

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1372/2024

News item titled "the last feral horses in India" appearing in Mongabay dated 05.11.2024

Date of hearing: 16.12.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**ORDER**

1. This original application is registered *suo-motu* on the basis of the news item titled "The Last Feral Horses in India" appearing in Mongabay dated 05.11.2024.
2. The matter relates to the critically endangered status of the feral horses in the Dibru-Saikhowa National Park in Assam, India, which have survived in the wild for nearly 80 years and the national park is the only place in India where these horses can be found. As per the article, these horses are believed to be descendants of war horses from World War II, while other theories suggest they could be descendants of China's Przewalski's horses. The article cites smuggling, habitat loss, shrinking grazing lands, floods, and neglect by conservation authorities as the alleged causes behind the dwindling number of these horses.
3. The article alleges that in 2020, the authorities allegedly apprehended a truck trying to smuggle 6 feral horses. It quotes that since feral horses are not covered under the wildlife protection act, 1972 they

are not considered wild animals therefore even upon arrest, getting a conviction becomes difficult. Furthermore, there has been no regular census of the horses, which makes it challenging to ascertain their conservation status. It also highlights that the frequent flooding of the Brahmaputra River not only damages the grazing grounds but also exacerbates the erosion of the park's land, reducing space for the horses to survive. The horses are also under threat from reduced biodiversity in their ecosystem, which further limits food availability. Apart from that, various human activities and cattle farms from nearby forest villages degrade their habitat. Conservationists argue that without urgent intervention, these unique animals face extinction.

4. The above matter indicates violation of the provisions of the Air Biodiversity Act, 2002 and the Environment Protection Act, 1986.

5. The news item raises substantial issues relating to compliance with the environmental norms and implementation of the provisions of scheduled enactment.

6. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

7. Hence, we implead the following as respondents:

i. **Chief Wildlife Warden, Assam**

Aranya Bhawan, Panjabari, Near Srimanta Sankaradeva  
Kalakshetra, Guwahati - 781037, Assam

ii. **National Biodiversity Authority (NBA), Through its Secretary**

5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai -  
600113, Tamil Nadu

iii. **Ministry of Environment, Forest and Climate Change  
(MoEFCC), Through its Secretary**

Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi –  
110003

iv. **Wildlife Institute of India, Through its Director**

Wildlife Institute of India, Post Box # 18, Chandrabani, Dehradun  
248 001 Uttarakhand

v. **Zoological Survey of India, Through its Director**

Prani Vigyan Bhawan, M-Block, New Alipore,  
700053 Kolkata-700053

8. Issue notice to the above respondents for filing their response/reply by way of affidavit before the Eastern Zonal Bench of the Tribunal at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.

9. Since the matter relates to the Eastern Zonal Bench, Kolkata, therefore, OA is transferred to the Eastern Zonal Bench. The original record of this OA be also transferred to the Eastern Zonal Bench, Kolkata for further action.

10. List before Eastern Zonal Bench at Kolkata on 27.02.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 16, 2024  
Original Application No. 1372/2024  
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**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.08/2025/EZ  
(Earlier O.A. No.1372/2024/PB)

News item titled "the last feral  
horses in India" appearing in  
Mongabay dated 05.11.2024

Applicant(s)

Date of hearing: 15.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

For Respondent(s) : Ms. Malabika Roy Dey, Adv. for R-1 & 6 (in Virtual Mode),  
Mr. D.N. Ray, Sr. Adv. a/w  
Mr. Sourav Haldar, Adv. for R-3 (in Virtual Mode),  
Mr. Ashok Prasad, Adv. for R-2, 4 & 5

**ORDER**

1. Affidavit dated 04.04.2025 has been filed by the Respondent No.3, Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi; the same is taken on record.
2. Ms. Malabika Roy Dey, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent Nos.1 and 6, Chief Wildlife Warden, Assam and Animal Husbandry & Veterinary Department, Government of Assam respectively, prays for and is granted further two weeks time for filing counter-affidavit.
3. Mr. Ashok Prasad, learned Counsel who is present in Court on behalf of the Respondent Nos.2, 4 and 5, National Biodiversity Authority (NBA), Wildlife Institute of India and Zoological Survey of India respectively, also prays for and is granted further two weeks time for filing counter-affidavit.

4. List on 09.05.2025.

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B. Amit Sthalekar, JM

April 15, 2025,  
Original Application No.08/2025/EZ  
(Earlier O.A. No.1372/2024/PB)  
OM

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Dr. Satyagopal Korlapati, EM