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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3346/2015 & CM APPL. 6001/2015, CM APPL. 38449/2018

NYAYA BHOOMI

.....Petitioner

Through: Mr. Sumit Kumar, Adv.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Satyakam, ASC, GNCTD.

Mr. Sriharsha Peechara, SC with Mr. Akshat Kurukshetra and Mr. D.S. Bhanu, Advs.

Mr. Ajjay Aroraa, Mr. Kapil Dutta, Advs. for MCD.

Mr. Rajesh Gogna, CGSC with Mr. Nipun Jain and Ms. Priya Singh, Advs.

+ W.P.(C) 6914/2015

THE SOCIETY FOR PUBLIC CAUSE

.....Petitioner

Through: Dr. L.S. Chaudhary with Dr. Ajay Chaudhary, Mr. Bharat Chaudhary, Ms. Vinita, Ms. Monika and Mr. Vikram Singh, Advs.

versus

UNION OF INDIA & ANR

.....Respondents

Through:

Mr. Percival Billimoria, Sr. Adv. with Ms. Jasmine Damkewala, Mr. Sourabh Malhotra, Ms. Vaishali Sharma, Ms. Rachita Sood and Mr. Divyam Khera, Advs. for Impleader.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA



ORDER
30.09.2024

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1. By way of an amendment to the Wildlife Protection Act, 1972, the *Rhesus macaque*, a species of monkey common to Delhi, has been delisted from Schedule II of the Wildlife Protection Act, 1972. Pursuant to such de-listing, the *rhesus macaque* no longer has a protected status under the Act, 1972 and has to be treated at par with a stray cat or a dog by the civic authorities.
2. Monkeys in forests live on tree tops, feed on natural berries, fruits and stalks etc. One wonders, what has brought monkeys down on street and pavements? The answer is humans. It's we who have enticed the monkeys out of their natural habitat by feeding them. Giving bread, chapattis and bananas to monkeys, harms them and puts them in conflict with people.
3. To correct this situation, the civic agencies should carry out a sustained year long public awareness campaign to inform people how their feeding is not benefitting the monkeys. That in fact feeding harms the animals in various ways by increasing their dependence on humans and reduces natural distance between wild animals and humans. We believe that people of Delhi have inherent wisdom and they will change their behaviour if they realise that feeding wild animals is inimical to animal's welfare as well as human well being.
4. The other important aspect in urban ecosystem is waste management. Open garbage littering in public parks, food hubs, dhabba and canteens etc. attracts the monkey populations, hence increasing human-animal conflict. If citizens of Delhi want to live in safe environment, they will have to adopt and not litter food around. This aspect too needs to be highlighted in public



awareness campaign which should be undertaken by civic agencies.

5. Accordingly, the municipal authorities i.e. MCD and NDMC are directed to prepare and implement a programme to deal with the monkey menace. The MCD and NDMC shall also ensure that monkeys are shifted from public parks, hospitals, government offices and residential areas and rehabilitated in Asola-Bhatti Wildlife Sanctuary, New Delhi.

6. The MCD, NDMC and Ram Manohar Lohia Hospital are directed to file an updated status report within three weeks.

7. List on 25th October, 2024.

CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 30, 2024

N.Khanna