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Ms. Aparna Bhat, AOR
Ms. Shibani Ghosh, Adv.
Mr. Pukhramban Ramesh Kumar, Adv.

For Respondent(s) Mr. Rana Mukherji, Sr. Adv.
Ms. Movita, Adv.
Mr. G.S. Makkar, Adv.
Mr. S.N. Terdal, Adv.

Mr. V. Giri, Sr. Adv.
Mr. K. Parameshwar, AOR

Mr. C.A. sundaram, Sr. Adv.
Mr. Ajit Sharma, AOR

Ms. Satya Siddiqui, Adv.
Mr. Ankolekar Gurudatta, AOR

Mr. A. Raghunath, AOR

Mr. Balaji Srinivasan, AOR

Mr. K. Venkataramani, Sr. Adv.

Mr. B. Balaji, AOR

Mr. Muthuvel Palani, Adv.

Mr. Sanchar Anand, AAG
 Mr. Apoorv singhal, Adv.
 Mr. Devendra Singh, AOR

Mr. Gopal Singh, AOR
 Mr. Varsha Poddar, Adv.

Mr. Jogy Scaria, AOR
 Ms. Beena Victor, Adv.

Mr. K. Rajeev, AOR

Ms. Mukti Chowdhary, AOR

Mr. Arjun Vinod Bobde, Adv.
 Ms. Pragya Baghel, AOR.

Ms. Ruchi Kohli, AOR

Mr. Shivraj Gaonkar, AOR

Mr. Sidharth Luthra, Sr. Adv.

Ms. Supriya Juneja, AOR

Mr. Aditya Singla, Adv.

Mr. Sameer Chaudhary, Adv.

Mr. viraj Gandhi, Adv.

Ms. Mehaak Jaggi, Adv.

Mr. Sarfraz A. Siddiqui R., Adv.

Mr. Ajay Makkar, Adv.

Mr. Ramakrishna Prasad, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

I.A. Nos.25 & 27

In these two interlocutory applications, though numerous prayers have been made, the basic relief, as we perceive, relate to quashing of G.O. (Rt) No.84/2016/F&WLD dated 26.02.2016 issued by the Government of Kerala, Respondent No.9 and cancellation of any ownership certificate issued in pursuance of the said notification.

It is submitted by Ms. Aparna Shah, learned counsel appearing for the petitioners that the State Government under the Wild Life

Protection Act, 1972 has no authority to issue such a notice.
A counter affidavit has been filed by the Union of India
to Section 40(4) of the Act to show that the State Government
make a declaration subject to certain conditions. Mr. Jogya
learned counsel for the State submitted that it has jurisdiction
issue an amnesty scheme. The said submission is founded
counter affidavit filed by the State.

Mr. V. Giri, learned counsel appearing for the Elephant
Association has drawn our attention to the order dated 29.0
wherein this Court, while recording the submission of Mr.
Sundaram, learned senior counsel appearing for the Animal Welfare
Board, has framed three fundamental issues that :-

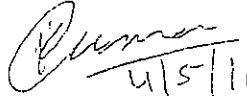
"(i) after the Act has come into force, whether
any person can keep an elephant in his custody as
the owner; (ii) assuming there is no prohibition
for keeping an elephant, what Rule should govern
the upkeep of the animal; and (iii) who are the
authorities to regulate the health, upkeep and
the manner in which the elephants are to be
treated and used."

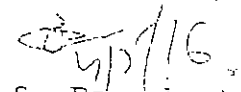
Relying on the said order, it is urged by Mr. Giri that the
issue that has been raised in these interlocutory applications is
inherently connected with the aforesaid fundamental issues.

Having heard the learned counsel for the parties, we think it
appropriate that the submission raised in both the interlocutory
applications shall be dealt with while dealing with the three
submissions that have been raised by Mr. Sundaram, learned senior
counsel appearing on behalf of the Animal Welfare Board. While we
are of the view that the said issues raised shall be dealt with at
the final stage of hearing, we think it apt to direct that the
State Government shall not issue any ownership certificate to any
of the persons in possession of elephants. That apart, the persons
who are in possession of elephants shall not transfer the elephants
outside the State nor shall they part with the elephants by way of
transfer in any manner. If any ownership certificate has been


issued in the meantime, the same shall be withdrawn subject to the final verdict of this Court.

The interlocutory applications shall be taken up along with the main writ petition on 13.07.2016.


4/5/16
(Gulshan Kumar Arora)
Court Master


4/5/16
(H.S. Parasher)
Court Master

4/5


H.S. Parasher
Court Master