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# WILDLIFE PROTECTION AT A CONSTITUTIONAL CROSSROADS: PRIVATE CONSERVATION, JUDICIAL GOVERNANCE, AND THE CRISIS OF THE ARAVALLI LANDSCAPE IN INDIA

-Tanish garg<sup>1</sup>

## ABSTRACT

The paper discusses the study of India's wildlife protection regime in today's era. India provides a habitat for eight percent of the world's documented biodiversity; however, India faces drastic ecological challenges owing to industrialization, fragmentation of habitats, illicit mining activities, as well as the consequences of climate change. Wildlife protection in India exists under a complex scenario comprising legal provisions, judicial engagements, and the emergence of private initiatives for conservation. The following paper attempts a critical analysis of the efficacy of India's system of wildlife protection under the Wildlife Protection Act 1972 with a specific reference to two contemporary yet contrasting situations of conservation efforts: first, the Vantara Wildlife Conservation and Rehabilitation Program commenced in the state of Gujarat; and second, the Aravalli Hills' destruction as a consequence of environmental destruction. Thus, whereas the Vantara Program embodies a fresh, not-for-profit paradigm for mass-scale animal rescue and rehabilitation activities, the Aravalli Hills' destruction indicates the weakening of legal provisions, judicial contradictions, as well as administrative failure within the field of landscape ecologies of preservation. In fact, this paper engages a legal analysis of judicial developments within the last couple of years (2024-2025) concerning India's Wildlife Conservation Act 1972 and argues whether or not India's system of biodiversity protection at all progresses on the route of ecological sustainability or slips into a state of representational or symbolic preservation. However, this paper ends up recommending necessary amendments entailing a convergence of preservation ethos with ecological and judicial streams of environmental constitutionalism within Indian governance.

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Keywords: Wildlife Protection Act, Vantara, Aravalli Hills, Environmental Law, Biodiversity Conservation, Supreme Court of India

## **1. INTRODUCTION**

The conservation of wildlife in India is both a constitutional obligation and a function of civilizational values. The State is compelled to protect its forests and wildlife through Article 48A of the Constitution, whereas a fundamental duty of each citizen is to “protect the natural environment” through Article 51A(g) of the Constitution. This strong constitutional basis does not seem to help India in preventing rapid decline in biodiversity and resultant human-wildlife conflict in the country. Two recent examples highlight the contradiction that exists in Indian wildlife conservation initiatives. While the Vantara project in Gujarat, a private-funded wildlife rescue and rehabilitation endeavour, has become one of the world’s biggest of its kind, the Aravalli range of mountains, a formation that dates back to the formation of the earth’s crust itself in some of the oldest lands on earth, is steadily being destroyed by mining, deforestation, and policy changes.

In this paper, I examine whether a system is in place in India capable of responding to both ends of this spectrum, from private governance initiatives for large-scale protected areas to ecologically indispensable landscapes. I examine whether or not a scientific and legal integrity-based regime underlies contemporary conservation efforts or if a politics of selective enforcement is at work.

## **2. RESEARCH OBJECTIVES AND METHODOLOGY**

### **2.1 OBJECTIVES**

1. To analyse the statutory framework governing wildlife protection in India.
2. To critically examine the Vantara initiative as a model of private wildlife conservation.
3. To assess ecological threats and legal developments affecting the Aravalli range.
4. To evaluate recent judicial and policy interventions (2024–2025).
5. To propose reforms for sustainable and accountable wildlife governance.

### **2.2 METHODOLOGY**

This research adopts a doctrinal legal research methodology, supplemented by policy analysis and secondary empirical data. Sources include:

- Statutes and rules under Indian environmental law

- Supreme Court and High Court judgments
- Government notifications and policy documents
- Reports by environmental NGOs and international conservation bodies
- Reputed national and international news sources

### 3. LEGAL FRAMEWORK FOR WILDLIFE PROTECTION IN INDIA

- ❖ Wildlife (Protection) Act, 1972: As India's main law governing wildlife, the WLP 1972, as amended in 2006 and so on, forms the foundational legal arrangement for all non-forest wildlife. It prohibits hunting of listed species, regulates trade, and envisages the establishment of protected areas under national parks, wildlife sanctuaries, conservation/community reserves, and tiger reserves. Under WLP, PAs have strict controls: national parks ban human inhabitation or grazing, but a little usage is permitted in sanctuaries. WLP also established agencies such as NBWL and made it mandatory for declarations of PAs to constitute state Wildlife Advisory Boards. More crucially, WLP §§40–42 prohibited “acquiring any interest in land” to form a PA without public notification and prior claims settlement. The Act was amended [2002/2006] to establish the National Tiger Conservation Authority [NTCA] and WCCB. It grants CZA the power of regulating zoos and even facilities for rescue of wild life [as in Vantara’s GZRRC]. All offenders are to be put behind bars for 3–7 years for hunting coupled with heavy fine.<sup>2</sup>
- ❖ Forest Conservation Act, 1980: This law is intended to protect the diversion of forest land (including habitat), and all such diversions for non-forest use-mining, agriculture, industry-have to be approved by the federal government. That has been particularly crucial for the Aravallis: since 1980, state proposals for projects in forested hills require MoEFCC clearance, often refused on account of mining in protected areas. The Supreme Court interpreted FCA to extend a ban on all diversions of forest land without approval from the Union. The FCA thus acts as a regulatory backstop to WLP, particularly in cases where the wildlife corridors or habitats fall under "reserved/protected forests" according to the definitions provided in the Indian Forest Act (1927). Any violation of FCA, as is often cited in the case of illegal Aravalli mining, can nullify project permissions.

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<sup>2</sup> <https://www.conservationindia.org/resources/the-legal-framework-for-wildlife-conservation-in-india-2#:~:text=The%20WLP%20provides%20for%20several,categories%20of%20Protected%20Areas%2FReserves>

- ❖ Environment (Protection) Act, 1986 & EIA Notification: The EPA basically enables MoEFCC to declare Environmentally Sensitive Areas and impose pollution controls. It also forms the basis for the EIA process. Most large projects in or around protected Aravalli areas would require an EIA under the 2006/2020 notifications, which might involve clearance from NBWL under the WLPA for projects proposing any conversion of forest land or alteration of forest boundaries. Historically, mining and construction projects in Aravalli's avoided any EIA scrutiny until intervention by the Supreme Court in 2009 and then in 2023. Going ahead, the SC orders of 2025 effectively channel new mining through a court-ordered environmental study, aligning EPA/EIA issues with planning sustainable mining.<sup>3</sup>
- ❖ FRA and Community Laws: Recognition of Forest Rights Act, 2006 -It gives forest communities tenural and use rights: Affects wildlife areas as Gram Sabhas have to consent for habitat projects. Proposals to de-reserve forest land, even within parks are liable to be opposed under this Act, if people's rights have been adversely affected. In practice, some Aravalli villages have used FRA provisions to object to new mines coming up on traditionally held grazing/fodder lands. Similarly, wildlife relocation (e.g moving villages out of reserves) must be voluntary and compensated under WLPA FRA guidelines.
- ❖ Key Policies & Institutions: India operates flagship conservation schemes in addition to legislation. Project Tiger (1973) and Project Elephant (1992) initiated targeted funding and monitoring for those species. In 2006, NTCA (WPA Chapter IVB) and National Tiger Reserves (with management plans) were legally established. The Central Zoo Authority Act (1992) enshrines zoo standards (applicable to facilities such as Vantara). The National Biodiversity Act (2002) established Biodiversity Management Committees at local levels for controlling bioprospecting and maintaining habitats; however, it has limited direct applicability to wildlife sanctuaries. The Environment Ministry's National Wildlife Action Plan (latest for 2017–31) lays out a policy roadmap, highlighting the need for focusing on landscapes, climate–wildlife interfaces, and mitigation of human–wildlife conflict. Other initiatives – for instance, National Afforestation &

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<sup>3</sup> <https://www.scoobserver.in/supreme-court-observer-law-reports-scolr/court-orders-management-plan-for-sustainable-mining-in-aravali-in-re-issues-relating-to-definition-of-aravali-hills-and-ranges/#:~:text=The%20Court%20recognised%20the%20significance,adherence%20to%20the%20Committee%E2%80%99s%20recommendations>

Eco-Development Board, Green India Mission, Integrated Development of Wildlife Habitats – provided funding for habitat improvement projects, including those in the Aravalli landscape. <sup>4</sup>

- ❖ International Treaties: India is a signatory to CITES (prohibition of trade in endangered species), Convention on Biological Diversity (CBD), UN Convention to Combat Desertification (1996). The Aravalli orders drew, inter alia, upon commitments under the UNCCD for land and water conservation. Under CITES, India's laws [through WLPA and the Customs Act] regulate the cross-border rescue or exchange of wildlife [pertinent to potential international transfers by Vantara]. Adherence to global agreements also resulted in the establishment of institutions such as the WCCB to implement commitments against trafficking. <sup>5</sup>
- ❖ Judicial Precedents: Important court cases determine practice. M.C. Mehta v. UOI (1997 onwards) ordered protection of Aravalli/Delhi Ridge as forests and banned mining; T.N. Goda Varman Thirumulkpad v. UOI (1996 onwards) expanded forest definition across the nation. More recently, Re: Aravali Hills and Ranges 2025 decided on the 100-m rule and sustainable mining plan. With respect to captive wildlife, Captive Elephant (Transport) Rules, 2024 under WLPA, regulate the transportation of elephants. Indeed, cases relating to Aravalli pollution come up regularly before the National Green Tribunal, although its orders are often stayed by broader directives from the SC. <sup>6</sup>

## **VANTARA INITIATIVE (WILDLIFE RESCUE, REHABILITATION & CONSERVATION IN INDIA)**

- Background & Objectives: Initiated by Reliance Foundation (led by Anant Ambani) in Jamnagar, Gujarat, Vantara is a flagship wildlife rescue and rehabilitation project. Launched publicly in early 2024 and inaugurated by Prime Minister Modi in March 2025. Vantara aspires to be a “safe haven” for injured, abused, or endangered wildlife within India and abroad. It integrates two major components—the Radhe Krishna Temple Elephant Welfare Trust for elephant care and the Greens Zoological Rescue & Rehabilitation Centre, both funded by

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<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2107821&reg=3&lang=2#:~:text=India%2C%20home%20to%20over%2060,22>

<sup>5</sup> Supra 2

<sup>6</sup> <https://indianexpress.com/article/explained/the-great-wall-in-the-north-why-the-aravallis-matter-10437728/#:~:text=Aravalli%20Hills%20Mining%20Controversy%3A%20The,the%20Forest%20Survey%20of%20India>

Reliance and approved under India's WPA. The stated goals are to "heal ecosystems, restore balance, and redefine coexistence" through rescue, treatment, breeding, rewilding, and conservation education.<sup>7</sup>

➤ **Scale & Infrastructure:** Spread over 3,500 acres, Vantara claims to house vast numbers of animals. Official reporting notes over 200 elephants, 300+ large cats (tigers, leopards, lions, jaguars), 3,000+ herbivores, 1,200+ reptiles and numerous birds, totaling on the order of 4,700+ animals from >130 species (as of early 2024). Vantara includes Asia's largest multi-specialty wildlife hospital and one of the world's most advanced elephant hospitals, capable of treating multiple elephants simultaneously. Notable facilities include hydrotherapy pools, Ayurvedic care centers, advanced surgical theaters and a 100+ vehicle animal ambulance fleet (including climate-controlled, modular and species-specific ambulances). In particular, the Radhe Krishna Temple Elephant Welfare Trust (998 acres) shelters ~260 rescued elephants, providing medical care (e.g. India's first cataract surgery on an elephant), exercise, traditional oil massages and enrichment to rehabilitate animals rescued from logging camps, temples or circuses. The GZRRC (established 2019 with Central Zoo Authority approval under WPA) offers naturalistic enclosures, nutrition science, socialization programs and captive-breeding of endangered species, extending beyond rescue to scientific breeding and rewilding (e.g. reintroducing 56 spotted deer to Barda Sanctuary).

➤ **Conservation Practices:** Vantara emphasizes humane, evidence-based animal care and ecosystem restoration. Key practices include:<sup>8</sup>

(a) **Rescue Operations:** A nationwide network of trained veterinarians and ambulances that retrieve injured wildlife (from road accidents, disasters, cruelty) for triage and transport to Vantara's hospitals;

(b) **Rehabilitation & Release:** Intensive medical treatment and long-term care aiming to reintroduce animals to the wild or provide lifetime sanctuary if non-releasable. For example, Vantara provides lifetime care for conflict-caused or government-custody animals, and enables "rewilding" of bred or rescued animals back into protected habitats;

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<sup>7</sup> [https://www.pmindia.gov.in/en/news\\_updates/pm-inaugurates-vantara-a-unique-wildlife-conservation-rescue-and-rehabilitation-initiative/#:~:text=The%20Prime%20Minister%20Shri%20Narendra,ecological%20sustainability%20and%20wildlife%20welfare](https://www.pmindia.gov.in/en/news_updates/pm-inaugurates-vantara-a-unique-wildlife-conservation-rescue-and-rehabilitation-initiative/#:~:text=The%20Prime%20Minister%20Shri%20Narendra,ecological%20sustainability%20and%20wildlife%20welfare)

<sup>8</sup> <https://www.tripurastarnews.com/indonesia-engages-vantaras-expertise-to-curb-elephant-deaths-from-eehv/#:~:text=Jamnagar%20%2F%20Jakarta%2C%2024th%20of,elephant%2C%20alongside%20ongoing%20habitat%20loss>

(c) Breeding & Research: The centre supports breeding programs for threatened and “extinct-in-the-wild” species, with husbandry based on welfare and genetics. It also conducts nutrition research (nutrition hub with 12 units for species-specific diets) and positive reinforcement training to reduce stress during care

(d) Community & Global Collaboration: Vantara collaborates with global zoo networks, such as EAZRA and SEAZA membership, hosts visiting researchers, and collaborates with disease management, such as partnering with Indonesia regarding elephant herpesvirus (described further below).

- Impact & Recognition: In less than two years of formal activity, Vantara has accumulated one of the largest collections of rescued wildlife in India. Its own reports credit more than 4,700 individual animals-134 species under care in 2022-24-more than many zoos, approaching Bronx Zoo levels in number, though species composition differs. The trust has treated scores of critical cases, such as 20 elephants saved from imminent death. Awards and official commendations have followed. Vantara received the national Prani Mitra Award 2025 for leadership in animal welfare. and its elephant center and hospital have been praised by CITES and global bodies. For example, late 2025 saw the Global Humane Society sign off on Vantara’s standards, while MoEFCC officials praised its elephant care protocols. Vantara is increasingly having an international impact: in December 2025 it was formally tapped by Indonesia’s forestry ministry to apply its elephant health expertise-most notably on the EEHV virus-to save critically endangered Sumatran elephants.<sup>9</sup>
- Animal Welfare & Rights concerns: Animal rights issues (unethical sourcing, animal welfare issues) arise in Vantara’s activities. The Supreme Court in 2014 stressed that animals require protection against “unnecessary pain or suffering” under PCA CA legislation and asked Parliament to “elevate the rights of animals.” The case of Vantara thus came under the scanner in regard to cruelty or illegal animal trade. A Supreme Court-mandated SIT (August 2025) reviewed all allegations; it concluded that Vantara delivered high-standard veterinary facilities and environments and that there was “no foul play in animal transfer.” The Court accepted its report (September 2025) and shut down all petitions in the case in regard to animals’ rights in the general interest. However, international organizations like CITES pointed to problems in Vantara’s activities: following its (September 2025) inspection, in its call on India’s Prime

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<sup>9</sup> <https://vantara.in/en#:~:text=Image%3A%20Vantara%20receives%20Prani%20Mitra,Award>

Minister, the CITES Secretariat advised it temporarily to halt all imports of all kinds of wild animals until greater “due diligence” Appendix II permit reforms were made. This is an enduring conflict between Vantara’s announced goal in protection of natural resources and its current treatment under general animal rights issues. Vantara has actually received an Animal Friends corporate award from Animal Welfare Foundation in India; it’s denounced by its opponents as an unabashed “Vanity project,” in which they commercially display animals (at Ambanis’ private events)

- **Regulatory Oversight:** More than one level of oversight exists. In country, minimum requirements (facilities, medical, personnel) are ensured by the Central Zoo Authority, who regularly inspect Vantara. The Supreme Court, exercising public interest jurisdiction (WP(C) 783/2025, 779/2025), formed SIT to check for legal compliance. Organized internationally, CITES (India being a subscript) checks any international trade involving wild animals. Based upon the review by CITES towards the end of 2025, the Wildlife Act of India (appendices amended 2022) was declared Category I (compliant) by, but CITES also suggested changes in the permit system in India. From the point of view of Vantara, they need to get all the necessary state/central permits (forest/Diversion, Import CITES permit, Transfer of Wildlife permit under WLPA), among others. The WTO’s CBD is also the context in which the responsibility for habitat preservation is placed. There are yet no instances of any illegality on the part of Vantara established by the courts of law.
- **Privatized Conservation:** Vantara is a unique case as a privately funded mega-conservation site. Under the WLPA, protected area management lies with the Government as well as CB itself as a major partner. However, under the Act, private or non-governmental organization-run zoos, rescue facilities, and breeding centers are allowed (subject to CZA clearance). Vantara illustrates a corporation managing a highly funded rescue/breeding facility which could enhance the potential for conservation. Its proponents claim that it embodies “jeev seva” (Service to Life) and would subsequently assist with “rewilding” operations (breeding conserved animals like lions as a program for trans-locating them into secure habitats). Opponents perceive potential circumvention of public transparency for “show” tourism facilities (no observation monitoring required on site). Legality concerning this concern would state that there was neither a specific Act nor statute specially tailored for a Reliance-funded organization like this one; yet broad “definition” under Section 2 “Captive animal” and “zoo” under “the Act” provides a loophole for the emergence of this “new” definition under their

“rulemaking” provision for this matter because of this broad definition provision under this Act related to protected sites themselves as a whole under the “Wild Life Protection Act.” Anyway, under this Act related issue on the matter at tacke here related on this query on this issue at tacke here related as a “rebuttal” related on this issue related on a “rebuttal” under this matter related issue at tack as a “related opinion” on this matter related – under this ‘Wild Life Protection Act’ under this Act related protection as a “related” “matter” at “tack

- Criticisms & Challenges: Despite the magnitude of the park, Vantara has faced controversies regarding the sourcing and suitability of animals. News reports indicate that many animals now at Jamnagar were "poached" from other facilities or from abroad to boost numbers quickly, raising many questions about need and compliance. Conservationists question if apparently healthy elephants-or for that matter, other captive animals-need to be moved over long distances as against local forest use. The hot, arid location at Jamnagar may not be suited to some species, especially those from temperate climates. Then, there is concern about industrial pollution in the vicinity of the Reliance refinery, within whose greenbelt lies the elephant “camp”. These are issues under review before court-appointed committees. Nonetheless, the net impact of Vantara continues to be huge in rescuing animals from abuse and instituting advanced care. Similarly, its growth rate appears to have spurred the regulators into studying and demarcating its operations within the rubric of wildlife laws, such as classification of Ambani's elephant trust and zoo as a zoological establishment under WPA/ CZA. Recent events (award citations, global partnerships) suggest the initiative will continue to grow, but greater oversight is also likely to ensure ecologically fit and transparent operations.

## **ARAVALI RANGE - SIGNIFICANCE -ENVIRONMENT, ECO**

- Geography & Geology: The Aravalli Range ranges 700 km in length and is "one of the world's oldest mountain ranges" that formed about 1 billion years ago. The Range stretches through four states - Gujarat, Rajasthan, Haryana, and NCR/NCT Delhi - covering thirty-seven districts in total (delimited 560 km in Rajasthan). "The Aravalli Range can be classified as a folded mountain formed from ancient Precambrian rocks which are the main topographic features in the region. The mountain ranges create a dividing line for water flows towards the

Bay of Bengal through tributaries of the Chambal/Yamuna rivers from western-draining rivers such as Sabarmati and Luni.”<sup>10</sup>

- Ecological Role: Aravalis function as a "green shield" protecting the south-western part of India's climate. The mountain ranges "contribute significantly towards desertification resistance in this part of the world. In fact, they function as "Delhi's green lungs" that trap dusts/pollutants from the Thar desert. Moreover, they increase rainfall in this part of the world,” influencing climatic variables positively. The Aravalli "rocky formation and forest cover allow water recharge from millions of liters per hectare every wet season, which seep into groundwater deposits in the Aravalli rock crevices. Lakes such as the ones in and around Rajasthan - Sambhar, Sultanpur, Pushkar, Jaisamand, & Fateh Sagar - obtain their water from these Aravalli hill water reservoirs. Specifically, the action plan for landscape restoration in the Aravalli in the national framework particularly includes "drainage sharing of two major continental drainage systems of the River Ghaggar - Markanda in the upstream part of the Aravalli Range

- Biodiversity

The Aravalis present a special type of dry deciduous and scrub forest. They harbor a large number of protected areas – 22 wildlife sanctuaries in the Aravalis, including 16 in Rajasthan alone. There are three tiger reserves - Ranthambore, Sariska, and Mukundra tiger reserves. Iconic species include: tiger (Bengal), leopard (Indian), sloth bear, blackbuck, chital, wolf, and striped hyena; also reptiles (gharial, crocodile), bird species (approximately 200+). Even small hills in the Aravalli range provide important wildlife corridors between forests, and these help maintain ground-dwelling species and prevent fragmentation. Thus, the Aravalli range is a hot spot for the region's semi-arid ecology.

- Ecosystem Services: By preventing soil erosion and climatic extremes, the Aravalis shield the North Indian Plains. Functional as a “sand barrier” against the Thar Desert – thus blocking huge sand intrusions into Delhi NCR – and facilitating clean air currents.. Their forests

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<sup>10</sup> <https://www.downtoearth.org.in/forests/uniform-definition-of-aravallis-accepted-by-supreme-court-will-be-catastrophic-for-indias-oldest-mountain-range#:~:text=Forest%20cover%20in%20the%20Aravallis,contributing%20to%20overall%20climate%20mitigation>

contribute to increased rainfall and humidity in that region, which is essential for farming and provision of clean water to the adjacent plains.<sup>11</sup>

In Haryana alone, deterioration has resulted in "more than 12 breaches" in the hills, with desert dust added to the pollution in the capital.. The Aravali range is consequently of national importance in terms of protecting the climate, water, and preventing pollution.

➤ Threats Faced By Aravalli and Wildlife

1. Deforestation and Land Use Change: Throughout history and to this day, extensive areas of the Aravalli forests have been cleared for agricultural and urban land uses as well as for setting up infrastructures. Deforestation and land clearing have also been caused by mineral excavations like stone and mineral mining (extracting marble, quartzite, lead, and zinc metals; and “strategically important” metals such as tin, graphite, and lithium) in Rajasthan and Haryana . Also, quarrying is responsible for creating large gaps (12 major gaps) between hill ranges. Habitat fragmentation is further added to because land is being developed and roads are being built (India’s road infrastructure development), which reduces the foliage and results in soil exposure, thereby affecting the recharge of groundwater.
2. Illicit and Un-sustainable Mining: The Aravali mining operations are largely illicit or in excess of environmental clearance levels, with satellite imagery revealing mining scar patterns in hundreds of kilometers of land area. This has resulted in the drying up of streams/lakes (reducing run-of-river discharge) and a 300-2,000 feet depletion of the watertable in certain Haryana sectors. The mining of “hundreds of small hillocks” is eliminating the integrity of the Aravali ranges. The environment ministry’s identified “illicit mining in some areas for which conservation efforts have been mostly undone by illicit blasting.” Even legal mining sites have drastically harmed hills, such as in Charkhi Dadri and Bhiwani districts of Haryana. All the above factors have contributed largely to environmental degradation of the Aravali ranges, due to which its conservation may become a reality in the future.<sup>12</sup>

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<sup>11</sup> <https://indianexpress.com/article/explained/the-great-wall-in-the-north-why-the-aravallis-matter-10437728/#:~:text=Yet%2C%20the%20Aravallis%20provide%20priceless,of%20Northwest%20and%20North%20India>

<sup>12</sup> <https://indianexpress.com/article/explained/the-great-wall-in-the-north-why-the-aravallis-matter-10437728/#:~:text=grazing%2C%20and%20human%20encroachment,the%20Centre%E2%80%99s%20action%20plan%20notes>

3. **Habitat Fragmentation and Loss of Wildlife:** The destruction of habitat in mines or construction work by clearing forests/scrub habitats has disrupted habitat connectivity. The destruction of smaller hillocks in particular would lead to a reduction in the size of wildlife corridors. Forest-to-nonforest transitions (for example, buffer zone conversions in sanctuaries) have also led to a reduction in core habitat, while prior to the 1980s, forest land was alienated from regions adjacent to Sariska Tiger Reserve, reducing its core habitat. As cited from another scholar, "The ecological diversity in Aravalis is presently limited to fragmented forest pockets and protected sites owing to human pressure." This leads endangered species being confined to smaller zones, increasing the potential for conflicts. Leopards enter farmlands, ungulates get slaughtered on roads, and extinction looms large for specialized species.

Other Pressures : Overgrazing and uncontrolled fuelwood harvesting and burning around the periphery are also contributing. Habitats are reduced for wildlife through grazing, while encroachment (the expansion of villages into the foothills) further reduces habitat for wildlife. Additionally, climate change (incidence of droughts) exasperates the situation. There have been warnings of desert expansion into the eastern regions around Gurugram and Alwar districts due to continuous destruction of forests in the Aravalli Range. Thus, uncontrolled development is diminishing the Aravallis' capacity to sustain even the kind of fauna it supported in the past.

## **CONSERVATION INITIATIVES IN THE ARAVALI REGION**

1. **Government Initiatives:** Realizing the importance of the Aravallis from an ecological standpoint, the Ministry of Environment, Forest & Climate Change has initiated the process of restoring these hills. As an example, the "Aravalli Green Wall Project" (2023) has proposed the reforestation of the degraded regions and the development of "green wall belts" for combating desertification. The MoEFCC's Aravalli Landscape Restoration Action Plan discusses watershed management and afforestation for the mountain range. Many Aravalli forests have been declared Wildlife Sanctuaries or ESZs by states; for example, Morni Forests in Haryana and various forest divisions in Rajasthan. Budgetary heads like Green India Mission and National Afforestation have been allocated funds for the growth of indigenous species in core and Buffer Zones. Project Elephant is demarcating areas in the Aravallis for 'wild elephant corridors'.

2. **Judicial and Regulatory Measures:** The Supreme Court has been quite active in the Aravalli case related to M.C. Mehta vs. UOI. In November 2025, it has supported a definition of “Aravalli hills” based on elevation (>100 m above the surrounding area) to be used in managing mining activities.. This is, however, a controversial definition but would serve as a guideline for a Mining Management Plan study ordered by the court. The SC stayed the issuance of all new mining leases in the Aravalli Region until a Mining Management Plan is developed and implemented. Existing mines remain in operation, but mining is suspended. The Court specifically recognized Aravalis as a climate protector or “critical” desert barrier. In 2023, it further held that removal of hills less than 100m (approximately 90% of hills) within the identified 'Aravallis' for mining would abrogate protection achieved over the past decades. Simultaneously, notifications from the Environment Ministry and rules from NCR Planning Board have worked towards controlling development in Aravalli regions. Notably, in 1992, “An MoEFCC notification marked huge chunks in Haryana and Rajasthan as ‘Aravalli’ protected forests, where mining is prohibited.” In 2021, the NCR Planning Board (now a unit of NCTPC) has declared 158 villages in Aravalli as Natural Conservation Zones where construction is prohibited. Though these regulations have been violated or still await action, as has been pointed out through various court cases and citizen complaints.
3. **NGOs & Community Action:** “Civil Society Organizations such as People for Aravallis & Aravalli Bachao have been actively working with and through the law to safeguard the Aravali ranges.” Citizen’s reports have been presented about illegal mining, while petitions have been made to courts to provide greater protections. Community tree plantation campaigns are community-driven; awareness is spread about the rich heritage of Aravali Ranges in eco-clubs/schools in the state of Haryana/Rajasthan. Gram sabhas of the buffering villages are sometimes opposed to mine permissions under the Forest Rights Act (FRA).
4. **Current Challenges:** The biggest challenge lies in enforcement. States continue to issue Aravalli land-mining permits or classify Aravalli land for industrial purposes despite SC orders on this issue. The NCR massive draft plan for 2041 proposes the repeal of protective laws for the hill zone and has drawn flak for “70% of Aravalis” being at risk under new legislation. Secondly, there are resource-deficit constraints for restoration, as “seedling survival rates remain doubtful in Aravalli conditions.” In short, today, it proves difficult to conserve Aravalis effectively amidst the pressure of economics. Not surprisingly, “Green Walls” plans themselves would be dependent on “state strict enforcement.”

## RECENT (2024–2025) DEVELOPMENTS

- Vantara (2024-25): Following the announcement at the start of 2024, there has been rapid activity in the works of Vantara. In particular, PM Modi marked the opening of the Jamnagar center with a visit and statement of admiration for the scale and environmentally conscious mission of the new center, noting "We will create a new *aatmanirbhar* ecosystem for developing indigenous technology for elephant conservation and also set a new milestone for global elephant conservation<sup>13</sup>." Shortly afterwards, there was a report of more rescued elephants added to Vantara and additions to their species list, and more recently the international spotlight has turned to the center, with CITES officials quoting "Vantara has set a new milestone for elephant conservation." at the end of 2025. Then, a joint statement at the end of 2025 rated "Vantara as a center of excellence for elephant conservation." At the same time, there has been an announcement of cooperation with zoos in Eurasia and Southeast Asia and a Global Humanitarian Award for 2025 "In recognition of Reliance Foundation and Anant Ambani for their outstanding contributions towards wildlife conservation." Vantara also has active and deepening scientific collaborations with Indonesia in December 2025 regarding elephant care, and published (through scientific collaboration with institutes for wildlife conservation), in 2025, "Findings for Captive Elephant Welfare."
- Aravalli (2024–25): In the Aravalli matter, important judicial developments have taken place. "On November 20, 2025, in what is definitely a positive development," the Supreme Court "accepted the Central Government's definition of mineral-bearing areas within 100 meters of elevation," states one source. "This effectively excludes," according to a different source, "about 90% of the area with hills" currently protected by a land-use ban against mining.<sup>14</sup> The same court decision demanded "an ecological evaluation as well as a Management Plan for Sustainable Mining (MPSM) prior to issuing any fresh mines. In immediate response to the decision's already controversial implications for the environment,

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<sup>13</sup> [https://www.pmindia.gov.in/en/news\\_updates/pm-inaugurates-vantara-a-unique-wildlife-conservation-rescue-and-rehabilitation-initiative/#:~:text=The%20Prime%20Minister%20Shri%20Narendra,ecological%20sustainability%20and%20wildlife%20welfare](https://www.pmindia.gov.in/en/news_updates/pm-inaugurates-vantara-a-unique-wildlife-conservation-rescue-and-rehabilitation-initiative/#:~:text=The%20Prime%20Minister%20Shri%20Narendra,ecological%20sustainability%20and%20wildlife%20welfare)

<sup>14</sup> <https://indianexpress.com/article/explained/the-great-wall-in-the-north-why-the-aravallis-matter-10437728/#:~:text=Aravalli%20Hills%20Mining%20Controversy%3A%20The,the%20Forest%20Survey%20of%20India>

the Centre has ordered a moratorium against “fresh Aravalli mines” until a “MPSM is ready to be implemented.” The implications of the Supreme Court decision in 2025 are currently being assessed in various respects: “green groups have expressed concern,” according to one. Regarding policies, MoEFCC has started the process of appointing the necessary geo-referenced ecological study (like the Saranda model) for future mining operations. State governments (Haryana/Rajasthan) are re-demarcating the Aravalli regions according to new norms, though there are ongoing issues with maps and data. Moreover, with the latest budget speeches (2024/25), there were increases budgeted for Project Tiger/Elephant and afforestation initiatives (e.g., ₹2,602.98 crore allocated for wildlife habitat development). New notification initiatives (e.g., new ESA draft notification in the state of Haryana) for zone protection were delayed. On the whole, Vantara’s current developments point to the emergence of the flagship conservational facility (completion of infrastructure, awards, global collaboration). On the contrary, the current developments in Aravalli include its ongoing legal disputes: an contentious report on new definition development and preparation studies on mining management, and resistance from NGOs regarding the protection of the remaining hills. These two incidents define the dual nature of protection efforts in the wildlife category.

## CASE COMMENTS

□ *M.C. Mehta v Union of India (Aravalli Mining Orders)*<sup>15</sup>: *M.C. Mehta v Union of India (Aravalli Mining Orders)*: This PIL has been pending since 1985 and pertains to illegal mining in the Aravalli region of Delhi-NCR. The Supreme Court has repeatedly issued orders in this matter. Recently in May 2024, the court (Gavai & Oka JJ.) Yourself recognised that a conflicting definition of the term “Aravalli” in different states has been acting as a hindrance. It asked a High-Power Committee to formulate a single criterion. Then on 20 Nov 2025, the same judges made the final decision: it adopted the definition of 100m , banning all new mining leases until a conservation plan is established., and prohibiting any mining activities in the forested area of the Aravalli Range (excepting mining activities that require Court permission after EIA studies). The Court stated that precautionary principles and ecosystem carrying capacity must also be taken into account.. Thus, the Aravalli II judgments represent some of the most stringent rules on mining in India, evidencing a transition from ‘resource development’ to ‘ecosystem protection’ with regard to judicial review. The Court relied on

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<sup>15</sup> *M.C. Mehta v Union of India (Aravalli Mining Case)* (2004) 12 SCC 118

environmental standards (sustainable mining, site), and are related to constitutional obligations). These circulars establish precedents on how development can be balanced with biodiversity, and could lead to its adoption for other regions with distinctive terrains (e.g., cases involving Vindhyan ranges and Western Ghats).

□ T.N. Godavarman Thirumulpad v Union of India (Forest Definition & Compliance): <sup>16</sup>T.N. Godavarman Thirumulpad v Union of India (Forest Definition & Compliance): Described as initially being a suit for preservation of forests in Kerala (1995), Godavarman is an extensive case on forest preservation jurisprudence. In relation to Aravalli: The parent case for all forestry/transformation activities under which all of India is covered for Godavarman. Primary findings: Activities not foresters on “forest land” (recorded/recognized through an Official Notification) need central clearance (FCA, 1980). The Supreme Court expanded the definition of “forest,” ruling that even those depicted on maps as forests (irrespective of actual growth) came under protection. For Aravalli mining, this meant that most mines in forests of Aravalli slopes were illegal (from about 2006 orders). In the Nov 2025 Aravalli case decision, the Supreme Court of India (Godavarman bench) referred back to its order of May 2024 in its Godavarman case order, and reaffirmed that any and all mining operations on Aravalli forests should remain suspended and associating forest law compliance with mining regulation. Godavarman also established central environmental courts (CEC) and monitoring for nationwide compliance with FCA. Hence, Godavarman v UOI establishes the legal basis for the Aravalli order, requiring states not to reduce forest laws, such as Punjab Land Preservation Act amendments challenged in without SC consent

□ Animal Welfare Board of India v A. Nagaraja & Ors (2014): <sup>17</sup>This case, also referred to as Jallikattu Ban, dealt with the constitutional status of animals. The petitioner AWBI contended against the inhumane nature of bull-taming sports. The Court (Radhakrishnan & Ghose JJ) upheld the Central government’s bans on jallikattu and bullock races in light of the PCA Act 1960, holding such practices “prima facie violative of animals’ right to life as guaranteed in the Constitution.” Notably, the decision reinforced animal rights well beyond the specific judgment, terming animal rights a “constitutional issue.” The court members “called upon Parliament to give constitutional status to animal rights” and encouraged all authorities (AWBI & State Govts) to enhance animal rights in law.” The narrative part of Nagaraja’s judgment also mentions global patterns, such as Germany’s 2002 constitutional amendment giving “constitutional status to animal rights.” While being constrained to Jallikattu facts,

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<sup>16</sup> T.N. *Godavarman Thirumulpad v Union of India* (1997) 2 SCC 267

<sup>17</sup> *Animal Welfare Board of India v A Nagaraja* (2014) 7 SCC 547

the case is also remembered for the liberal quotation asserting that animals have a right to be protected by the state—the beginning of a future dispute about animals’ status as “legal persons.” In our context, the Nagaraja case symbolizes the Indian judiciary’s readiness to interpret the need to protect the environment and animals into law. The case’s respect for Parliament’s obligation continues to be heard in recent protection laws for wild life and talk about animals’ rights.

## CONCLUSION

Analysis carried out in this paper proves that wildlife protection in India is presently being conducted in a fragmentary legal framework, where constitutional hopes, legal obligations, judicial measures, and civilian conservation efforts exist side by side lack coherent norms. The Wildlife Protection Act, 1972, is prime, yet it was formulated during a period that believed in species-oriented conservation and State-administered conservation. Indeed, at present, its inefficacy is being witnessed in dealing with large-scale private conservation approaches, ecological damages at a landscape scale, or conceptual definitions of animal dignity and ecological integrity. The case study of the Vantara initiative is illustrative of the challenges as well as the opportunities of the privatized model of conservation. It is true that the Vantara initiative presents the most ambitious use of private finances as well as infrastructure expertise for the purpose of saving wild animals that the State has been found to be less equipped for. Yet the presence of the Vantara initiative makes evident the lack of efficacy in the regulatory landscape of the issue of Indian wildlife. At the end of the day, the lack of its corresponding statutory framework in terms of mega-private wildlife conservations makes the Vantara initiative normalize the concept of captivity-led conservations under the light of ecological welfare.

Conversely, the Aravalli range of mountains stands as a paradigm of ecological abandonment and legal dilution as a fact. Thus, notwithstanding the judicial affirmation of the environment’s importance in the Aravallis in the M.C. Mehta series of cases, its continued ecological abandonment in the form of mining and urbanization and official definitions against the environment clearly betrays the impotence of judicial ecology in the absence of political will and official follow-through and compliance. Current trends in this matter, with the court's acceptance of restrictive definition in what constitutes Aravalli hills, appear to seek to enervate four decades of judicial ecological propriety and concerns for the cautionary principle informing Indian environment jurisdictions to date.

Together, these three dimensions show how there is an underlying imbalance in the structural system of protecting wildlife in India between the prevalence of high-profile projects on the subject of conservation, alongside the lack of attention to ecologically crucial land ranges, with judicial measures

following occurrences of destruction. Thus, the goal of protecting wildlife would become an empty gesture, where protected species would be safe but not their environment. The article summarizes that for effective wildlife conservation in India, there must be a paradigm shift from a piecemeal species-based approach toward an eco-systems-based approach in wildlife laws in the framework of constitutional environmentalism. This requires that there must be (i) state regulation of private wildlife conservation efforts, (ii) a restored landscape level of protection based on stringent ecological criteria, (iii) enhancement of enforcement of environmental laws beyond judicial control, and finally there must be a recognition of animal dignity in wildlife governance in India. Otherwise, this would mean that there would continue a tide of retreat and innovation in India's wildlife conservation laws.

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  5. *Centre for Environmental Law, WWF-India v Union of India* (2013) 8 SCC 234
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## BOOK REVIEWS (SUGGESTED READINGS)

- *C. Rajagopalachari, Ecology, Law and the Planet (2022)* – This scholarly book (HarperCollins, Delhi) discusses India’s environmental legal framework in a global context. It examines how ecology and jurisprudence intersect, covering topics like climate change law, biodiversity conventions, and sustainable development. The author explores constitutional “green” interpretations (e.g. Article 48A, 51A(g)) and critiques contemporary challenges (pollution, climate litigation). The text integrates case-law and policy, offering comparative notes (e.g. European vs Indian environmental principles). A useful starting point for understanding the big-picture legal philosophy that underlies issues like Aravalli protection and wildlife rights.
- *Maneka Gandhi (ed.), Animals, Law and Coexistence (2020)* – Authored/edited by noted animal rights activist Maneka Gandhi, this volume (Eastern Book Company, Lucknow) addresses the legal status of animals in India. It compiles essays and case studies on wildlife and domestic animals, covering statutes like the Wildlife Protection Act, PCA Act, and constitutional provisions. Key themes include animal rights jurisprudence (citing cases like Nagaraja), the

ethics of animal welfare, and the challenges of enforcing anti-cruelty laws. It also touches on community issues (herdsmen, livestock) and the concept of coexistence. As a review in a law journal, this book provides a critical look at how Indian law treats non-human life, complementing the legal analysis in our other chapters.

- Philippe Sands, *Principles of International Environmental Law* (Cambridge University Press 2018)
- Upendra Baxi, *The Future of Human Rights* (Oxford University Press 2008)
- Lavanya Rajamani and Shibani Ghosh, *Environmental Jurisprudence in India* (Oxford University Press 2019)
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