2025 INSC 1325

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

IN RE : CORBETT

I.A. NO. 20650 of 2023
(CEC REPORT No. 3 of 2023)
WITH

I.A. NO. 75033 OF 2023

AND

I.A. No. 199355 of 2024
(CEC Report No. 16 of 2024)
IN

WRIT PETITION (C) NO. 202 OF 1995

T. N. GODAVARMAN THIRUMULPAD ... PETITIONER

VERSUS

UNION OF INDIA & OTHERS ... RESPONDENTS

IN THE MATTER OF:

GAURAV KUMAR BANSAL ... APPLICANT

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ABBREVIATIONS	
CEC	Central Empowered Committee
CSS-IDWH	Central Scheme for Integrated Development of Wildlife Habitats
CZA	Central Zoo Authority
ESZ	Eco-Sensitive Zone
MoEF&CC	Ministry of Environment, Forest and Climate Change
NTCA	National Tiger Conservation Authority
TCL	Tiger conservation landscapes
TCP	Tiger Conservation Plan
WLP Act	Wildlife (Protection) Act, 1972

J U D G M E N T

B.R. GAVAI, CJI

I. BACKGROUND

1. This Court, in its judgment and order dated 6th March 2024[1] passed in the present proceedings [to which one of us, Gavai, J. (as he then was) was a member], considered the statutory and regulatory framework for the establishment of Tiger Safaris in Tiger Reserves, and issued various detailed directions pertaining to the establishment of a Tiger Safari at Pakhrau as well as with regard to illegal construction and felling of trees in the Corbett Tiger Reserve. In the said judgment and order, the existing Tiger Safaris and those under construction (including the one at Pakhrau) were not outrightly prohibited but were made subject to stricter standards. Therefore, in order to develop these standards in a scientific and rational manner, this Court directed constitution of an Expert Committee that would carry out an in-depth inquiry, and make recommendations based on various aspects as laid down in the said judgment and order dated 6th March 2024, specifically including – restoration,

[1] (2025) 2 SCC 641, hereinafter referred to as ***"T.N. Godavarman"***

governance, and operational protocols for Tiger Safaris, as well as guidelines for mitigation of ecological damage. The Expert Committee was also specifically tasked with identifying the officials who were personally liable for the damage caused to the Corbett Tiger Reserve.

2. Pursuant to the aforesaid directions, the Expert Committee was constituted by the MoEF&CC *vide* an Office Memorandum dated 15th March 2024. The Expert Committee has submitted its report and the copies of the said report were supplied to the parties.

3. We have heard Mr. K. Parameshwar, learned *Amicus Curiae*, Ms. Aishwarya Bhati, learned Additional Solicitor General and Mr. Gaurav Kumar Bansal, applicant in person with regard to their contentions concerning the said report. After considering their contentions, by way of the present Judgment, we propose to issue directions in continuation of those issued by this Court *vide* judgment and order dated 6th March 2024 passed in the present proceedings.

4. However, before we proceed further, it would be appropriate to recapitulate the relevant background *vis-à-vis* the tiger

population in India, the Government's conservational efforts, the significance of Corbett National Park, and the directions issued by this Court on 6th March 2024.

(a) The importance of tigers and their conservation in India

5. The tiger, as the apex predator of its ecosystem in India, plays a central role in maintaining the overall ecological balance, and regulating natural processes in the forest.[2] Its survival ensures the health of forest ecosystems, biodiversity, water security, and overall climate stability.[3] Presently, however, tiger populations survive within less than 7% of their historical range, restricted to fragmented habitats spread across 12 recognized Tiger Conservation Landscapes (*hereinafter referred to as "TCLs"*) in Asia.[4] Of these, 6 priority TCLs for long-term conservation are located in the Indian subcontinent. India assumes a special responsibility, as it is home to more than 80% of the world's free-ranging tiger population, representing over 60% of the

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[2] J. Terborgh, "Diversity and the Topical Rain Forest" (1991, Freeman New York, xii + 242 pp.).
[3] M. Sunquist, K.U. Karanth and F. Sunquist, "Ecology, behavior and resilience of the tiger and its conservation needs" (1999, Pages 5-18).
[4] J. Goodrich, A. Lynam, D. Miquelle, H. Wibisono, K. Kawanishi, A. Pattanavibool, S. Htun, T. Tempa, J. Karki, Y. Jhala and U. Karanth, "Panthera tigris. The IUCN Red List of Threatened Species" (2015).

species' genetic diversity.[5] The country's contribution in terms of conservation efforts, is therefore, pivotal to the objectives of the Global Tiger Recovery Plan, which was adopted by the world leaders at St. Petersburg in 2010.[6]

6. In India, tigers inhabit a wide variety of habitats ranging from the high mountains, mangrove swamps, tall grasslands, to dry and moist deciduous forests, as well as evergreen and shola forest systems. By virtue of this, the tiger also acts as an umbrella species for a majority of eco-regions in the Indian subcontinent.[7] Tigers, however, also require large undisturbed forested landscapes with ample prey to raise young cubs and maintain long-term genetic and demographic viability.[8] With India's burgeoning population, and the corresponding ever-expanding demand for land, conserving this species requires innovative approaches to land-use planning that can

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[5] E. Dinerstein, C. Loucks, E. Wikramanayake, J. Ginsberg, E. Sanderson, J. Seidensticker, J. Forrest, G. Bryja, A. Heydlauff, S. Klenzendorf, P. Leimgruber, J. Mills, T.G. O'Brien, M. Shrestha, R. Simons and M. Songer, "The fate of wild tigers" (2007).

[6] S. Mondol, K.U. Karanth and U. Ramakrishnan, "Why the Indian subcontinent holds the key to global tiger recovery" (2009).

[7] J. Seidensticker, C. McDougal, N. Dunstone and M.L. Gorman, "Tiger predatory behaviour, ecology and conservation" (1993, Pages 105-125).

[8] K.U. Karanth and M.E. Sunquist, "Prey selection by tiger, leopard and dhole in tropical forests", 64(4) Journal of Animal Ecology 439, 445 (1995).

maintain connectivity between tiger source populations in a 'metapopulation' framework.[9]

7. In 1973, the Government of India launched its pioneering initiative – "Project Tiger", to optimise efforts towards conserving the country's national animal. The Project aimed to leverage the functional role of the tiger in its habitat, and its unique charisma, to garner resources and public support for conserving 'representative ecosystems'. From 9 tiger reserves (spanning 18,278 km) in its initial years, the expanse of Project Tiger has increased to 51 reserves (covering 72,749 km, at present), in over 18 states. Cumulatively, this accounts for roughly 2.23% of the geographical area of our country.[10] Pertinently, these tiger reserves are constituted on a '*core/buffer*' strategy. The core area has the legal status of a national park or a sanctuary, whereas the buffer or peripheral areas are a mix of forest and non-forest land, managed as a hybrid multiple-use area. The Project Tiger aims to foster an exclusive tiger agenda in the core areas, with

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[9] Y.V. Jhala, Q. Quereshi and A.K. Nayak, "Status of Tigers, copredators and prey in India, 2018. National Tiger Conservation Authority, Government of India, New Delhi and Wildlife Institute of India, Dehradun (eds. 2020, p. 6 – ISBN No. 81-85496-50-1).

[10] National Tiger Conservation Authority of India, https://ntca.gov.in/about-us/#project-tiger.

an inclusive people-oriented agenda in the buffer zones of the reserve. The Project also paves way specifically for conservation of tiger population in designated tiger reserves. Despite this aim, many Tiger Reserves and Protected Areas in India are analogous to small islands in a vast sea of ecologically unsustainable land of varying degrees.[11] Many tiger populations are confined within small 'Protected Areas', with some having habitat corridors that permit tiger movement between them.[12] However, most corridor habitats in India are not Protected Areas, and hence, are degrading due to unsustainable human use and developmental projects in those region.

8. The National Tiger Conservation Authority (*hereinafter referred to as "NTCA"*), constituted under Section 38-L of the Wild Life (Protection) Act, 1972 (*hereinafter referred to as "WLP Act"*), also functions in a similar domain, focussing on tiger conservation work in India. The scope of NTCA's work ranges from on-ground protection initiatives, science-based monitoring of tigers and their habitat using latest technological tools,

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[11] Y.V. Jhala, Q. Quereshi and A.K. Nayak, "Status of Tigers, copredators and prey in India, 2018. National Tiger Conservation Authority, Government of India, New Delhi and Wildlife Institute of India, Dehradun (eds. 2020, p. 6 – ISBN No. 81-85496-50-1).
[12] *Ibid.*

independent assessment of tiger reserves with Management Effectiveness Evaluation framework, financial and technical support to tiger reserves, creating inviolate spaces for wildlife while ensuring community development, to fostering international co-operation.[13] The objectives of the NTCA include: ***(i)*** providing statutory authority to Project Tiger so that compliance of its directives become legal; ***(ii)*** fostering accountability of both the Centre and the States, in management of Tiger Reserves, by providing a basis for MoU with States within India's federal structure; ***(iii)*** providing an oversight mechanism by Parliament; and ***(iv)*** addressing livelihood interests of local people in areas surrounding Tiger Reserves.[14]

(b) Tiger Safaris and their regulatory scheme

9. The concept of a 'Tiger Safari' in the wild, was introduced for the first time by the Central Government in its Tourism Guidelines, 2012. This provided for the creation of Tiger Safaris in the buffer area of tiger reserves, which experience large tourism footfall. The Guidelines also prescribed the

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[13] National Tiger Conservation Authority of India, https://ntca.gov.in/about-us/#our-work.

[14] National Tiger Conservation Authority of India, https://ntca.gov.in/about-us/#ntca.

establishment of interpretation and awareness centres in these buffer areas, to foster awareness on conservation efforts and the ecological balance they seek to protect, to in turn, garner public support. The local Panchayati Raj institutions were tasked with running these newly established centres. The establishment of such 'safaris' in the buffer zone demonstrably generates employment for the local people and promotes co-existence between wildlife and humans.

10. Until 2016, the regulatory regime only recognized safaris as being an *ex-situ* mode of conservation. With the 2016 Guidelines, the focus shifted to *in-situ* conservation. These guidelines prescribed the basic criteria and procedure to be followed in the buffer and fringe areas of tiger reserves for dealing with the establishment, management and administration of Tiger Safaris. Clause 8 provides that, tourism activities in the tiger reserves are regulated by the normative guidelines on tourism issued by the NTCA as well as by the prescriptions on eco-tourism as contained in the Tiger Conservation Plan (*hereinafter referred to as "TCP"*) of the tiger reserves.

11. Clause 10 of the 2016 Guidelines provides that the location of the tiger safari shall be identified preferably in the buffer (not

falling in notified National Parks and/or Wildlife Sanctuary) or peripheral area of the tiger reserve, based on the recommendations of a committee comprising of members from the NTCA, Central Zoo Authority (*hereinafter referred to as "CZA"*), Forest Department of the concerned State, an experienced tiger biologist/scientist/conservationist and a representative nominated by the Chief Wildlife Warden of the concerned State. It also provides that tiger dispersal routes shall be avoided in all circumstances. Mandating that the area of a Safari Park should be as large as possible, it also prescribes that the minimum area of a tiger safari should be 40 hectares, extendable as per requirements. It describes that the topography for the safari should be undulating and well-draining, without steep slopes; and that the vegetation maintained in the Park should be indigenous, the density of flora regulated according to needs and with the objective of providing a naturalistic effect. It should also provide shelters and withdrawal areas for animals. It further prescribes that the entire safari area should be surrounded by a suitable peripheral chain link fence. The said chain link fence should be of a minimum height of 5 meters with a suitable both way overhang at the top or as prescribed by the

CZA from time to time. It also provides that a buffer zone (strip) of about 5 meters width be provided around the fenced area and requires the creation of a watch tower of about 5 meters in height. It also provides for the sensitization of visitors at designated 'Visitor Centres'.

12. The NTCA issued fresh guidelines in November 2019. These 2019 Guidelines are similar to the 2016 Guidelines – with the exception of Clause 9 of the former, which provides that the selection of the animal shall be done in conformity with Section 38-I of the WLP Act *after* due approval of the CZA. Clause 9 was disapproved by this Court *in* ***T.N. Godavarman*** (supra). It was held that the 2019 Guidelines, which permitted the sourcing of animals from zoos was totally contrary to the purpose of tiger conservation, and to that extent the offending provisions in the 2019 Guidelines were quashed. It was further clarified that since the establishment of Tiger Safaris would virtually be for '*in-situ*' conservation and protection of the species, it is the NTCA that shall have the final authority.

(c) Corbett Tiger Reserve

13. The Corbett National Park is one of India's oldest parks (declared under the United Provinces National Park Act, 1935) and a significant site for tiger conservation given that it houses the *source population* of tigers in the Shivalik-Gangetic landscape. After the launch of Project Tiger (and consequent amendments to the WLP Act), it was notified as a Tiger Reserve encompassing 1,288.31 sq. km in 2010, by the State of Uttarakhand. Out of this total area, 821.99 sq. km. constitutes the core critical tiger habitat, which includes 520.82 sq. km. of the Corbett National Park and 301.17 sq. km. of the Sonanadi Sanctuary. The remaining area of 466.32 sq. km. forms the buffer zone, with 306.90 sq. km. in Kalagarh and 159.4 sq. km. in the Ramnagar forest divisions. The forest within this Reserve serves as a vital corridor connecting the reserve with the Rajaji National Park. It maintains a high density of tigers due to its abundant prey base and functions as a key contributor to tiger conservation, facilitating dispersal into neighbouring protected areas such as Lansdowne, Terai West, Amangarh, and Ramnagar forest divisions. It is recognized that Corbett hosts the largest tiger population within any single protected area globally.

Therefore, its position in the Terai Landscape ensures long-term continuity of tigers, provided there are serious efforts by the respective Governments to safeguard the connectivity between different units. It is also an extremely rich habitat for an array of bird species, with almost 50% of the bird species of the subcontinent being found in the reserve, of which several are included in the lists of threatened and endangered species.[15]

(d) Directions issued by this Court in judgment and order dated 6th March 2024 in the present proceedings

14. These proceedings may be understood as a continuation of this Court's findings and consideration, in ***T.N.Godavarman*** (supra) which arose from an application filed by one Shri Gaurav Kumar Bansal. After considering various reports and CEC Reports (including the CEC Report No. 30/2022), this Court passed the following directions on 6th March 2024:

> "**178.1**. The Safaris which are already existing and the one under construction at Pakhrau will not be disturbed. However, insofar as the Safari at 'Pakhrau' is concerned, we direct the State of Uttarakhand to relocate or establish a

[15] V.B. Mathur, A.K. Nayak and N.A. Ansari, "Fourth Cycle of Management Effectiveness Evaluation (MEE) of Tiger Reserves in India, 2018". National Tiger Conservation Authority and Wildlife Institute of India, Minsitry of Environment, Forest and Climate Change, Government of India, p. 100.

rescue centre in the vicinity of the 'Tiger Safari'. The directions which would be issued by this Court with regard to establishment and maintenance of the 'Tiger Safaris' upon receipt of the recommendations of the Committee which we are directing to be appointed would also be applicable to the existing Safaris including the Safari to be established at Pakhrau.

178.2. The MoEF&CC shall appoint a Committee consisting of the following:

(i) a representative of the NTCA;

(ii) a representative of the Wildlife Institute of India (WII);

(iii) a representative of the CEC; and

(iv) an officer of the MoEF&CC not below the rank of Joint Secretary as its Member Secretary.

We however clarify that the Committee would be entitled to co-opt any other authority including a representative of CZA and also take the services of the experts in the field, if found necessary.

178.3. The said Committee will:

178.3.1. recommend the measures for restoration of the damages, in the local in situ environment to its original state before the damage was caused;

178.3.2. assess the environmental damage caused in the Corbett Tiger Reserve (CTR) and quantify the costs for restoration;

178.3.3. identify the persons/officials responsible for such a damage. Needless to state that the State shall recover the cost so quantified from the persons/delinquent officers found

responsible for the same. The cost so recovered shall be exclusively used for the purpose of restoration of the damage caused to the environment.

178.3.4. specify how the funds so collected be utilized for active restoration of ecological damage.

178.4. The aforesaid Committee, inter alia, shall consider and recommend:

178.4.1. The question as to whether Tiger Safaris shall be permitted in the buffer area or fringe area.

178.4.2. If such Safaris can be permitted, then what should be the guidelines for establishing such Safaris?

178.4.3. While considering the aforesaid aspect, the Committee shall take into consideration the following factors:

a) the approach must be of ecocentrism and not of anthropocentrism;

b) the precautionary principle must be applied to ensure that the least amount of environmental damage is caused;

c) the animals sourced shall not be from outside the Tiger Reserve. Only injured, conflicted, or orphaned tigers may be exhibited as per the 2016 Guidelines. To that extent the contrary provisions in the 2019 Guidelines stand quashed.

d) That such Safaris should be proximate to the Rescue Centres.

Needles to state that the aforesaid factors are only some of the factors to be taken into consideration and the Committee would always be at liberty to take such other factors into consideration as it deems fit.

178.4.4. The type of activities that should be permitted and prohibited in the buffer zone and fringe areas of the Tiger Reserve. While doing so, if tourism is to be promoted, it has to be eco-tourism. The type of construction that should be permissible in such resorts would be in tune with the natural environment.

178.4.5. The number and type of resorts that should be permitted within the close proximity of the protected areas. What restriction to be imposed on such resorts so that they are managed in tune with the object of protecting and maintaining the ecosystem rather than causing obstruction in the same.

178.4.6. As to within how much areas from the boundary of the protected forest there should be restriction on noise level and what should be those permissible noise levels.

178.4.7. The measures that are required to be taken for effective management and protection of Tiger Reserves which shall be applicable on a Pan India basis.

178.4.8. The steps to be taken for scrupulously implementing such recommendations.

178.5. The CBI is directed to effectively investigate the matter as directed by the High Court of Uttarakhand at Nainital in its judgment and order dated 6th September 2023, passed in Writ Petition No.178 of 2021.

178.6. The present proceedings shall be kept pending so that this Court can monitor the steps taken by the Authorities as well as the investigation conducted by the CBI.

> **178.7**. We will consider issuing appropriate directions after the recommendations are received by this Court from the aforesaid Committee. We request the Committee to give its preliminary report within a period of three months from today.
>
> **178.8.** The CBI shall submit a report to this Court within a period of three months from today. We request the learned ASG to communicate this order to the Director, CBI.
>
> **178.9.** The State of Uttarakhand is directed to complete the disciplinary proceedings against the delinquent officers as expeditiously as possible and in any case, within a period of six months from today. The status report in this regard shall be submitted to this Court within a period of three months from today."

15. Thus, pursuant to the aforesaid judgement and order dated 6th March 2024, three independent proceedings came to be initiated *viz.*, ***(a)*** CBI investigation; ***(b)*** disciplinary proceedings against delinquent officers in Corbett; and ***(c)*** the Expert Committee which was to consider various aspects detailed in **paragraphs 178.3 and 178.4** of the judgment. As mentioned hereinabove, the present proceedings are a culmination of these directions – specifically to consider the recommendations

received from the Expert Committee, and to accordingly pass further directions.

16. For the sake of completeness, before delving into these recommendations, it would be relevant to refer to a short summary of the CBI investigation carried out, so also the disciplinary proceedings conducted against delinquent officers in Corbett.

17. As per the judgement and order dated 6th March 2024 in the present proceedings, the CBI submitted its status report and the same was taken on record *vide* order dated 23rd July 2024. Further, this Court granted 6 months' time to complete the investigation and with a view to ensure that the investigation progresses without any delay directed the CBI to file a subsequent status report after a period of 3 months. Consequently, a second status report was taken on record *vide* order dated 20th November 2024 and the CBI was again directed to submit another status report after a period of 3 months. On 19th March 2025, the third status report was taken on record and CBI was granted 3 months for filing its final report.

18. After the CBI submitted its final report, this Court passed the following order on 29th May 2025 thereby disposing of the applications insofar as directions issued to the CBI were concerned:

> "1. This Court, vide judgment dated 06.03.2024 passed in I.A. No. 20650 of 2023 in the present proceedings 1, had directed the Central Bureau of Investigation (CBI) to conduct an investigation and submit a report to this Court.
> 2. The CBI had from time to time submitted its status report and this Court was satisfied with the progress of the investigation.
> 3. It is now informed that the field investigation of case is complete and the chargesheet/final report under Section 173(2) of the Criminal Procedure Code, 1973 for the commission of offences under Sections 120-B, 218, 409, 467, 471 of Indian Penal Code, 1860; Section 13(2) read with 13(1)(a) of the Prevention and Corruption Act, 1988; Section 26-1(f) & (h) of the Indian Forest Act, 1927; Section 2(iv) (read with Section 3A & 3B) of the Forest Conservation Act,1980 and Sections 27(2)(a), 27(4) & 35(6) read with Section 51 of the Wildlife (Protection) Act, 1972 has been filed against the following accused public servants, namely;
> (i) Shri Kishan Chand, the then Deputy Conservator of Forest/Divisional Forest Officer, Kalagarh Tiger Reserve Division, Lansdowne.
> (ii) Shri Brij Bihari Sharma, the then Forest Range Officer, Sonanadi &

Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(iii) Shri Rahul, the then Director, Corbett Tiger Reserve, Ramnagar, Nainital.

(iv) Shri Akhilesh Tiwari, the then Dy Conservator of Forest/Divisional Forest Officer, Kalagarh Tiger Reserve Division, Lansdowne.

(v) Shri Mathura Singh Mavdi, Deputy Ranger, Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(vi) Shri Surendra Singh, the then Forester/Van Daroga, Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(vii) Shri Sandeep Arya, the then Forest Guard, Sonanadi Range, Kalagarh Tiger Reserve Division, Lansdowne.

(viii) Shri Rajesh Rawat, the then Wireless Operator (Daily wages), Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

4. Since the CBI has brought the matter to its logical end, these applications shall stand disposed of insofar as the directions issued to the CBI are concerned."

19. Next, regarding disciplinary proceedings conducted against delinquent officers in Corbett, the State of Uttarakhand filed a Status report pointing out various actions taken against the officers of the Forest Department. This Court granted 3 months' time to file further Status report on the Disciplinary proceedings. Further, on 19th March 2025, this Court expressed its discontentment with the pace of the disciplinary proceedings

regarding the action taken against IFS officers whose dereliction of duties resulted/contributed to the ecological damage in the Corbett Tiger Reserve. Hence, by way of the said order, this Court directed the State of Uttarakhand to conclude the departmental proceedings with respect to all concerned officers within a period of 3 months. The final report regarding the departmental proceedings is yet to be submitted by the State of Uttarakhand.

II. RELEVANT STATUTORY PROVISIONS

20. Before we consider the recommendations made by the Expert Committee, it will be relevant to refer to certain statutory provisions of the WLP Act and the interpretation given to them by this Court in ***T.N.Godavarman*** (supra).

21. A perusal of the sections in Chapter IV, IV-A and IV-B of the WLP Act reveals that diverse measures have been provided for the preservation of Protected Areas. The definition of "protected area" as defined under sub-section (24-A) of Section 2 of the WLP Act only includes a National Park, a sanctuary, a conservation reserve or a community reserve, which are notified under Sections 18, 35, 36-A and 36-C of the WLP Act.

22. As per the Section 38-V of the WLP Act, a tiger reserve has two parts namely Core and Buffer. The relevant portion of the provision is extracted below:

> "[…] Explanation – For the purposes of this section, the expression "tiger reserve" includes –
> (i) **core or critical tiger habitat** areas of National Parks and sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose;
> (ii) **buffer or peripheral area** consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provision contained in Explanation (i) above, where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of the scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purpose."

23. In ***T.N. Godavarman*** (supra), this Court undertook a detailed review of the statutory and regulatory scheme applicable to Tiger Reserves and establishment of Tiger Safaris and specifically held that:

> "**49**. A perusal of the entire scheme of the WLP Act read with the Statement of objects and reasons would clearly reveal that the entire emphasis is on "conservation, protection and management of the wildlife". The WLP Act also provides for the matters connected therewith or ancillary or incidental thereto for the conservation, protection and management of wildlife. It also emphasizes on ensuring the ecological and environmental security of the country.
>
> 50. .... **the harmonious construction of the various provisions of the WLP Act would reveal that the legislature intended the "Tiger Reserves" to be kept at a higher pedestal than a sanctuary, a National Park, a conservation reserve, or a community reserve**.
>
> 64. ... The **provisions contained in Chapter IVA lay a specific emphasis on the protection of tigers and other habitats in the tiger reserve**. The provisions contained therein are in addition to the provisions contained for sanctuaries and National Parks"
>
> (emphasis supplied)

24. Since this Court has already reviewed and considered the vast statutory and regulatory landscape that exists relating to

Tiger Reserves in ***T.N.Godavarman*** (supra), reproduction or repetition of the same would not be necessary.

III. THE EXPERT COMMITTEE REPORT

25. Pursuant to the directions contained in **paragraph 178.2** of the judgement dated 6th March 2024, the MoEF&CC *vide* its Office Memorandum dated 15th March 2024 constituted the Committee with the following members:

(a) Shri Chandra Prakash Goyal, Member CEC as the Nominee of Central Empowered Committee - Member;

(b) Dr. Vaibhav C Mathur, Deputy Inspector General of Forests, National Tiger Conservation Authority – Member;

(c) Professor Qamar Qureshi, then Scientist G, Wildlife Institute of India, Dehradun – Member; and

(d) Shri R Raghu Prasad, Inspector General of Forests, Wildlife – Member Secretary.

In addition, after the first meeting, the Committee co-opted the following two officials:

(e) Dr. SP Yadav, former Member Secretary, National Tiger Conservation Authority and Interim Director General, International Big Cat Alliance; and

(f) Dr Sanjay Shukla, then Member Secretary, CZA.

26. It can be seen from the Report of the Expert Committee that it held meetings on various dates *i.e.,* on 28th March 2024, 30th April 2024, 20th May 2024, 12th June 2024, and 25th June 2024. It can also be seen that Committee went for a field visit from 30th May 2024 to 1st June 2024 to inspect the entire area affected by different activities undertaken by the officials of Corbett Tiger Reserve in the name of establishment of the Pakhrau Tiger Safari. After undertaking a detailed study of numerous reports and documents, holding meetings, and consulting experts as well as Field Directors of various Tiger Reserves, the Committee has made ***(i)*** specific recommendations with respect to Corbett Tiger Reserve and ***(ii)*** general recommendations with respect to Tiger Reserves in India, which are considered as under:

(a) Recommendations with respect to Corbett Tiger Reserve

27. The Committee has made specific recommendations with respect to Corbett Tiger Reserve, as per the terms of reference by this Court contained in paragraph 178.3 of the judgment and order dated 6th March 2024. These recommendations are as follows:

27.1. Measures for restoration of the damages, in the local *in situ* environment to its original state before the damage was caused: Pursuant to the Committee consulting the experts from the Indian Institute of Forest Management, Bhopal ("IIFM"), it recommended the demolition of the above-ground structures, excavation of hard pan material, safe disposal of debris, filling up of excavated area with soil followed by site preparation, plantation and maintenance. The Committee in its report states that there is a requirement to install some pipes inside few culverts on the service road for maintaining hydrological flows. It is recommended that Hume pipes may be fixed up in such areas and the total costs for *in-situ* ecological restoration is estimated to be Rs. 4,30,89,110 (around Rs. 4.30 Cr).

27.2. To Assess the environmental damage caused in the Corbett Tiger Reserve (CTR) and quantify the costs for restoration: Based on deliberations with experts from IIFM Bhopal, the Committee recommended that the assessment in monetary terms, of the ecological damage for affected areas should be confined to sites impacted by the various activities undertaken by the forest officials for establishing a tiger safari at Pakhrau. According to the report, the total area of ecosystem damage is likely to be in 118.19 ha. As per the forest diversion proposal for the safari project, though compensatory afforestation has been proposed to address this damage, the Committee has stated that this effort will evidently fall short in fully capturing the benefits of the original ecosystem, but its benefits will accrue gradually over time. The report further states that the potential ecological loss from safari project activities in affected areas is assessed in monetary terms as Rs. 22,95,06,306 (around Rs. 23 Cr) with conceivable net market value of felled timber as Rs. 6.80 Cr. Therefore, according to the Committee the total damage costs are estimated to be about Rs. 29.8 Cr.

27.3. On identifying the persons/officials responsible for such a damage, with the consequent direction that the State will recover the costs so quantified from the delinquent officer found responsible and use it exclusively towards restoration of the damage caused by the environment: As the CBI is effectively investigating the issue, the Committee deemed it fit to not assess the same issue, to avoid overlapping of responses.

27.4. On how the funds so collected be utilized for active restoration of ecological damage: Upon assessment of the environment damage and quantification of the costs towards ecological restoration supported by 2 experts from IIFM Bhopal, the Committee has stated that the amount so collected for restorations has to be deposited in a separate account maintained by the Field Director, Corbett Tiger Reserve and the State shall file annual compliance report with the CEC along with data which is to be uploaded on the relevant dashboard of the CEC.

(b) General Recommendations

28. We will now consider the various general recommendations made by the Expert Committee, in accordance with the scope set

out by this Court in **paragraph 178.4** of its judgment dated 6th March 2024.

29. *On whether Tiger Safaris shall be permitted in the buffer area or fringe area*

29.1. The Committee in its Report has differentiated the diversity of wildlife tourism experiences with encountering animals in their natural habitats and animals in controlled environments (i.e., zoos where human intervention maintains the surroundings), each shaped by varying degrees of natural authenticity and human influence. The Committee after considering the Gazette notification dated 15th October 2012, the minutes of ninth meeting of NTCA dated 19th June 2013, Guidelines to Establish Tiger Safari in Buffer and Fringe Areas of Tiger Reserves issued by NTCA in November 2019, and provisions of Section 38-V of the WLP Act, has arrived at certain conclusions. The Committee has traced the intention of the Government of India and the NTCA, to establish Tiger Safari in the buffer or fringe areas. While doing so, tiger dispersal routes must be avoided in all circumstances, as stated in the Guidelines. It is categorically stated that a forest area in the buffer zone, would definitely be a part of such dispersal routes

of tigers and other wildlife. The Committee also found that the density of tigers in forests under buffer area, is in fact quite high.

29.2. Based on these findings, the Expert Committee has made certain recommendations: that as per the proviso to Section 33(a), Explanation (ii) of Section 38-V(4) the WLP Act, and the judgment and order dated 6th March 2024, Tiger Safaris should be strictly prohibited in core or critical tiger habitat areas. It further recommended that any Tiger Safari may only be set up on non-forest land or degraded forest land within the buffer, provided these locations do not form part of a tiger corridor. The Committee also emphasized that the establishment of a Tiger Safari shall be permitted solely in conjunction with a fully operational rescue and rehabilitation centre for tigers, specifically designed to care for conflict, injured, or abandoned animals.

30. *Guidelines for Tiger Safaris*

30.1. Since the Expert Committee has recommended that Tiger Safaris may continue, in the buffer and fringe areas, it has also evolved guidelines accordingly.

30.2. In its Report, the Committee states that the '***Guidelines to Establish Tiger Safari in Buffer and Fringe***

Areas of Tiger Reserves 2019' issued by the NTCA should form the basis for any establishment of Tiger Safaris. The directions of this Court in ***T.N.Godavarman*** (supra) with regard to sourcing of animals should be strictly adhered to. Specifically, the Committee recommended that only animals rescued from the Tiger Reserve or the same landscape, particularly conflict animals, should be housed in the Safaris. The committee has advised that a rescue centre, integrated with each Tiger Safari, should provide essential veterinary support and facilitate the treatment and care of such animals. The management of each Safari is to remain under the control of the Field Director of the concerned reserve with supervision from the Chief Wildlife Warden. Financial earnings from the Safari should be directed back into the Tiger Conservation Foundations. The Committee further stressed the importance of design measures to prevent any contact between wild and captive populations, mandated approval for enclosure designs by the CZA and called for the development of carrying capacity norms. Environmentally friendly vehicle options like solar, hybrid, or electric vehicles are to be promoted and their numbers regulated, and a strict policy

of zero discharge of waste water from the Safari must be enforced.

31. *Permissible and prohibited activities in the buffer and fringe areas of the Tiger Reserve*

31.1. The Committee outlined a detailed set of prohibited and regulated activities for buffer and fringe zones of Tiger Reserves. Prohibited activities include commercial mining, establishing sawmills, polluting industries, commercial firewood use for businesses, major hydroelectric projects, introduction of exotic species, use or production of hazardous substances, low-flying tourism aircraft (including drones, which must fly at least 300 meters above obstacles), discharge of waste into natural habitats and unauthorized felling of trees. On the other hand, it specified that regulated activities could include the establishment of hotels and resorts as per approved tourism plans that accommodate wildlife movement, commercial use and harvesting of natural water resources by master plan, fencing premises of hotels and lodges, widening roads, permitting vehicular movement at night and protective measures for hill slopes and river banks in keeping with plans.

31.2. Additionally, the Committee recommended that the TCP should clearly define zones within the buffer area where new tourism infrastructure may be developed, considering factors like road access, village proximity and animal corridors. It has suggested that all new tourism infrastructure must comply with Eco-sensitive Zone notifications under the Environment (Protection) Act, 1986. It further recommended that eco-friendly tourism facilities could be allowed on non-forest land within buffer zones and such zones must be clearly delineated as part of the TCP and the zonal Master Plan for Eco-sensitive Zones (*hereinafter referred to as "ESZ"*).

32. *Whether resorts can be permitted within the close proximity of protected areas and restrictions thereof*

32.1. The Committee expressed concern that ecotourism in many tiger reserves continues to resemble mass tourism and lacks adequate regulation, despite the Supreme Court's directive in ***Ajay Dubey v. National Tiger Conservation Authority***[16] that tourism activities in core and critical tiger reserve areas must adhere strictly to NTCA Guidelines.

[16] (2019) 11 SCC 538

32.2. Accordingly, the Committee recommended that new eco-friendly resorts may be permitted within buffer zones but must be strictly prohibited in identified tiger corridors. It further encouraged the promotion of homestays and community-managed establishments, coupled with incentives to support such initiatives. To mitigate environmental impact, zero waste practices were mandated as compulsory. The Committee also advocated for the entire Tiger Reserve and its corresponding ESZ to be designated as "Silence Zones" under the Noise Pollution (Regulation and Control) Rules, 2000 and prohibited the use of mobile phones within tourism zones of core habitats to minimize disturbance to wildlife. Strict enforcement of vehicular carrying capacity limits as prescribed by NTCA was emphasized, alongside a complete phase-out of night stay facilities for tourists in core areas and an outright ban on night tourism. Additionally, for reserves where roads cut through core or critical tiger habitats, stringent night-time traffic restrictions were recommended, permitting only emergency and ambulance vehicles to operate from dusk to dawn.

33. ***Permissible noise levels and the distance from the boundary of the protected forest for which restrictions on noise level will be applicable***

33.1. The Committee reiterated its recommendation that the entire Tiger Reserve, along with the ESZ of the protected areas included within it, should be notified as a 'Silence Zone' under the Noise Pollution (Regulation and Control) Rules, 2000. In situations where the ESZ of the Tiger Reserve has not yet been officially notified, the proposed ESZ should be considered for this designation. Furthermore, if neither a notified nor a proposed ESZ exists, a default ESZ should be applied to ensure appropriate restrictions on noise levels around the protected forest boundaries.

34. ***Measures for effective management of Tiger Reserves, on a pan-India basis***

34.1. ***Strict Regulatory Regime:*** The Committee recommended that States should be directed to prepare TCPs within the six months. It has suggested that financial assistance under the Project Tiger component of the Central Scheme for Integrated Development of Wildlife Habitats (*hereinafter referred to as "CSS-IDWH"*) should be mandatorily linked to an approved

TCP to ensure effective resource utilization. Forest areas situated in buffer and corridor regions identified within the TCP should be managed in alignment with the plan to maintain consistency between forestry operations and wildlife conservation priorities. Forestry operations in buffer forest lands ought to be integrated into the TCP through consultations with the State Forest Department's working plans. The Committee highlighted that Critical Tiger Habitats notified under the WLP Act, should be accorded equivalence with Critical Wildlife Habitats as defined by the Forest Rights Act, recognizing both scientific and ecological significance alongside traditional forest dwellers' rights. It recommended that tiger carrying capacity be calculated as per existing norms within the TCP to guide habitat interventions effectively. Furthermore, while Compensatory Afforestation Fund Management and Planning Authority (*hereinafter referred to as "CAMPA"*) funds may continue to support voluntary village relocation, it was suggested that dedicated funding should be earmarked specifically to uphold inviolate core and critical tiger habitats, extending financial assistance also to villages in buffer zones and tiger dispersal routes.

34.2. ***Proper Human Resource Management:*** The Committee advised that States should prioritize filling vacancies at all levels within tiger reserves, identifying this as a critical factor limiting protection and scientific efforts. It proposed establishing separate cadres for veterinarians and wildlife biologists to provide the technical expertise needed for the expanded scientific mandate of tiger conservation. Additionally, a cadre of sociologists could be formed to engage continuously with fringe communities, fostering a social fence to support conservation goals. The Committee underlined the importance of ongoing capacity building for forest frontline staff, supported by financial assistance as mandated by relevant legislation. It emphasized focusing on emerging thematic areas such as rewilding orphaned or habituated tigers, scientific habitat management and strict adherence to NTCA Standard Operating Procedures and guidelines. To attract and retain personnel in tiger reserves, incremental increases in project and ration allowances indexed to Dearness Allowance and aligned with paramilitary force rates are suggested. *Ex-gratia* payments on par with paramilitary forces is recommended to be provided in the event of death in the line of duty. Infrastructure at guard

camps should include essential amenities such as clean water, safe housing, sanitary facilities, communication tools and first aid, with separate provisions for female staff. Family accommodation consistent with standards for defence and police personnel in remote postings should be adequately provided, with enhanced central government support suggested for establishing residential accommodations and field hostels. Given the hazardous conditions, insurance coverage for all field personnel, including contractual and daily wage workers, was recommended, along with mandatory enrolment in government health schemes and consideration of free medical care for injured staff. The Committee also suggested recognition through state awards and family support equivalent to those granted to civil police personnel for employees who lose their lives in service.

34.3. ***Timely And Adequate Funding Support:*** The Committee underscored the necessity of timely and sufficient funding for effective management of tiger reserves, cautioning that delays impede conservation efforts and adversely affect the numerous casual workers employed in these reserves. It recommended a comprehensive overhaul of fund release

mechanisms, allowing Tiger Conservation Foundations to receive financial assistance directly under the Project Tiger component of the CSS-IDWH. Revenue generated by tiger reserves should be reinvested into their respective Tiger Conservation Foundations to address management issues within the reserves and their zones of influence.

34.4. *Provisions of Arms to Forest Officials And Staff:*

The Committee proposed that firearms be provided to all forest officers from Beat Guard to Forester level on a phased basis, targeting 50% coverage within three years and 75% within five years. The selection of firearms should reflect local threat assessments and be comparable to police forces operating in the same region. Deputy Rangers and Range Officers were recommended to receive pistols or revolvers similar to those issued to police officers of corresponding ranks. Licensing requirements should be waived for the firearms assigned to forest personnel. Detailed operational guidelines for firearm use should be established by states, coupled with legal immunity for personnel under relevant national security legislation. The Committee further suggested that states should consider raising specialized Forest Battalions deployed under the operational

command of Forest Officers, potentially drawn from police units and provided with advanced jungle warfare training to reinforce forest department capabilities.

34.5. ***Strengthening Forest & Wildlife Crime Prevention And Investigation:*** It is recommended that the Wildlife Crime Control Bureau, Field Directors of Tiger Reserves, and Chief Wildlife Wardens be empowered to access Call Detail Records (CDRs) and conduct surveillance investigations related to forest and wildlife offences, acknowledging that only a few states currently have this provision. The Committee urged the establishment of dedicated Wildlife Crime Cells and Special Prosecution Wings within forest departments across all states, modelled after successful frameworks such as Madhya Pradesh's Special Task Force. Enhancing collaboration between police and forest departments is encouraged along with the creation and adequate funding of Special Tiger Protection Forces in sensitive tiger reserves. The development and mandatory enforcement of Standard Operating Procedures for forensic involvement in wildlife crimes by state Forensic Science Laboratories was also proposed.

34.6. ***Setting Up Fast Track Courts/Benches For Forest & Wildlife Crimes:*** To ensure expeditious justice, the Committee recommended establishing fast track or dedicated courts specifically tasked with forest and wildlife crime cases.

34.7. ***Proper Human-Wildlife Conflict Management:*** The Committee suggested that states should implement inclusive and efficient compensation policies addressing crop damage and loss of human and livestock life. It recommended for enhanced coordination among various agencies, with clear delineation of responsibilities, to reduce response times for human-wildlife conflict incidents. The designation of human-wildlife conflict as a 'natural disaster', as done by some states, was encouraged for wider adoption. Additionally, states were directed to provide *ex-gratia* payments as per established governmental guidelines. The Committee proposed the creation of a centrally trained and equipped rapid response force termed as 'Green Commandos' capable of wildlife rescue operations and immediate deployment nationwide through a centralized command and control centre, maintained in a constant state of readiness through ongoing training.

34.8. ***Green Infrastructure Development:*** While acknowledging the need for infrastructure development, the Committee emphasized avoidance strategies in wildlife-bearing forests as the primary mitigation measure. It called for the uploading of comprehensive information on tiger reserves, corridors, protected areas, and ESZs onto the Central Government's 'Gati Shakti' portal. Strict adherence to mitigation measures prescribed by relevant authorities, including the Wildlife Institute of India, the NTCA, and the National Board of Wildlife, was recommended for all development activities, including linear infrastructure projects. For transmission lines traversing tiger reserves, insulated cables, bunch cabling or underground laying should be employed wherever technically feasible to minimize wildlife disturbance.

34.9. ***Regulation of Religious Tourism:*** The Committee recognized the significant influx of pilgrims at places of worship within some tiger reserves and recommended strict regulation of pilgrimage activities. It recommended that the government should facilitate eco-friendly, multi-seater vehicles or buses to transport devotees, minimizing environmental impact in a phased manner. The exploration of alternative transport modes

such as ropeways, skywalks and tunnels was also encouraged to accommodate sustainable pilgrimage access.

35. *Steps to be taken for scrupulously implementing these recommendations*

35.1. Lastly, in compliance with this Court's direction (in **paragraph 178.4.8**), the Committee has also made various suggestions for measures to ensure effective implementation of these recommendations, and the consequent directions that this Court will pass. These can be broadly categorised as follows:

35.2. ***Statutory Requirements:*** In its report, the Committee recommends that all States be directed to notify the core and buffer areas of their Tiger Reserves, emphasizing that such delineation is essential for implementing a landscape approach to tiger conservation and managing tiger land tenure dynamics. The Committee notes that while 23 TCPs are currently in effect and 25 are under revision, several States are yet to submit their Plans and suggests that all States must prepare or update their TCPs within three months. To enhance governance, the Committee suggests the constitution of a Steering Committee at each Tiger Reserve, comprising the Chief Minister as Chairperson, the Minister in-charge of Wildlife as Vice-

Chairperson, officials including field directors, representatives from tribal affairs, wildlife experts with tribal development experience, members of the Tribal Advisory Council, representatives from Panchayati Raj and Social Justice departments and the Chief Wildlife Warden as Member Secretary. Recognizing that such committees seldom convene despite being constituted, the Committee advises that these bodies be established in all reserves within three months and mandatorily meet at least twice a year. The Committee further suggests strict adherence to NTCA guidelines on tourism, including a complete ban on night tourism and fostering primarily community-based tourism around reserves.

35.3. ***Human Resource Development:*** The Committee advises strict prohibition on outsourcing forest staff officers and recommends that the MoEF&CC consult the Central Empowered Committee to fill vacancies in all Tiger Reserves within three months. It highlights the need for wildlife-trained officers and suggests that States consult the NTCA before appointing Field Directors to ensure no such positions remain vacant. To incentivize postings in remote areas, the Committee proposes considering military-style benefits such as retaining government

accommodation in chosen locations and instituting medals for exemplary service, which may boost morale and loyalty among frontline staff who often maintain multiple residences. The report also identifies the need for upgrading existing anti-poaching infrastructure to provide adequate amenities and suggests permanent secondment of technically qualified officers to institutional bodies for periodic supervision. Continuous capacity-building programs for all staff and officials are recommended to maintain operational proficiency.

35.4. ***The Financial Conundrum:*** The Committee recommends enhancing resource inputs for Tiger Conservation Foundations by encouraging States to increase tourism tariffs substantially to align with low-volume, high-value eco-tourism, enabling concessional rates for local communities and school children. It suggested exploring the feasibility of promoting responsible tourism in buffer areas and developing alternate, less environmentally damaging tourism forms like nature walks and treks. The Committee also proposes the levying of conservation fees on accommodation facilities based on bed count or a percentage of accommodation fees, as well as environmental fees on vehicles entering ESZs. Furthermore, the

Committee encourages NTCA and States to collaborate on evaluating ecosystem services provided by reserves, establishing mechanisms to charge downstream beneficiaries, and equitably sharing resultant revenues between reserve authorities and local communities.

35.5. ***The Development Paradigm:*** The Committee stresses that core and critical tiger habitat areas should be kept inviolate under all circumstances with no projects detrimental to nature permitted. It highlights the critical need for security forces operating in tiger reserves near international boundaries to avoid establishing permanent infrastructure within core areas which could cause ongoing disturbance due to troop movements and logistics.

35.6. ***Other Suggestions:*** To prevent overcrowding at tiger sighting locations, the Committee suggests mandating GPS tracking devices on all tourist vehicles and imposing stringent penalties on vehicles arriving beyond the first two at sighting spots. It recommends regular training and capacity-building for tourist vehicle drivers and guides to ensure responsible behaviour within reserves. The Committee advises fixing the boundaries and access routes of religious sites within reserves

as they existed at the time of reserve notification, prohibiting new construction including temporary structures. Pilgrim travel should be restricted to CNG or electric vehicles, with pedestrian access disallowed. Managing committees for such religious sites might include the Field Director, District Collector, and Superintendent of Police as special invitees whose roles should be limited to protection without involvement in daily temple operations. Finally, the Committee suggests prohibiting cooking during mass feasts inside reserves to prevent illegal fuelwood collection while allowing prasad to be prepared on solar-powered electric stoves in small quantities within temple premises.

IV. DISCUSSION AND ANALYSIS

36. We have extensively considered the diverse and comprehensive Report submitted by the Expert Committee with regards to both Corbett Tiger Reserve and the general recommendations to be implemented with regards to Tiger Safaris and Tiger Reserves.

37. Previously in ***T.N.Godavarman*** (supra), we were mindful of the importance of employing the principle of restitution, which in the context of the environment translates to prioritising

ecological restoration. Reference was made to Article 8 of the Convention on Biological Diversity, 1992, to which India is a signatory and also various decisions[17] of the Permanent Court of International Justice (PCIJ), that laid down the standard in international law for reparations, which was thereafter extended to restoration of degraded ecosystems.

38. Adopting a restitutive approach has in fact been statutorily mandated under Section 15(4) of the National Green Tribunals Act, 2010 where the Tribunal is directed to provide relief regarding "*restitution of the damaged property or environment*". This statutory duty of the Courts also flows from Article 21, 48A and 51A(g) of the Constitution of India. Each of these Articles highlight the importance of the environment in our constitutional scheme. As per the Constitution, it is our bounden duty, "*to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures*."

[17] The Factory at Chorzow (Germany v. Poland), 13 September 1928, PCIJ, Merits, p. 47) and Certain Activities Carried Out by Nicaragua in the Border Area, Compensation Judgment, (2018) I.C.J. Reports 15.

39. This Court has also recognised this principle in ***Indian Council for Enviro-Legal Action & Ors. v. Union of India & Ors.***[18] and ***S. Jagannath v. Union of India & Ors.***[19] These cases were relied upon in ***Bajri Lease LoI Holders Welfare Society v. State of Rajasthan***[20] [to which one of us, Gavai, J. (as he then was) was a member] where it was held as follows:

> "**19.** .... Compensation/penalty to be paid by those indulging in illegal sand mining cannot be restricted to the value of illegally-mined minerals. The cost of restoration of environment as well as the cost of ecological services should be part of the compensation. The "polluter pays" principle as interpreted by this Court means that the absolute liability for harm to the environment extends not only to compensate the victims of pollution but also the cost of restoring the environmental degradation. Remediation of the damaged environment is part of the process of "sustainable development" and as such the polluter is liable to pay the cost to the individual sufferers as well as the cost of reversing the damaged ecology."

40. In ***T.N. Godavarman*** (supra) itself, it was held that:

> "173. It could thus be seen that, worldwide as well as in our jurisprudence, the law has developed and evolved emphasizing on the restoration of the damaged ecological

[18] (1996) 3 SCC 212: 1996 INSC 237 (Para 60 and 66).
[19] (1997) 2 SCC 87: 1996 INSC 1466 (Para 49).
[20] (2022) 16 SCC 581

> system. A reversal of environmental damage in conformity with the principle under Article 8(f) of the CBD is what is required. At times, the compensatory afforestation permits forestation at some other site. However, the principle of restoration of damaged ecosystem would require the States to promote the recovery of threatened species. We are of the considered view that the States would be required to take steps for the identification and effective implementation of active restoration measures that are localized to the particular ecosystem that was damaged. The focus has to be on restoration of the ecosystem as close and similar as possible to the specific one that was damaged."

41. While considering each individual head of recommendations made by the Expert Committee, it will be apposite to refer to **paragraph 178.4.3** specifically, which laid out the factors that must be considered in the Committee's recommendations, as they are relevant and serve as guiding principles for this Court to follow as well:

> "178.4.3. While considering the aforesaid aspect, the Committee shall take into consideration the following factors:
> a) the approach must be of ecocentrism and not of anthropocentrism;
> b) the precautionary principle must be applied to ensure that the least amount of environmental damage is caused;
> c) the animals sourced shall not be from outside the Tiger Reserve. Only injured,

> conflicted, or orphaned tigers may be exhibited as per the 2016 Guidelines. To that extent the contrary provisions in the 2019 Guidelines stand quashed.
> d) That such Safaris should be proximate to the Rescue Centres.
> Needles to state that the aforesaid factors are only some of the factors to be taken into consideration and the Committee would always be at liberty to take such other factors into consideration as it deems fit."

42. It is this Court's duty, therefore, in light of our constitutional scheme and international obligations, to adopt restorative measures that ensure environmental degradation is firstly mitigated and then reversed and restored to its original form, while also prioritising mitigation of future risk to the environment.

V. CONCLUSION

43. In light of the recommendations made by the Expert Committee, the restitutive approach elaborated hereinabove and the earlier judgment of this Court dated 6th March 2024, we deem it appropriate to pass the following directions in continuation of our earlier orders:

44. In relation to Corbett Tiger Reserve

With regards Corbett Tiger Reserve, we find it appropriate to accept the Committee's recommendations.

44.1. The State of Uttarakhand through the Chief Wildlife Warden, Uttarakhand, in consultation with the CEC, is directed to:

44.1.1. Submit a plan for the restoration of the Corbett Tiger Reserve in line with the recommendations made by the Expert Committee, within a period of 2 months;

44.1.2. Begin all clearing/demolition of unauthorised construction as identified by the Expert Committee, before the lapse of 3 months from the date of this judgment; and

44.1.3. File a compliance affidavit within a period of 1 year from the date of this judgment.

44.1.4. In relation to Corbett Tiger Reserve, the CEC will monitor and supervise the implementation of the ecological restoration plan developed by the State of Uttarakhand. While developing and implementing this plan and carrying out afforestation, the State of Uttarakhand must ensure that only

native and indigenous species are identified, with special care to not introduce any alien species to the ecosystem.

44.2. With regards to quantification of costs for restoration, the Committee arrived at a figure of Rs. 4,30,89,110/- as costs for *in-situ* ecological restoration. The Committee separately assessed the potential ecological loss from safari project activities in monetary terms to be Rs. 22,95,06,306/- with conceivable net market value of felled timber as Rs. 6,80,00,000/-. Therefore, according to the Committee, the total damage costs are estimated to be about Rs. 29,80,00,000/-.

44.3. We extensively heard this matter on 30th May 2025. However, when it was noticed that the aforesaid quantification of the Committee would adversely affect the State of Uttarakhand, we re-listed the matter on 14th November 2025 and heard Shri Abhishek Attrey, learned standing counsel for the State of Uttarakhand.

44.4. Shri Attrey vehemently objected to the quantification of Rs. 29,80,00,000/-. It is submitted by Shri Attrey that the number of trees estimated to be felled as per the FSI report is 6093 and number of trees felled as per record of DFO is 3620, however, the IIFM picked the numbers given by FSI. He,

therefore, submitted that the aforesaid amount has been assessed without there being any foundation for the same.

44.5. We are, however, not inclined to go into the issue with regard to valuation of quantification of costs for restoration as well as the potential ecological loss caused from the Safari project. We are also not inclined to go into the issue with regard to number of trees felled since trial and the prosecution at the instance of CBI is pending. Rather, we find that it will be in the interest of justice that the State of Uttarakhand is directed to restore the ecological damage caused to the Corbett Tiger Reserve under the supervision, guidance and control of the CEC. Needless to say that the Field Director shall periodically report to the CEC with regard to the restoration and the restoration work would be carried to the satisfaction of the CEC.

44.6. Also, as per the earlier judgment dated 6th March 2024 in ***T.N. Godavarman*** (supra), after the completion of disciplinary proceedings, proportionate amounts towards the costs may be recovered by the State of Uttarakhand from the errant officers.

45. <u>On whether tiger safaris shall be permitted in the buffer and fringe areas</u>

The Committee's findings and recommendations on this aspect, are also accepted:

45.1. In terms of the proviso to Section 33(a) and the provisions contained in the Explanation (ii) of sub-section 4 of Section 38-V of the WLP Act and the judgement of this Court in ***T.N. Godavarman*** (supra), it is categorically held that Tiger Safari shall not be permitted in the core or a critical tiger habitat area.

45.2. Tiger Safari shall be established on 'non-forest land' or 'degraded forest land' in buffer area provided that is not part of a tiger corridor.

45.3. Tiger Safari shall be allowed only in association with a full-fledged rescue and rehabilitation centre for tigers where conflict animals, injured animals or abandoned animals are housed for care and rehabilitation.

45.4. These Tiger Safaris shall be subject to the conditions and restrictions mentioned in the Report of the Expert Committee, and as described in the following paragraph.

46. Guidelines for Tiger Safaris

46.1. We accept the Committee's recommendations with regards to Guidelines for Tiger Safaris and direct that they may be established and run with due consideration of the '***Guidelines to Establish Tiger Safari in Buffer and Fringe Areas of Tiger Reserves 2019***' issued by the NTCA with the following additional requirements:

46.1.1. The directions of this Court in ***T.N. Godavarman*** (supra) with regard to sourcing of animals shall be strictly adhered to;

46.1.2. Only animals rescued and/or conflict animals from the Tiger Reserve or from the same landscape should be housed in the Tiger Safaris;

46.1.3. Rescue Centre to be established in conjunction with such Tiger Safari shall provide essential veterinary support to such facility and help in treatment/care of captured animals;

46.1.4. Tiger Safari should be under the management control of the Field Director of the concerned Tiger Reserve with supervision of the Chief Wildlife Warden;

46.1.5. Earnings should be ploughed back through the concerned Tiger Conservation Foundations;

46.1.6. Design considerations should be such that there is no scope for interaction between *in-situ* and *ex-situ* populations;

46.1.7. Enclosure design must be approved by the CZA;

46.1.8. Carrying capacity norms should be developed;

46.1.9. Solar/Hybrid/Electric vehicles to be promoted and number of vehicles also must be regulated; and

46.1.10. Strict Zero Discharge of waste water to be permitted from safaris.

47. Permissible and prohibited activities in the buffer and fringe areas of the Tiger Reserve

47.1. *Notifying ESZ for Tiger Reserves*

47.1.1. Insofar as other protected areas are concerned in Sanctuaries and National Parks, there exists the concept of Eco-Sensitive Zones (ESZs) as per the 2011 Notification. The letter dated 23rd April, 2018 (F.No.15-22/2013-NTCA) issued by the MoEF&CC to the Chief Wildlife Wardens regarding submission of proposal for notifying ESZ of Tiger Reserves, specifically contemplates that the extent of the eco-sensitive zone for the critical habitat of Tiger Reserves, will *at the minimum*, include the buffer and fringe areas. The letter is extracted below:

> "***Sub: Submission of proposal for notifying Eco Sensitive Zones of Tiger Reserve***
>
> *Sir,*
>
> *Reference is invited to the subject cited above. In this context, I am directed to request you to kindly furnish proposal for notifying Eco Sensitive Zones around Tiger Reserves, as per list enclosed herewith, as per advisory issued by this Authority in the matter which states:*
>
> *1. The entire buffer zone should be included in the Eco Sensitive Zone*
>
> *2. A radial cushion of minimum 1 km should be kept from the critical tiger habitat wherever the buffer is disjunct/absent*
>
> *3. Where a Protected Area forms part of the buffer, then a minimum 1 km cushion should be demarcated around the said buffer also.*"

47.1.2. We find strength in the rationale of this letter, that the very minimum protection that buffer zones are entitled to, is that which is afforded to the environment in ESZs. The letter appears to be in the spirit of the concept of ESZs, taking forward the culture of conservation, and therefore, we approve the same. It follows as a natural corollary that insofar as the buffer zone of a critical tiger habitat or the buffer zone of the Tiger Reserve is concerned, the same restrictions as envisaged in the Notification dated 09.02.2011 will apply.

47.1.3. We were informed during the proceedings, that not all Tiger Reserves have notified ESZs. We are of the firm belief that ESZs cannot only be restricted to Sanctuaries or National Parks, and must include buffer and peripheral areas of Tiger Reserves as well. Therefore, all State Governments are hereby directed to notify ESZs around all Tiger Reserves, <u>including buffer and fringe areas</u>, <u>no later than 1 year from the date of this judgment.</u>

47.1.4. The formulation of ESZs for these Tiger Reserves will abide by the letter dated 23rd April 2018 issued by the MoEF&CC which clarifies that the minimum area comprised in the ESZs will be the buffer or fringe area of the Tiger Reserve. These ESZs will be accorded the same safeguards provided in the Notification dated 9th February 2011, issued by the MoEF&CC, *at the minimum*. Therefore, activities that are permitted inside these ESZs for Tiger Reserves, will be the same as activities which are governed under the said Notification.

47.1.5. It is specifically clarified by way of this direction that these notified ESZs will be subject to all the same restrictions as per the Notification dated 09.02.2011, <u>including</u> the restriction that within a distance of 1 km from a Tiger Habitat or buffer area,

or the notified ESZ (whichever is larger), there will be a complete ban on mining activities.

47.2. ***Permitted and regulated activities:***

In addition to the conditions with regard to areas notified as ESZ which would be applicable to the buffer or fringe areas of Tiger Reserves, we also accept the recommendations of the Committee as to what activities shall be permitted, regulated and prohibited in the aforesaid areas. We direct the State Governments to take into consideration these recommendations while framing the required statutory or regulatory framework. The prohibited and regulated activities are summarized below:

47.2.1. Prohibited activities:

(i) Commercial mining.

(ii) Setting of saw mills.

(iii) Setting of industries causing pollution (water, air, soil, noise, etc.).

(iv) Commercial use of firewood for hotels and other business related establishment.

(v) Establishment of major hydroelectric projects.

(vi) Introduction of exotic species.

(vii) Use of production of any hazardous substances.

(viii) Undertaking activities related to tourism like over-flying the tiger reserves by low flying aircraft (including drones and hot air balloons). The minimum height of any aircraft shall be at a level which is at least 300m (1000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft.

(ix) Discharge of effluents and solid waste in natural water bodies or terrestrial area.

(x) Felling of trees without permission from appropriate authority.

47.2.2. Regulated activities:

(i) Establishment of hotels and resorts as per approved Tourism prescriptions of Buffer component of the TCP, which takes care of habitats allowing no restriction on movement of wild animals.

(ii) Commercial use of natural water resources including ground water harvesting. As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.

(iii) Fencing of premises of hotels and lodges.

(iv) Widening of roads.

(v) Movement of vehicular traffic at night.

(vi) Protection of hill slopes and river banks as per the master plan.

47.2.3. Other recommendations on permissible and prohibited activities:

(i) Tiger Conservation Plan should clearly delineate zones within the buffer areas where new tourism infrastructure may be developed considering road accessibility, proximity to village habitations, animal corridors, etc.

(ii) Development of tourism infrastructure in buffer zones should be regulated in accordance with the ESZ notifications issued under the Environment (Protection) Act 1986.

(iii) Eco friendly tourism facility and infrastructure can be allowed on non-forest land in buffer area of Tiger Reserve.

(iv) Tourism infrastructure zone should be marked and delineated in the buffer area and such tourism zone should be part of Tiger Conservation Plan and Zonal Master plan of Eco sensitive zone.

48. <u>Whether resorts can be permitted within the close proximity of protected areas and restrictions thereof</u>

With regard to permissibility of the resorts within the close proximity of the protected areas and if permitted, the restrictions to be imposed, we accept the recommendations of the Committee. We, therefore, issue the following directions in that regard:

48.1. Ecotourism cannot resemble mass tourism and must be adequately regulated and adhere strictly to NTCA Guidelines;

48.2. New eco-friendly resorts may be allowed in buffer but shall not be allowed in an identified corridor;

48.3. Homestays and community-managed establishments should be encouraged and incentives should also be given to them;

48.4. Zero waste practices should be made mandatory;

48.5. Use of mobile phones within tourism zones of the core habitat of tiger reserves should not be permitted;

48.6. Vehicular carrying capacity as prescribed in the NTCA guidelines needs to be calculated and strictly enforced;

48.7. Complete ban on night tourism must be implemented;

48.8. In those tiger reserves where roads traverse the core/critical tiger habitat, strict night regulation (no traffic from dusk to dawn except ambulances/emergency) needs to be exercised.

49. Permissible noise levels and the distance from the boundary of the protected forest for which restrictions on noise level will be applicable

With regard to the permissible noise level and the distance from the boundary of the protected forests wherein restrictions on noise would be applicable, the recommendations of the Committee are accepted by us. We, therefore, issue the following directions:

49.1. The entire area of the Tiger Reserve (including ESZs of the Protected Areas) shall be notified as "Silence Zone" under the Noise Pollution (Regulation and Control) Rules, 2000, within 3 months from the date of this judgment. Further, the authorities of Tiger Reserve would be empowered to enforce the regulation of maintaining silence zone and acting under relevant statutes.

49.2. The Central Government, or as the case may be, the State Government shall also consider declaring that all Protected Areas of the State and their ESZs notified as Forests under the

Indian Forest Act, 1927 and respective State Forest Acts, as Silence Zones with similar norms as above.

50. <u>Measures for effective management of Tiger Reserves, on a pan-India basis, and steps to be taken for scrupulously implementing these directions:</u>

The Committee recommended certain measures to be applied on a pan-India basis for the effective management and protection of Tiger Reserves, and further, various steps to ensure implementation of these measures. After considering their detailed recommendations, we see merit in combining the recommendations made by the Committee with regard to the above two headings and accept them as follows, with modifications where found necessary.

50.1. *Statutory Requirements:*

50.1.1. Delineation of core and buffer areas: Notifying buffer areas is imperative for tiger land tenure dynamics to operate in a landscape and to effectively implement the landscape approach to conservation. Hence, all the States are hereby directed to notify the buffer and core areas of the Tiger Reserves <u>within 6 months from the date of this judgment.</u>

50.1.2. Preparation of Tiger Conservation Plan: In light of the findings of the Expert Committee that TCPs are not uniformly in place, all States are hereby directed to prepare a Tiger Conservation Plan within a period of 3 months from the date of this judgment.

50.1.3. Steering Committees: Since the Committee found that Steering Committees in many States have not framed TCPs and are not meeting regularly, it is, therefore, directed that Steering Committee if not yet constituted for each Tiger Reserve, shall be done so within 2 months from the date of this judgment.

50.1.4. We further direct the NTCA to monitor the issue as to whether the TCPs have been put in place or not and whether the Steering Committees have been meeting on a regular basis or not. It is directed that the Steering Committees shall hold at least two meetings in a year.

50.1.5. Adherence to the NTCA guidelines on tourism: We direct that all States must adhere to the NTCA guidelines on tourism, thus adopting the overarching aim for regulation to move towards a system of community-based tourism around Tiger Reserves. Its prescription against night tourism in entirety, is also hereby approved.

50.2. ***Strict Regulatory Regime:***

50.2.1. All the States are directed to prepare Tiger Conservation Plan (TCP) within a period of 6 months from the date of this judgment;

50.2.2. Financial assistance under the Project Tiger component of the CSS-IDWH should be mandatorily linked to an approved Tiger conservation plan;

50.2.3. Forest areas in buffer and corridor regions identified in the TCP should be managed as per the TCP to ensure harmony of forestry operations *vis-à-vis* wildlife concerns;

50.2.4. Forestry operations in forest lands forming part of the buffer areas should be incorporated in TCP in consultation with working plan of the State Forest Department;

50.2.5. Critical Tiger Habitat notified under Section 38-V(4)(i) of the WLP Act should be treated at equivalence with Critical Wildlife Habitats as per Section 2(b) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, as both are decided on scientific principles and ecological importance with due recognition of rights of tribals and forest dwellers;

50.2.6. TCP should also have the tiger carrying capacity calculated as per extant norms, based on which habitat interventions should be decided;

50.2.7. While continuing the use of CAMPA funds for voluntary village relocation, dedicated funds should be earmarked for this activity to ensure an inviolate core/critical tiger habitat. Voluntary village relocation should also be financially assisted in areas of other strategic ecological value such as villages in buffer or in dispersal routes of tigers.

50.3. ***Proper Human Resource Development and Management****:*

50.3.1. The MoEF&CC and CEC are directed to jointly set up a Special Cell to review and assess staffing patterns and cadre requirements in all Tiger Reserves. This exercise shall be completed in a time-bound manner, no later than within 1 year from the date of this judgment.

50.3.2. After this exercise is completed, State Governments will take steps to fill in all the vacancies in various cadres in accordance with this exercise conducted by this Special Cell, in a time-bound manner. Special care must be taken to avoid outsourcing of core patrolling roles and scientific posts, and

other such jobs which are integral to management of Tiger Reserves.

50.3.3. The report of the Committee has also considered various other aspects with regard to human resource development. In that regard, we pass the following directions:

(a) There shall be strict prohibition on outsourcing of forest staff officers in performance of core functions.

(b) The MoEF&CC is directed to consult the CEC to fill in vacancies in all Tiger Reserves in a timebound manner.

(c) All the State Governments are directed to ensure that no position of any field director is kept vacant.

(d) State Governments are directed to consider the option for extending the facility of retaining government accommodation in a place of choice when a staff of the forest department is posted in remote wildlife areas. It will not be out of place to mention that such facilities are made available to the military and paramilitary forces and also for the employees of the Central Government working in the remote wildlife areas.

(e) We further find that it is also necessary to incentivize forest forces in order to boost their morale. In military,

paramilitary and in police service, various medals are given for distinguished and exemplary services. Medals which can be displayed on the uniform need to be constructively thought of, as currently, there is no such provision. As the uniform is widely regarded as a piece of cloth which unifies a field formation, this would not only give a sense of pride but also enhance the loyalty towards the organization.

(f) Even the existing anti-poaching infrastructure needs to be upgraded beyond the existing standards so as to provide adequate amenities/ facilities to frontline staff which are deployed here.

(g) Permanent Secondment to institutional bodies for officers with desirable qualifications (WL trained/field experience/prior experience at GoI level): With tasks requiring a high degree of technical supervision on a periodic basis, it is imperative to retain officers with the required skill set gained through training, field experience and most importantly experience at the NTCA.

(h) Continuous capacity building of Staff and officials.

(i) States should ensure that vacancies in all levels in Tiger reserves are filled up on a priority basis, which currently is the biggest limiting factor in ensuring protection and other scientific interventions in tiger reserves.

(j) A separate cadre for veterinarians and wildlife biologists needs to be created for Tiger reserves to assist field formations to carry out tasks which are highly technical in nature, keeping in view the enlarged scientific mandate.

(k) A cadre for Sociologists to engage with the fringe communities on an ongoing basis to create a social fence is imperative.

(l) Capacity building of forest frontline should be an ongoing process with regular financial assistance as mandated under Section 38-O(1)(j) of the WLP Act.

(m) Focus should be on emerging thematic areas such as rewilding of orphaned/habituated tigers, scientific habitat management, Standard Operating Procedures of the NTCA besides other guidelines and advisories.

(n) To incentivize posting in the tiger reserves the rates of the project and ration allowance as prescribed in the

NTCA guidelines need to be enhanced incrementally whenever Dearness Allowance is enhanced and be made at par with the para-military forces.

(o) In the unfortunate event of death in the line of duty, *ex-gratia* payment on par with paramilitary forces should be provided.

(p) Field staff in Tiger Reserves and other forest areas have to maintain two establishments simply because their place of posting is deep in the forests and away from any support such as schooling etc. Family accommodation for the frontline staff who are posted at remote areas should be adequately provided across all tiger range states as per the rules laid down for all serving Defence and police staff in remote locations. The Central Government should consider enhanced support to States for setting up residential accommodation such as field hostels for families of staff posted in non-family stations.

(q) The infrastructure of the camps where the guards stay should have basic facilities like access to clean water,

safer accommodation, clean washrooms, communication services and first-aid kits. In camps with female staff, it is important to provide a separate toilet and change room.

(r) It is necessary that free medical care for all such persons sustaining injuries when they work in the field needs to be considered by the State Governments. Such a step would act as a great morale booster for the field level grass root staff.

(s) In the wildlife and forest divisions, field level staffs, including regular employees and daily wage persons work under high-risk situations. Many lose their lives fighting such adversity. As such, it would be appropriate if an Insurance Cover is made available for any such forest staff or daily wager who loses his/her life or is completely disabled in performance of their duty. It must be ensured that all field personnel including contractual staff and daily wages are enrolled in the Ayushman Bharat Scheme.

(t) In military, paramilitary and police services, special awards are given to those who lay down their lives in the

line of duty, posthumously and support is provided to the families of such persons who have sacrificed their lives for a cause. We find that it will be appropriate if the Union and State Governments consider extending the same benefits for the forest posts as well.

50.4. ***Timely and adequate funding support:*** The Committee has expressed concerns with regard to timely and adequate funding. We, therefore, find that it will be appropriate to direct that the MoEF&CC, the NTCA and the CEC will *jointly* come out with a policy framework on funding for tiger reserves. Such a policy should contain a Standard Operating Procedure for raising budgetary grants and assessment and approval of the same. We direct the MoEF&CC, the NTCA and CEC to formulate the said policy framework on funding, within a period of 6 months from the date of this judgment.

50.5. ***Proper Human Wildlife Conflict Management:*** Insofar as the recommendations made by the Committee in this regard, we find that it will be appropriate if the NTCA frames **Model Guidelines**, incorporating these suggestions within 6 months from the date of this judgment, which will then in turn be implemented by the State Governments within 6 months from

the date the Model Guidelines are issued. It is clarified that the NTCA may consult the State Governments and the CEC, if required, while framing these Model Guidelines. The Expert Committee's recommendations, which the NTCA may take note of, are summarized below:

50.5.1. All states should have smooth and inclusive compensation policies for crop damage, loss of life of both human and cattle.

50.5.2. In order reduce the timelines to mitigate the issues resulting out of Human wildlife conflict, close coordination between different agencies and departments with mandated responsibilities is ensured.

50.5.3. Notifying 'Human wildlife conflict' as a "natural disaster" (as has already been done by some states like Uttar Pradesh) should be actively considered by other states. All the States are directed to give *ex-gratia* amount of Rs. 10 lakh as fixed by the MoEF&CC under CSS-IWDH.

50.6. ***Green Infrastructure Development:*** We find the Committee's recommendations in this regard to be helpful and accept the same. We, therefore, direct that:

50.6.1. While infrastructure development is the need of the hour, "avoidance" in wildlife bearing forests should always be considered as the first mitigation. All information about Tiger Reserves, Tiger Corridors, Protected Areas, and ESZ should be uploaded on the "*Gati Shakti*" portal of the Central Government.

50.6.2. Mitigation measures as prescribed by the Wildlife Institute of India, NTCA, Standing Committee of the National Board of Wildlife for any developmental activity and linear infrastructure must be strictly followed in the interest of wildlife conservation and development both.

50.6.3. The transmission lines wherever are required to be laid through tiger reserves, should be insulated or bunch cabling to be done or be laid underground as per the technical feasibility.

50.7. ***Regulation of Religious Tourism:*** We have come across various instances wherein the sites for pilgrimage are situated within the Tiger Reserves. We have also come across the grievance that on account of huge influx of devotees, there is large disturbance to the wildlife. It is noticed that hundreds of people ply within the core areas on account of such pilgrimage. In order to regulate such disturbances, we find that a balanced approach needs to be adopted balancing the concerns of the wild

as well as religious sentiments of the devotees. We are informed that Sariska Tiger Reserve and some other reserves have issued certain guidelines so as to regulate the movement of devotees in the core areas. We find that similar steps are required to be taken into other Tigers Reserves wherever the sites of pilgrimage are situated.

51. We, therefore, direct the MoEF&CC as well as the various State Governments to take necessary steps by notifying rules and/or by issuing memorandums or circulars for implementing the directions and recommendations issued hereinabove within a period of 6 months from the date of this Judgement.

52. We are, however, aware about the fact that in various Tiger Reserves there could be peculiar situations. We, therefore, though direct that the aforesaid directions and recommendations would be made applicable to all the Tiger Reserves, the State would be at liberty to make minor modifications in the recommendations made by us hereinabove in consultation with the Wildlife Institute of India and NTCA.

53. We place on record our appreciation for the assistance rendered by Ms. Aishwarya Bhati, learned ASG. However, we will be failing in our duty if we do not make a special mention

of the valuable assistance rendered by Mr. K. Parameshwar, learned *Amicus Curiae* ably assisted by Mr. M.V. Mukunda, Ms. Kanti, Ms. Raji Gururaj, Mr. Shreenivas Patil and Ms. Veda Singh, learned counsel. His in-depth research and meticulous formulations have immensely assisted us in deciding this issue, which is of paramount importance to environmental and ecological justice.

54. Though we have requested Mr. K. Parameshwar, learned Amicus Curiae, who has spent his valuable time in assisting this Court in environmental matters for a period of almost three years, to accept an honorarium, he has graciously refused to accept the same stating that he was privileged to assist the Court in the core issues pertaining to environment and ecological preservation.

55. We, however, direct the CEC to pay an honorarium of Rs.5,00,000/- (Rupees Five Lakh) each to Mr. M.V. Mukunda, Ms. Kanti, Ms. Raji Gururaj, Mr. Shreenivas Patil and Ms. Veda Singh, learned counsel, who have put in laborious efforts to facilitate the learned Amicus Curiae in assisting this Court. Though, we know that this amount would not be adequate for

the services rendered by them, we have directed the payment thereof as a token of appreciation for their services.

.....CJI
(B.R.GAVAI)

.....J
(AUGUSTINE GEORGE MASIH)

.....J
(A.S.CHANDURKAR)

NEW DELHI;
NOVEMBER 17, 2025.