

**TAMIL NADU FOREST DEPARTMENT**

**From**

Thiru. S. Yuvaraj, I.F.S.,  
Principal Chief Conservator of Forests  
and Chief Wildlife Warden  
Panagal Maaligai,  
Saidapet, Chennai – 600 015.

**To**

The Inspector General of Forests (PE),  
Government of India,  
Ministry of Environment and Forests,  
Project Elephant Division,  
Indira Paryavaran Bhawan, Jor Bagh Road,  
Aliganj, New Delhi – 110003.

**Ref No WL1/ 13658 /2015, Dated: 17.07.2020.**

Sir,

Sub: Interlocutory Applicatio (IA) No. 32654/ 2019 in W.P. No. 743 / 2014 in the matter Wildlife Rescue and Rehabilitation Centre and others. V/s Union of India and Others And in the matter Md. Rehan Uddin Vs. Dr. Velayuthan Nair in the Hon'ble Supreme Court of India – Regarding.

- Ref:
1. Proceedings of the 15<sup>th</sup> Steering Committee of Project Elephant held at 14:00 hrs on 22.12.2020 at Mahanadi Conference Hall, Indira Paryavaran Bhawan, Jor Bagh Road communicated by the PE elephant division, F. No. 2-7/1998-PE, dated: 17.12.2018.
  2. Scientist 'D' (Project Elephant), Government of India, Ministry of Environment and Forests, Project Elephant Division, F. No. 13-3/2019-PE dated: 04.11.2019.
  3. Report made by the Ajay Desai based on the inspection of captive elephant named 'Gomathy' maintained in Arulmigu Mahalingaswamy Temple, Thiruvaidaimarithur, Kumbakonam of the as per the Direction issued by the Hon'ble High Court of Madras on 27.11.2019 in W.P. No. 28793 of 2013. dated: 15.12.2019
  4. Scientist 'D' (Project Elephant), Government of India, Ministry of Environment and Forests, Project Elephant Division, F. No. 6-5/2015-PE dated: 25.06.2020

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With reference to the letter 4th cited, I wish to inform that as per the clarification issued by the Government of India in F. No. 2-7/1998-PE, dated: 17.12.2018, Section 43 (1) of the Wildlife (Protection) Act, 1972, prevents any transfer of Schedule –I animals. Hence, any request for transfer by way of gift is not in the spirit of the Section, which prohibits any such transactions and the Ministry of Environment, Forests and Climate Change, Government of India had issued the advisory regarding illicit trading of captive elephants in the Country held on 9<sup>th</sup> October, 2019 at Indira Paryavaran Bhawan, New Delhi regarding the transfer of elephants as follows: (Copy enclosed).

*No Elephants can be gifted or sold. Ownership can only be by inheritance or acquisition by Government agencies by captive transfer etc.*

2) Besides, a report was submitted by thiru. Ajay Desai, Elephant Scientist based on the inspection of captive elephant named 'Gomathy' maintained in Arulmigu Mahalingaswamy Temple, Thiruvaidaimarithur, Kumbakonam as per the Direction issued by the Hon'ble High

Court of Madras on 27.11.2019 in W.P. No. 28793 of 2013, wherein he has suggested the following recommendation. (Copy enclosed)

*Addressing the social issue is very difficult as getting more elephants is difficult, and keeping just one elephant, even in a good enclosure as it would be unethical to incarcerate a highly social and intelligent animal to a solitary life.*

3) In view of the above, the request of the 1<sup>st</sup> applicant Md. Rehan Uddin for transfer of elephant "Fulmala" bearing Microchip No. 0006CDAB99 to 2<sup>nd</sup> Applicant Dr. Velayuthan Nair, Chairman and Trustee of Padanilan Welfare Trust, Kanniyakumari, Tamil Nadu cannot be complied with.

4) I request that the above facts regarding transfer of elephant may be informed to the Hon'ble Supreme Court of India in order to reject the request of applicants.

Encl : As stated above

Yours faithfully

*Anurag Mishra 15/7/20*

for Principal Chief Conservator of Forest and  
Chief Wildlife Warden

*d*  
*17/7/2020*

*[Handwritten signature]*