

2023 LiveLaw (SC) 104

IN THE SUPREME COURT OF INDIA

B.R. GAVAI; J., VIKRAM NATH; J.

Writ Petition(s)(Civil) No(s). 202/1995; 08-02-2023

IN RE: T.N. GODAVARMAN THIRUMULPAD *versus* UNION OF INDIA AND ORS.

Environment Protection - Supreme Court disapproves of constructing zoos and enclosures within national parks - Prima facie, we do not appreciate the necessity of having a zoo inside the tiger reserves or national parks. The concept of protecting these is to permit animals to reside in their natural environs and not artificial environs. We, therefore, also call upon the National Tiger Conservation Authority (NTCA) to explain the rationale behind permitting such safaris within tiger reserves and national parks. Until further orders, the authorities are restrained from making any constructions within the core areas of national parks, wildlife sanctuaries, and tiger reserves.

Counsel for parties Mr. Harish N. Salve, Sr. Adv. [A.C.] (N.P.) Ms. Aparajita Singh, Sr. Advocate [A.C.] (N.P.) Mr. A.D.N. Rao, Sr. Advocate [A.C.], Mr. Rahul Mishra, Adv. Mr. Dhuli Shiv Shankar, Adv. Ms. Agrima Singh, Adv. Mr. K. Parameshwar, Advocate [A.C.] Ms. Kanti, Adv. Ms. Arti Gupta, Adv. Mr. Siddhartha Chowdhury, Advocate [A.C.] (N.P.) Ms. Aishwarya Bhati, A.S.G. Mr. Balbir Singh, A.S.G. Mr. Gurmeet Singh Makker, AOR Ms. Archana Pathak Dave, Adv. Ms. Suhashini Sen, Adv. Mr. Chinmayee Chandra, Adv. Mr. S.S. Rebello, Adv. Mr. Shyam Gopal, Adv. Mr. Raghav Sharma, Adv. Mr. Sugosh Subramanyam, Adv. Ms. Shagun Thakur, Adv. Ms. Manisha Chaya, Adv. Mr. Rohan Gupta, Adv. Mr. K.M. Nataraj, ASG Mr. Abhay Anil Anturkar, Adv. Mr. Anuj Udupa, Adv. Mr. Dhruv Tank, Adv. Ms. Surbhi Kapoor, AOR Mr. K.M. Natraj, ASG Ms. Indira Bhakar, Adv. Mr. Mrinal Elkar Mazumdar, Adv. Mr. Mukesh Kr. Verma, Adv. Mr. Neeraj Kr. Sharma, Adv. Mr. Akshit Pradhan, Adv. Mr. Nakul Chengappa K.K., Adv. Mr. S.N. Terdal, Adv. Mr. Balbir Singh, ASG Mr. Piyush Beriwal, Adv. Mr. Naman Tandon, Adv. Ms. Suhasini Sen, Adv. Mr. Navanjay Mohapatra, Adv. Mr. Samarvir Singh, Adv. Mr. Amrish Kumar, AOR Mr. Abhinav Mukerji, AOR Mr. Anup Kumar Rattan, Adv. General, Sr. Adv. Mr. Abhinav Mukerji, A.A.G. Mr. Puneet Rajta, Adv. Mr. Akshay C. Shrivastava, Adv. Mrs. Bihu Sharma, Adv. Ms. Pratishtha Vij, Adv. Mr. Dharmendra Kr. Sinha, Adv. Dr. Manish Singhvi, Sr. Adv. Mr. Sandeep Kumar Jha, AOR Mr. Ashok Basoya, Adv. Ms. Aruna Gupta, Adv. Mr. Ramesh Allanki, Adv. Mr. Vundavalli Aruna Kumar, Adv. Mr. Nandram, Adv. Mr. V. K. Shukla, Sr. Adv. Mr. Rajeev Kumar Dubey, Adv. Mr. Ashiwan Mishra, Adv. Mr. Kamendra Mishra, AOR Petitioner(s)-in-person Mr. Manish Singhvi, Sr. Adv. Mr. D.K. Devesh, AOR Mr. Arpit Parkash, Adv. Mr. Harsh Singh Rawat, Adv. Mrs. Snehal U. Kanzarkar, Adv. Mr. Siddharth Bhatnagar, Sr. Adv. Ms. Ila Sheel, Adv. Mr. Shikhar Sheel, Adv. Mr. Karan Mathur, Adv. Mr. Siddharth Dharmadhikari, Adv. Mr. Aaditya Aniruddha Pande, Adv. Mr. Bharat Bagla, Adv. Ms. Kirti Dadheech, Adv. Mr. G.S. Gerwal, Adv. Mr. Hitesh Kumar Sharma, Adv. Mr. S.K. Rajora, Adv. Mr. Akhileshwar Jha, Adv. Mr. Narendra Pal Sharma, Adv. Mr. Ajay Bansal, Adv. Mr. Gaurav Yadava, Adv. Ms. Veena Bansal, Adv. Mr. Praveen Swaroop, Adv. Ms. Sujata Kurdukar, Adv. Mr. Tomy Chako, Adv. Mr. Shiv Singh Yadav, Adv. Ms. Priya Ranjan Kumar, Adv. Mr. Krishnam Mishra, Adv. Mr. Abhishek Atrey, Adv. Ms. Ambika Atrey, Adv. Mr. Omkar Jayant Deshpande, Adv. Mr. Shashi Bhushan P. Adgaonkar, Adv. Mrs. Pradnya S. Adgaonkar, Adv. M/s. Khaitan and Co., AOR Mr. Somiran Sharma, Adv. Mr. B.K. Pal, AOR Mr. Nishant R. Katneshwarkar, AOR M/S Mitter And Mitter Co., AOR Ms. Ranjeeta Rohtagi, AOR Mr. C. S. Ashri, AOR Mr. James P. Thomas, AOR Mr. P. S. Sudheer, AOR Mr. Neeraj Shekhar, AOR Mr. Ashutosh Thakur, Adv. Dr. Sumit Kumar, Adv. Mr. Chandra Pratap, Adv. Ms. Mrigna Shekhar, Adv. Ms. Aarushi Singh, Adv. Mr. Harsh Parashar, AOR Mr. Gaurav Aggarwal, AOR Mr. K.V. Vijayakumar, AOR Mr. M. Yogesh Kanna, AOR Dr. Monika Gusain, AOR Mr. Siddhartha Jha, AOR Mr. Syed Mehdi Imam, AOR Mr. Shailesh Madiyal, AOR Mr. Ajay Marwah, AOR M/S. Venkat Palwai Law Associates, AOR Mr. Mohit Paul, AOR Mr. Kunal Cheema, AOR Mr. Naveen Kumar, AOR Ms. Suman Yadav, AOR Mr. Vinod Ghai, Sr. Adv./AG Punjab Mr. Aman Pal, AAG Mr. Ajay Pal, Adv. Mr. Prashant Bhushan, AOR Mrs. Suroor Mander, Adv. Mr. Bhavanishankar V. Gadnis, Adv. Mr. A. Venayagam Balan, AOR Ms. Jyoti Mendiratta, AOR Mr. P. V. Yogeswaran, AOR M/S. Parekh & Co., AOR Mr. Rameshwar Prasad Goyal, AOR Dr. (Mrs.) Vipin Gupta, AOR M/S. J S Wad And Co, AOR M/S. K J John And Co, AOR Mrs. Sudha Gupta, AOR Mr. Chander Shekhar Ashri, AOR Mr. Parijat Sinha, AOR M/S. Mitter & Mitter Co., AOR Mr. Yashraj Singh Deora, AOR Ms. Madhu Sikri, AOR Mr. Ninad Lad, Adv. Mr. Jayant Mohan, AOR Mr. Ivo Costa, Adv. Ms. Rashika Narain, Adv. Ms. Adya Shree Dutta, Adv. Mr. Mohan Pandey, AOR Mr. Amit Sharma, AOR Mr. E. C. Agrawala, AOR Mr. P. S. Sudheer, AOR Ms. Srishti Agnihotri, AOR Mr. Prashant Bhushan, Adv. Mr. Kunal Chatterji, AOR Ms. Maitrayee Banerjee, Adv. Mr. Rohit Bansal, Adv. Ms. Kshitij Singh, Adv. By Courts Motion, AOR Mr. Chanchal Kumar Ganguli, AOR M/S. Plr Chambers And Co., AOR Mr. Syed Mehdi Imam, AOR Mr. Mohd Parvez Dabas, Adv. Mr. Uzmi Jamil Husain, Adv. Mr. T. Harish Kumar, AOR M/S. Mitter & Mitter Co., AOR Mr. Yashraj Singh Deora, Adv. Mr. Siddhant Singh, Adv. Mr. Priyesh Mohan Srivastava, Adv. Mr. Abhishek Singh, Adv. M/S. Lawyer S Knit & Co, AOR Shri. Gaichangpou Gangmei, AOR Mr. Raj Kishor Choudhary, AOR Mr. Shakeel Ahmed, Adv. Mr.

Anupam Bhati, Adv. Mr. Nakul Chaudhary, Adv. Mr. Waseem Akhtar Khan, Adv. Mr. Amir Kaleem, Adv. Mr. Shuvodeep Roy, AOR Mr. Deepayan Dutta, Adv. Mr. Sai Shashank, Adv. Mr. Ashok Mathur, AOR Mr. P. N. Gupta, AOR Mr. Gopal Prasad, AOR Ms. Jyoti Mendiratta, AOR Mr. S. Udaya Kumar Sagar, AOR Mr. Lakshay Saini, Adv. Ms. Madhu Moolchandani, AOR Mr. T. Mahipal, AOR Mr. Rajat Joseph, AOR Mr. Vijay Kari Singh, Adv. M/S. Arputham Aruna And Co, AOR Mrs. Nandini Gore, AOR Mr. Raj Kumar Mehta, AOR M/S. M. V. Kini & Associates, AOR Mr. Rakesh K. Sharma, AOR Ms. S. Janani, AOR Mrs. Kanchan Kaur Dhodi, AOR Mr. Surya Kant, AOR Mr. E. C. Vidya Sagar, AOR Mr. Amit Anand Tiwari, AOR Ms. Pratibha Jain, AOR Mr. Tejaswi Kumar Pradhan, AOR Mr. Prashant Kumar, AORMr. Subodh Kr. Pathak, Adv. Mr. Vinod Kr. Soni, Adv. Mr. Shashi Ranjan, Adv. Mr. Pawan Kumar Sharma, Adv. Mr. Akash Swami, Adv. Mr. Dharmendra Kumar Sinha, AOR Mr. P. Parmeswaran, AOR Ms. Sujata Kurdukar, AOR Ms. Sharmila Upadhyay, AOR Mr. Rajeev Singh, AOR Mr. Sudarsh Menon, AOR Mr. Ramesh Babu M. R., AOR Mr. Vikrant Singh Bais, AOR Mr. Dushyant Singh Chauhan, Adv. Mr. Nitin Singh, Adv. Mr. Shiva Pujan Singh, AOR Mr. Rajesh Singh, AOR Mrs. B. Sunita Rao, AOR Mr. Kamal Mohan Gupta, AOR Mr. Ejaz Maqbool, AOR Mr. Rajesh, AOR M/S. Corporate Law Group, AOR Mr. Lakshmi Raman Singh, AOR Mr. Himanshu Shekhar, AOR Mr. M. C. Dhingra, AOR Mr. C. L. Sahu, AOR Ms. Sumita Hazarika, AOR Ms. Abha R. Sharma, AOR Mr. Abhishek Chaudhary, AOR Mr. S. R. Setia, AOR Mrs. Manik Karanjawala, AOR Mr. A. Venayagam Balan, AOR Mr. T. V. George, AOR Mr. Krishnanand Pandeya, AOR Mr. Neeraj Shekhar, AOR Mr. Ashutosh Thakur, Adv. Dr. Sumit Kumar, Adv. Ms. Asha Gopalan Nair, AOR Mr. E. M. S. Anam, AOR Ms. Charu Mathur, AOR Mr. Rajiv Mehta, AOR Mr. Punit Dutt Tyagi, AOR Mr. Rathin Das, AOR Mr. Ratan Kumar Choudhuri, AOR Mr. Sudhir Kulshreshtha, AOR Ms. Binu Tamta, AOR Ms. K. V. Bharathi Upadhyaya, AOR Mr. Vikas Kumar Singh, Adv. Ms. Rajshree Singh, Adv. Mr. Vikram Singh, Adv. Mr. Sham Chand, Adv. Mr. T. N. Singh, AOR Mr. Sudhir Kumar Gupta, AOR Mr. A. N. Arora, AOR Mr. Irshad Ahmad, AOR Mr. G. Prakash, AOR Mr. Rauf Rahim, AOR Ms. Ruchira Gupta, Adv. Mr. Shishir Deshpande, AOR Ms. Urvi Kapoor, Adv. Ms. Harshita Sharma, Adv. Mr. Avijit Mani Tripathi, Adv. Mr. Upendra Mishra, Adv. Mr. P. S. Negi, Adv. Mr. Rakesh Chaudhary, Adv. Mr. Naresh Kumar, Adv. Mr. B V Deepak, AOR Mr. Gopal Singh, AOR Mr. Avijit Bhattacharjee, AOR Mr. Jitendra Mohan Sharma, AOR Ms. Malini Poduval, AOR Ms. C. K. Sucharita, AOR Mrs. Anjani Aiyagari, AOR Dr. Abhishek Manu Singhvi, Sr. Adv. Mr. Ravinder Singh, Adv. Mr. Srisatya Mohanty, Adv. Mr. Amit Bhandari, Adv. Ms. Raveesha Gupta, Adv. Mr. Sanjeev Kaushik, Adv. Ms. Mantika Haryani, Adv. Mr. Himanshu Chakravarty, Adv. Mr. Devvrat Singh, Adv. Ms. Muskan Surana, Adv. Ms. Astha Sharma, AOR Mrs. Rekha Pandey, AOR Mr. Mohd. Irshad Hanif, AOR Mr. Gurmeet Singh, Adv. Mr. Amar Kumar Raizada, Adv. Mr. P. V. Yogeswaran, AOR Mr. Naresh K. Sharma, AOR Mr. R. Ramesh, Adv. Ms. A. Sumathi, AOR Mr. Jai Prakash Pandey, AOR Mr. Ajit Pudussery, AOR Ms. Hemantika Wahi, AOR Mr. Pradeep Kumar Bakshi, AOR Mr. K. L. Janjani, AOR Ms. Divya Roy, AOR Mr. Tarun Johri, AOR Mr. Tarun Johri, Adv. Mr. Ankur Gupta, Adv. Mr. Vishwajeet Tyagi, Adv. Mr. Radha Shyam Jena, AOR Mr. Ram Swarup Sharma, AOR Mrs. Bina Gupta, AOR Mrs. Rani Chhabra, AOR M/S. K J John And Co, AOR Mr. V. Balachandran, AOR Mr. S. C. Birla, AOR Mr. P. R. Ramasesh, AOR Mr. Shibashish Misra, AOR M/S. Parekh & Co., AOR Mrs. M. Qamaruddin, AOR Mr. H. S. Parihar, AOR Ms. Baby Krishnan, AOR Ms. Bina Madhavan, AOR Mr. K. V. Vijayakumar, AOR Mr. Umesh Bhagwat, AOR Mr. Sarad Kumar Singhania, AOR Mr. E. C. Agrawala, AOR Mr. Kuldip Singh, AOR Mr. Ranjan Mukherjee, AOR Mr. M. Yogesh Kanna, AOR Mr. Naresh Kumar, AOR Dr. Monika Gusain, AOR Mr. P. K. Manohar, AOR Ms. Deepanwita Priyanka, AOR Ms. Archana Pathak Dave, Adv. Mr. Shailesh Madiyal, AOR Mr. Shailesh Madiyal, Adv. Mr. Vaibhav Sabharwal, Adv. Mr. Akshay Kumar, Adv. Mr. Rajan Parmar, Adv. Mr. Naveen Kumar, AOR Mr. James P. Thomas, AOR Mrs. Niranjana Singh, AOR Mr. Dhaval Mehrotra, AOR Mr. Rahul Garg, Adv. Mr. B. K. Pal, AOR Ms. Shalini Kaul, AOR Mr. Sarvam Ritam Khare, AOR Mr. Gaurav Agrawal, AOR Mr. Shubhanshu Padhi, AOR Mr. Vishal Bansal, Adv. Ms. Rajshwari Shankar, Adv. Mr. Niroop Sukirthy, Adv. Mr. Md. Ovais, Adv. Mr. Aravindh S., AOR Ms. Uma Bhuvaneshwari, Adv. Mr. Abbas. b, Adv. M/S. D. S. K. Legal, AOR Mrs. Pragya Baghel, AOR Mr. Mrinal Gopal Elker, AOR Mrs. Mrinal Elker Mazumdar, Adv. Dr. Manish Singhvi Sr, Adv. Mr. Arpit Parkash, Adv. Mr. Milind Kumar, AOR Mr. Sanjay Parikh, Sr. Adv. Ms. Srishti Agnihotri, Adv. Ms. Satwik Parikh, Adv. Ms. Sanjana Grace Thomas, Adv. Ms. Mantika Vohra, Adv. Mr. Ravindra Keshavrao Adsure, Adv. Mr. Rohan Darade, Adv. Mr. Lav Mishra, Adv. Mr. Gopal Balwant Sathe, AOR Mr. V. N. Raghupathy, AOR Mr. Dhanesh Ieshdhan, Adv. Mr. Balbir Singh, A.S.G. Ms. Suhashini Sen, Adv. Mr. Naman Tondon, Adv. Mr. Piyush Beriwal, Adv. Mr. Samarvir Singh, Adv. Mr. Navanjay Mahapatra, Adv. Mr. T. s. Sabarish, Adv. Mr. Amrith Kumar, AOR Mr. Kaushik Choudhury, AOR Ms. Anzu. K. Varkey, AOR Mr. Ritesh Patil, Adv. Mr. M. R. Shamshad, AOR Mr. Ajay Marwah, AOR Mr. Naveen Kumar, AORMs. Purna Singh, Adv. Mr. Guntur Pramod Kumar, AOR Ms. Mayuri Raghuvanshi, AOR Mr. Sanjay Upadhyay, Adv. Mr. Vyom Raghuvanshi, Adv. Mr. Kazi Sangay Thupden, Adv. Ms. Eisha Krishan, Adv. Ms. Mansi Bacheni, Adv. Ms. Gitanjali Sanyal, Adv. Mr. Deep Rao Palepu, Adv. Mr. Syed Jafar Alam, AOR Mr. Arjun Agarwal, Adv. M/S. Cyril Amarchand Mangaldas, AOR Ms. Ruchira Goel, AOR Ms. Adarsh Nain, AORMr. Barun Kumar Sinha, AAG Mr. Kumar Anurag Singh, Adv. Mr. Anando Mukherjee, AOR Mr. Shwetank Singh, Adv. Ms. Beena Sharma, Adv. Mr. Wills Mathews, Adv. Mr. Paul Johnedison, Adv. Ms. Deepa Joseph, Adv. Ms. Sweta Garg, Adv. Ms. Kavaya S. Lokande, Adv. Ms. Niharika Dewivedi, Adv. Ms. Sweta Sand, Adv. Mr. Ravish Kumar Goyal, Adv. Mr. Nitin Sharma, Adv. Mr. E. Vinay Kumar, Adv. Mr. Gautam Jha, Adv. Mr. Siddhartha Jha, AOR Ms. Seita Vaidyalingam, AOR M/S. Venkat Palwai Law Associates, AOR Mr. P Venkat Reddy, Adv. Mr. Prashant Kumar Tyagi, Adv. Mr. P Srinivas Reddy, Adv. Mr. Vinod Sharma, AOR Nishanth Patil, AOR Mr. Chirag M. Shroff, AOR Dr. Joseph Aristotle S., AOR Mr. Shobhit Dwivedi, Adv. Ms. Vaidehi Rastogi, Adv. Mrs. Garima Prashad, Sr. Adv. Mr. Nishit Agrawal, AOR Ms. Kanishka Mitral, Adv. Ms. Vanshaja Shukla, AOR Mr. Narendra Kumar, AOR Mr. Raghvendra Kumar, Adv. Mr. Anand Kumar Dubey,

Adv. Mr. Simanta Kumar, Adv. Mr. S. Gowthaman, AOR Mr. Saket Singh, Adv. Ms. Sangeeta Singh, Adv. Ms. Niranjana Singh, Adv. Mr. Somesh Chandra Jha, AOR Mr. Sunil Kumar Sharma, AOR Mr. K.M. Nataraj, Solicitor General Mr. Shreekant Neelappa Terdal, AOR Mr. Mrinal Elkar Mazumdar, Adv. Mr. Mukesh Kr. Verma, Adv. Mr. Neeraj Kr. Sharma, Adv. Ms. Indira Bhakar, Adv. Mr. P. S. Sudheer, AOR Mr. Sunny Choudhary, AOR Mr. Nishe Rajen Shonker, AOR Mrs. Kirti Renu Mishra, AOR

ORDER

1. Issue notice in I.A. Nos.186910/2022 and 20650/2023 to the Ministry of Environment, Forest and Climate Change and the National Tiger Conservation Authority (NTCA), returnable on 15.03.2023.
2. In addition to the usual mode, liberty is granted to the petitioner to serve notice through the Standing Counsel for the respondent/State.
3. A perusal of the report(s) would reveal that various constructions have been carried out within the area of the Tiger Reserve. The photograph would show that a cordoned area has been constructed between the Tiger Reserve.
4. Mr. Abhishek Attri, learned counsel appearing for the State of Uttarakhand, submits that the concept of jungle tourism permits such a safari to be constructed in jungle areas, and according to the learned counsel, such a phenomenon is acceptable worldwide.
5. Prima facie, we do not appreciate the necessity of having a zoo inside Tiger Reserves or National Parks. The concept of protecting Tiger Reserves and National Parks is that the fauna must be permitted to reside in the natural habitat and not the artificial environs.
6. We, therefore, call upon the NTCA to explain the rationale behind granting such a permission for permitting Tiger Safaris within Tiger Reserves and National Parks.
7. Until further orders, we restrain the authorities from making any construction within the areas notified as Tiger Reserves and National Parks and Wildlife Sanctuaries.
8. The State of Uttarakhand is directed to file its reply in I.A. Nos.186910/2022 and 20650/2023, within three weeks.

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