

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

SSCR.No. 9 of 2015 ()

PETITIONER(S):

TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM.

BY ADV. V.KRISHNAMENON, SC FOR TRAVANCORE DEVASWOM BOARD

RESPONDENT(S):

GOVERNMENT OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY.

R BY SRI.ARENJITH, GOVERNMENT PLEADER

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING BEEN
FINALLY HEARD ON 05-08-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:

DG

**THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

SSCR.No.9 of 2015

Dated this the 5th day of August, 2015

ORDER

Thottathil B.Radhakrishnan, J.

1. Considered S.M.Report No.15 of the Special Commissioner, Sabarimala. Heard appearing advocates.
2. Punyam Poonkavanam Project in the Sabari Hills has been recorded by this Court as an effective movement for the preservation of the eco-system in the Sabari Hills. Going by the earlier orders, the laudable action taken by the group of officials and public under the eminent leadership of Sri.P.Vijayan, IPS was commended upon and complimented, as matter which has to be carried forward to sustain the eco-system of that region and also to provide involvement of the devotees in that project. Their participation in such a project is an indefeasible opportunity for them to express the gratitude

and reverence to "Mother Nature". That is always recognized as a commendable mode of worship, apart from contributing positively in terms of the fundamental duties of the citizens enshrined in the Constitution of India. Governmental motivation and institutional support by other limbs of governance managing affairs of Sabarimala is required in the matter. Under such circumstances, following directions are issued:

1. In furtherance of all directions and restrictions imposed by this Court earlier, regarding the use of plastic and other bio-hazardous materials, it is hereby ordered and directed that use of plastic and other bio-hazardous materials at Sannidhanam and Pampa and at the trekking path from Pampa to Sannidhanam shall stand prohibited. This restriction and direction shall be strictly enforced by all officers concerned, without fail. Any official dereliction of this direction, from any office of governance in this regard will be visited with due consequences. This shall be treated as an alert by all concerned.

2. There has to be a total prohibition of sale of articles unconnected with the pilgrimage. Therefore, Travancore Devaswom Board, following orders issued today in SSCR.No.2 of 2015 shall enumerate articles, which according to the Travancore Devaswom Board are intricately connected and required for the pilgrimage. Such list shall be published within four weeks from today by the Commissioner, Travancore Devaswom Board. All such restrictions shall be incorporated as tender conditions for "Other Stalls" while tenders are invited. Once such list is made, there shall be a total prohibition of sale of articles which are not so listed, through shops which are listed as "Other Shops" or even otherwise, in Pampa, Sannidhanam and the trekking path, as also at Nilackal.
3. The Travancore Devaswom Board and the Government are directed to initiate prompt steps to give effective transmission of information to the public at large through the audio visual and print media by issuing press releases prompting the people to participate in the cleaning activities undertaken by the Punyam - Poonkavanam

Project, also indicating that such activity is only to be reckoned as an offering to the Nation as a whole as well, apart from the religious content it would carry.

4. The State Government, including the Forest Department, and the Travancore Devaswom Board are directed to take steps to prohibit the use of plastic and other bio-hazardous materials at Sannidhanam, Pampa, Nilakkal and the trekking path from Pampa to Sannidhanam. The State Government and the Travancore Devaswom Board shall ensure that sale of articles unconnected with pilgrimage, except basic facilities are not sold at Pampa, Sannidhanam, Nilakkal and the trekking path. This direction shall be treated also as a prohibition against the sale and utilization of such materials in such places. Appropriate further orders and restrictions as may be called for through the jurisdictional District Magistrate or Additional District Magistrate in terms of the provisions of the Code of Criminal Procedure or the Police Act, as may be required and applicable for the enforcement of these directions shall be issued

forthwith by those authorities; except at the personal peril of the officers manning those offices.

5. State Government and Travancore Devaswom Board are directed to provide maximum publicity to the Punyam-Poonkavanam Project in all places where pilgrims converged for pilgrimage to Sabarimala. The State Government's and the Travancore Devaswom Board's efforts to do so shall be guided by the Special Commissioner and also by Sri.P.Vijayan, IPS presently DIG, (Intelligence). Government and the Travancore Devaswom Board shall go by this guidance in that regard.

6. The Government and the Travancore Devaswom Board are directed to look into and ensure that sufficient appropriate accommodation and other requisite facilities are extended to volunteers of Punyam-Poonkavanam Project. Any dispute as to the identity of any such person shall be resolved by the Special Commissioner with inputs through appropriate officers as may be notified by Sri.P.Vijayan, IPS and the decision of the Special

Commissioner, in that regard, shall be final.

7. It is further ordered that for the ensuing year and seasons to come, all earlier prohibitions and restrictions as also directions imposed through various orders by this Court shall be scrupulously followed and obedience obtained without fail, unless otherwise ordered.

SSCR ordered accordingly.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(SUNIL THOMAS, JUDGE)

//TRUE COPY//



P.A TO JUDGE

DG

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