



WEB COPY



W.P.(MD)Nos.19771 of 2018 etc., batch

WP(MD) Nos.19771 & 23901 of 2018,
and
WP(MD)Nos.8222 & 19652 of 2020
and
WMP(MD) Nos.22417, 22415, 22414,
22416, 17553 & 20000 of 2018 & 7941 and 18595 of 2021

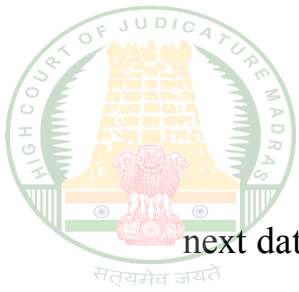
V.BHARATHIDASAN, J.

AND

N.SATHISH KUMAR, J.

Today, the Southern Railways has filed its detailed report enumerating various suggestions to prevent the accidental death of elephants on railway tracks. In the report, it has been stated that in some areas, the railway authorities require the assistance / guidance and approval of the official of the Tamil Nadu Forest Department to implement the suggestions. A copy of the report filed by the railways was also handed over to the learned counsel appearing for the Forest Department, Government of Tamil Nadu.

2. In view of the above, the Chief Wildlife Warden, Government of Tamil Nadu, and the District Forest Officer, Coimbatore, are directed to go through the suggestions made by the railway authorities and submit their further suggestions, if any, in writing, on the next date of hearing. They are also directed to be appeared before this court through video conference on the



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next date of hearing without fail.

WEB COPY3. The Amici Curiae in this matter or the other interested counsel are directed to submit their suggestions, if any, on or before the next date of hearing so as to enable this court to pass a comprehensive order in the matter.

4. Insofar as the issue of Elephant Poaching is concerned, today, the CBI has filed its detailed report explaining the investigation conducted by them into the unnatural death of elephants. The Superintendent of Police, SCB, CBI, who appeared through video conference, submitted that now one Ajit Bright, who was the kingpin in elephant poaching and ivory trafficking, was arrested and has been taken into police custody and the investigation is going on in the matter. The Superintendent of Police further submitted that since the cases are very old and as no DNA profiling of the dead elephants were done, they find it difficult to compare the seized tusks/modified tusks.

5. The Superintendent of Police expressed her difficulties in contacting the District Forest Officers of different Districts and therefore, she prayed this court to appoint a nodal officer from the department of forest to co-ordinate with the other District Forest Officers in the State and to assist her in the matter of investigation. She further stated that some of the accused belong to the State of Kerala and the Forest Department of Kerala have

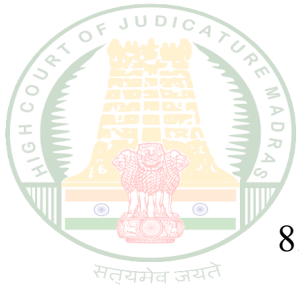


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already registered cases against some of the accused and few tusks were also recovered from the arrested accused and the CBI is required to collect all those particulars from the Department of Forest, State of Kerala. She, therefore, prayed this court to give a suitable directions to the Officials in the Kerala Forest Department in this regard.

6. Considering the submissions made by the Superintendent of Police, SCB, CBI, the Principal Secretary, Department of Environment, Climate Change and Forests, Government of Tamil Nadu, is directed to appoint Dr.Shekhar Kumar Niraj, Additional Chief Conservator of Forests, as Nodal Officer forthwith to co-ordinate with the other District Forest Officers in the State and to assist the Superintendent of Police, SCB, Chennai, in the matter of investigation.

7. This court has been informed that hitherto no DNA profiling of elephants, which died either naturally or unnaturally, were done and therefore, the CBI finds difficulties in investigating the case further. Therefore, the officials concerned of the Department of Forests in Tamil Nadu is directed to ensure to do DNA profiling of the elephants died either naturally or unnaturally and preserve the same for comparison and verification purposes in the future.



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8. In view of the submissions made by the Superintendent of Police,

WEB C **SCB**, CBI, that assistance of the officials of the Department of Forests, State of Kerala is needed for the CBI to investigate the matter further, the Principal Secretary, Department of Forest and Wildlife, Thiruvananthapuram, Kerala, is *suo motu impleaded* as party respondent in W.P.(MD) No.19771 of 2018 and the Registry is directed to issue notice to the impleaded respondent forthwith returnable by 03.02.2022.

The Registry is directed to list the matter on 25.01.2022.

[V.B.D.J.] [N.S.K.J.]
21..01..2022

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