

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 14th March, 2024

G.S.R. 191(E).— In exercise of the powers conferred by clause (gviii) of sub-section (1) of Section 63 of the Wild Life (Protection) Act, 1972 (53 of 1972), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.** – (1) These rules may be called the Captive Elephant (Transfer or Transport) Rules, 2024.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definition .-** (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Wild Life (Protection) Act, 1972 (53 of 1972);
 - (b) "donor State" means a State from whose jurisdiction the elephant is going to be transferred;
 - (c) "elephant" means a captive elephant in respect of which an ownership certificate has been issued under Section 42 of the Act;
 - (d) "elephant assistant" means a person engaged to assist the Mahout;
 - (e) "Form" means form appended to these rules;
 - (f) "mahout" means the person who manages the elephant;
 - (g) "owner" means a person having a valid certificate of ownership for the elephant issued under section 42 of the Act;
 - (h) "recipient State" means a State in whose jurisdiction the transfer of elephant is going to be transferred;
 - (i) "veterinary practitioner" means a person registered with the Veterinary Council of India established under the Indian Veterinary Council Act, 1984 (52 of 1984);
 (2) The words and expressions used and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.
3. **Application for Transfer of Elephant .-** An application for transfer of elephant shall be made in Form I to the officer not below the rank of Deputy Conservator of Forests having jurisdiction over the area where the elephant is registered.
4. **Inquiry by the Deputy Conservator of Forests.-**(1) On receipt of the application under rule 3, the Deputy Conservator of Forests shall:-
 - (a) obtain a certificate of a veterinary practitioner in Form II;
 - (b) conduct a detailed inquiry and physical verification of the facility where the elephant is presently housed and also the facility where the elephant is proposed to be housed in case the facility is located within his jurisdiction; and
 - (c) forward the application and report in Form III along with the report of veterinary practitioner within a period of fifteen days to the Chief Wild Life Warden.
5. **Transfer within the State.-**(1)The Chief Wild Life Warden after examination of reports may, within a period of seven days by an order in writing reject or permit the transfer of the elephant, if such elephant is proposed to be housed within the jurisdiction of the officer receiving the application under rule 3.
(2) The Chief Wild Life Warden shall forward the application and the reports received as per sub-rule (1)(c) of rule 4 to the officer not below the rank of Deputy Conservator of Forests having jurisdiction over the area where the elephant is proposed to be housed and is outside the jurisdiction of the officer receiving the application under rule 3, within a period of seven days.
(3) The concerned Deputy Conservator of Forests shall on receipt of the application and the reports in accordance with sub-rule (2) conduct a detailed inquiry and physical verification of the facility and submit report in Form III within a period of fifteen days to the Chief Wild Life Warden.
(4) The Chief Wild Life Warden after examination of the application and the reports may, within a period of seven days by an order in writing reject or permit the transfer.
6. **Transfer outside State.-** (1) The Chief Wild Life Warden of the donor State shall forward the application along with the reports received as per (c) of sub-rule (1) of rule 4 within a period of fifteen days to the Chief Wild Life Warden of the recipient State.
(2) The Chief Wild Life Warden of the recipient State shall within a period of seven days forward the application and the reports to the officer not below the rank of Deputy Conservator of Forests having jurisdiction over the area where the elephant is going to be housed.
(3) The concerned Deputy Conservator of Forests shall on receipt of the application and reports in

accordance with sub-rule (2) conduct a detailed inquiry and physical verification of the facility and submit report within a period of fifteen days in Form III to the Chief Wild Life Warden.

(4) The Chief Wild Life Warden of the recipient State after receipt of the reports as per sub-rule (3) shall forward his recommendations to the Chief Wild Life Warden of the donor State in Form IV within a period of fifteen days.

(5) The Chief Wild Life Warden of the donor State after examination of the reports shall, within a period of seven days by an order in writing reject or permit the transfer.

(6) The Chief Wild Life Warden of the donor State shall intimate the order of rejection or permission of transfer to the Chief Wild Life Warden of the recipient State.

7. **Terms and Conditions for transfer.-** (1) The Chief Wild Life Warden shall permit the transfer where the ownership certificate in respect of the elephant proposed for transfer existed prior to coming into force of these rules except in case of elephant borne from such elephants.

(2) The transfer of the elephant may be permitted by the Chief Wild Life Warden, in case:-

- (a) the owner is no longer in a position to maintain the elephant; or
- (b) the elephant will have a better upkeep than in the present circumstances; or
- (c) he deems it fit and proper in the circumstances of the case for better upkeep of the elephant.

(3) No transfer of an elephant shall be permissible unless genetic profile of the elephant has been entered in the electronic monitoring application of the Ministry of Environment, Forest and Climate Change.

8. **Application for Transport of elephant .-** (1) An application for transport of an elephant shall be made in Form V to the officer not below the rank of the Deputy Conservator of Forests having jurisdiction over the area where the elephant is registered.

(2) The concerned Deputy Conservator of Forests shall, on receipt of the application obtain a report of a veterinary practitioner in Form II and submit his recommendations in Form III along with the report of veterinary practitioner within a period of fifteen days to the Chief Wild Life Warden.

(3) The Chief Wild Life Warden may, on receipt of the application and reports in accordance with sub-rule (2), issue a transport permit in Form VI or reject the application by an order in writing.

(4) The Chief Wild Life Warden shall forward a copy of the transport permit to:-

(a) the concerned Deputy Conservator of Forests within the state through whose jurisdiction the elephant is to be transported; and

(b) the concerned Chief Wild Life Warden through whose jurisdiction the elephant is to be transported.

9. **Conditions for transport.-** (1) The transport of the elephant in respect of which a transport permit has been issued shall be with the following conditions that:-

- (a) the elephant shall be accompanied by a mahout and an elephant assistant;
- (b) a health certificate from a veterinary practitioner to the effect that the elephant is fit for transport and is not showing any sign of musth or infectious or contagious disease, is obtained;

(c) the transport shall be carried out after the mandatory quarantine period as advised by the veterinary practitioner is over, in case of contagious disease;

(d) the elephant shall be properly fed and given water before loading;

(e) necessary arrangements shall be made for providing food and water to the elephant en route;

(f) tranquilisers/sedatives shall be used to control nervous or temperamental elephants upon prescription by the veterinary practitioner.

10. **Validity.-** (1) The transfer of the elephant shall be effected within a period not exceeding three months from the date of grant of permission.

(2) The validity of the transport permit shall not be more than one month.

(3) No extension of validity of permission for transfer or transport permit shall be granted.

11. **Appeal .-** (1) An applicant aggrieved by the refusal of the Chief Wild Life Warden may prefer an appeal to the administrative Head of the State Forest Department of the concerned State Government within a period of sixty days from the date of receipt of the orders of the Chief Wild Life Warden by a written statement sent through registered post justifying reasons for preferring an appeal.

(2) The State Government shall pass appropriate orders on the appeal within a period of thirty days of receipt of the appeal.

Form I
[See rule 3]

Form I Application for transfer of Elephants		
1.	Name of the applicant / owner	
2.	Permanent Address	
3.	Present Address	
4.	Date of acquisition of Elephant	
5.	Name of the present owner of Elephant	
6.	Address of the owner of the Elephant	
7.	Address of the housing facility of the Elephant	
8.	Name of the Elephant (if applicable)	
9.	Microchip number of the Elephant	
10.	Age and sex of the Elephant	
11.	Whether applying for transfer within or outside state	
12.	Place of transfer	From [name of the District, State] To [Name of the District, State]
13.	Address of the transferee housing facility of the Elephant	
14.	Purpose of transfer	
15.	Any other detail	
<p style="text-align: center;">Undertaking</p> <p>I[name of the applicant] Son or Daughter or Wife of[Father's name or Husband's Name] hereby declare that all the particulars furnished by me are true to the best of my knowledge and any detail furnished above, if found to be false, shall make my application liable for rejection.</p> <p>I shall abide by all the conditions mentioned in the Captive Elephant (Transfer or Transport) Rules, 2024 and any other condition that may be imposed by the Chief Wild Life Warden.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Date: _____</p> <p>Place: _____</p> </div> <div style="width: 45%;"> <p>Signature _____</p> <p>Name of the Applicant: _____</p> <p>Present Address of the Applicant: _____</p> </div> </div>		

List of enclosures:

1. Authorisation letter in case the applicant and owner are different
2. Copy of the present ownership certificate
3. Copy of the Aadhar Card/ Address proof of the present Owner/ Applicant
4. Registration Certificate/Certificate of incorporation in case of a Society/Company/Board etc.
5. Certificate of fitness of the Elephant from the veterinary doctor

Form II
[See sub-rules (1) (a) of Rule 4 and sub-rule (2) of rule 8]

Form II Certificate by the Veterinary practitioner		
1.	Date and Time of Examination	
2.	Name of the present owner of Elephant	
3.	Name of the Elephant (if applicable)	
4.	Microchip number of the Elephant	
5.	Age and sex of the Elephant	
6.	Address of the housing facility of the Elephant	
8.	Any other detail	
9.	Recommendations	
<p style="text-align: center;"><u>Undertaking</u></p> <p>I, Dr....., registered as a veterinary practitioner under the Veterinary Council Act, 1984, examined the above described animal on (date)..... and certify that the animal is sound/ unsound in health.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Place:</p> <p>Date:</p> </div> <div style="width: 50%;"> <p>Signature:</p> <p>Name & Address:</p> <p>VCI Registration No.</p> <p>Email:</p> <p>Contact No:</p> </div> </div>		

Form III
[See sub-rule (1)(c) of rule 4, sub-rule (3) of rule 5, sub-rule (3) of rule 6 and sub-rule (2) of rule 8]

Form III Report of the Deputy Conservator of Forests		
1.	Name and address of the Applicant	
2.	Name and address of the present owner of Elephant	
3.	Name of the Elephant (if applicable)	
4.	Microchip number of the Elephant	
5.	Age and sex of the Elephant	
6.	Address and GPS location of the housing facility of the Elephant	
7.	Address of the transferee housing facility of the Elephant along with name of Division and District	
8.	Date of Inspection by the Deputy Conservator of Forests having territorial jurisdiction over the area	
9.	Whether all the health check up of the elephant carried out regularly	
10.	Whether the elephant is fit	
11.	Any other detail	
12.	Recommendations	
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Date:</p> <p>Place:</p> </div> <div style="width: 50%;"> <p style="text-align: right;">Signature</p> <p style="text-align: right;">Name of the Officer: Designation:</p> </div> </div> <p style="margin-top: 20px;">To The Chief Wild Life Warden, Address.....</p>		

Form IV
[See sub-rule (4) of rule 6]

Form IV Recommendations of the Chief Wild Life Warden of the recipient State		
1.	Name and address of the Applicant	
2.	Name and address of the present owner of Elephant	
3.	Name of the Elephant (if applicable)	
4.	Microchip number of the Elephant	
5.	Age and sex of the Elephant	
6.	Name and address of the transferee	
7.	Address of the transferee housing facility of the Elephant along with name of Division and District	
8.	Date of Inspection (if carried out)	
9.	Recommendations	
	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Date: Place: </div> <div style="text-align: center;"> Signature Name of the Officer: Designation: </div> </div> To The Chief Wild Life Warden (Donor State), Address.....	

List of enclosures:

Recommendations of the Deputy Conservator of Forests having territorial jurisdiction over the area in recipient State in Form III.

Form V
[See sub-rule (1) of rule 8]

Form V Application for transport of Elephant(s)		
1.	Name of the Applicant / Owner	
2.	Permanent Address	
3.	Present Address	
4.	Date of acquisition of Elephant	
5.	Name of the present owner of Elephant	
6.	Address of the owner of the Elephant	
7.	Address of the housing facility of the Elephant	
8.	Name of the Elephant (if applicable)	
9.	Microchip number of the Elephant	
10.	Age and sex of the Elephant	
11.	Whether applying for transport within or outside State	
12.	Place of transport	From [name of the District, State] To [Name of the District, State]
13.	Purpose of transport	
14.	Proposed date of return to original housing facility (in case of temporary transportation)	
15.	Name and address of Mahout accompanying the Elephant	
16.	Name and address of Assistant accompanying the Elephant	
17.	Details of Mahout and Assistant at the place where the elephant is being transported	
18.	Any other detail	
Undertaking		
<p>I[name of the applicant] Son or Daughter or Wife of[Father's name or Husband's Name] hereby declare that all the particulars furnished by me are true to the best of my knowledge and any detail furnished above, if found to be false, shall make my application liable for rejection.</p> <p>I shall abide by all the conditions mentioned in the Captive Elephant (Transfer or Transport) Rules, 2024 and any other condition that may be imposed by the Chief Wild Life Warden.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Date: _____</p> <p>Place: _____</p> </div> <div style="width: 45%;"> <p>Signature _____</p> <p>Name of the Applicant: _____ Present Address of the Applicant: _____</p> </div> </div>		

List of enclosures:

1. Authorisation letter in case the applicant and owner are different.
2. Copy of the present ownership certificate.
3. Copy of the Aadhar Card/ Address proof of the present Owner/ Applicant.
4. Registration Certificate/Certificate of incorporation in case of a Society/Company/Board etc.
5. Certificate of fitness of the Elephant from the veterinary practitioner.
6. Copy of adhaar card of Mahout and Assistant.

Form VI [See sub-rule (3) of rule 8]		
Form VI Transport Permit for Elephant issued by the Chief Wild Life Warden		
1.	Name of the Applicant	
2.	Name of the present owner of Elephant	
3.	Name of the Elephant (if applicable)	
4.	Microchip number of the Elephant	
5.	Age and sex of the Elephant	
6.	Address of the housing facility of the Elephant	
7.	Transport permitted	a. From [date] to [date] b. From [name of District, State] To [name of District, State]
8.	Any other detail	
9.	Recommendations	

Conditions for transport:

1. The elephant for which a transport permit has been granted shall be accompanied by a mahout and an elephant assistant.
2. A health certificate from a veterinary doctor to the effect that the elephant is fit to travel by road or rail, as the case may be, and is not showing any sign of *musthor* infectious or contagious disease shall be obtained in;
3. The elephant shall be properly fed and given water before loading;
4. Necessary arrangements shall be made for feeding and watering the elephant on route;
5. Sedatives, if necessary, shall be used to control nervous or temperamental elephants only as prescribed by the veterinary practitioner.
6. Any other conditions (to be specified)

Date:

Place:

Signature

Name of the Officer:

Designation of Officer:

To,

The Name and Address of the Applicant

Copy to:

1. The Deputy Conservator of Forests having territorial jurisdiction over the area in which the elephant is registered.
2. The Deputy Conservator of Forests having territorial jurisdiction over the area through which the elephant is going to be transported.
3. The Chief Wild Life Wardens of all the states in case of inter-state transport.

[F. No. WL-1/2/2023-WL]

SUSHIL KUMAR AWASTHI, Addl. Director General of Forests and
Director, Wild Life Preservation