

Print

**Karnataka Lokayukta**  
(Under Section 7 of the Karnataka Lokayukta Act, 1984)

CASE            **COMPT/UPLOK**  
NUMBER : **/MYS/1466/2023**  
District :    **Kodagu**

BY :

1. Suo Moto

As per the Order of Honble Upalokayukta,  
Date: 27/02/2023.

## COMPLAINANT/S

AGAINST :

1. Assistant Conservator of Forest  
Kodagu District.
2. Deputy Conservator of Forest  
Kodagu District.
3. Range Forest Officer  
South Kodagu, Kodagu District.

## RESPONDENT/S

Allegation/Grievance    Dereliction of duty.  
Brief :

Received From :        Suo Moto  
Received On :          27-02-2023

Complaint stands        PP  
allotted to :

Seal and Signature

ನಿಜಾಯಕ ನಿಬಂಧಕರು

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SCRUTINY AND OPINION

ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಛೇರಿ

ಬೆಂಗಳೂರು-೧.

28/2/23

for file

**Karnataka Lokayukta, Bengaluru**

No:

Dated 14/02/2023

**ORDER**

' The Indian Express ' Newspaper dated 14/02/2023 has published a news item highlighting the plight of the residents residing in Dakshina Kodagu, because two of the residents were fatally attacked by the Tiger in South Kodagu, sending shockwaves across the region.

2. News item published in the Indian Express dated:14.02.2023 which reads as hereunder;

**Tiger attack deaths: ' Suspend forest officials'*****EXPRESS NEWS SERVICE @ Bengaluru***

*After the deaths of two relatives in tiger attack in south Kodagu, MLAs cutting across party lines demanded action against forest department officials for failing to capture the tiger. The legislators demanded that government officials concerned be suspended.*

*Virajpet MLA KG Bopaiah raised the issue during Zero Hour on Monday, and said, " Once these tigers get used to eating human flesh, they start entering human habitats often."*

*Bopaiah said the incident shows how irresponsible the forest department officials are, and demanded they be suspended. Congress MLA HP Manjunath from Hunsur*

*Assembly constituency said, " This tiger issue has been prowling in our constituency. After such incidents, we give compensation, but don't think what happens to the families. " He also said there has been another death in the family from shock after hearing the news of these two deaths.*

3. The news item extracted above indicates that the attack made by the tiger not only causing death of two persons, but also creates an apprehension that once those tigers get used to eating human flesh, they start entering human habitats often. It is reported that despite several requests made to the concerned forest officials, no steps have been taken to capture the tiger.

4. Right to live in an apprehension free environment is part of fundamental right to life under Article 21 of the Constitution of India. It is relevant to mention that there are always conflicts of men and wildlife animals. But in the wildlife (protection) Act, 1972 the powers and functions of tiger conservation authority is clearly laid down. One of the functions of the tiger conservation authority is to provide for management focus and measures for addressing conflicts of men and wild animals and to emphasise on co-existence in forest area outside the national parks, sanctuaries or tiger reserve in the working plan code. As such it is the duty and obligation of the forest officers as well as the state tiger conservation authority to take all necessary steps to prevent the tiger attack deaths in human habitats.

5. However, as could be seen from the News item extracted above, on account of failure on the part of concerned officers/officials of forest department, the tiger kills two kin in 15 hours, which amounts not only dereliction of duty but also amounts to mal-administration within the meaning of section 2(1) Karnataka Lokayukta Act-1984.

6. Wherefore, if, what has appeared in the news paper is true, it indicates the inaction/failure on the part of the concerned authorities of the state. Therefore, in my view, the issues raised in vernacular news paper ' Indian Express ' and the observations made by me above, requires immediate attention of the State Government and Authorities of the State i.e., Forest Department.

7. The Karnataka Lokayukta Act casts an obligation on the Lokayukta/Upalokayukta under Section 12(1) for redressal of the grievance of the public and Section 2(10) casts an obligation on the Lokayukta/Upalokayukta to prevent the mal-administration by the Public authorities.

9. In the light of what is stated above, I am of the view the news item published in ' Indian Express ' can be treated as source material for me to exercise my suo-motu power under section 7(2) and 9(3)(a) of the Karnataka Lokayukta Act-1984. Accordingly, I hereby exercise my suo-motu powers and initiate suo-motu proceedings. The office is directed to register this proceeding as suo-motu proceedings.

10. For the purpose of redressal of the grievance and to examine as to whether there is any inaction or mal-administration on the part of the concerned authorities of the state and for the proper redressal of the grievance of the residents in question, it is just and necessary to implead the officers mentioned here in below to this proceedings and issue notice to them. Accordingly, the officers mentioned herein below are directed to be treated as Respondents.

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|----|--|
| 1. | Assistant Conservator of Forests, Kodagu District.   |
| 2. | Deputy Conservator of Forests, Kodagu District.      |
| 3. | Range Forest Officer, south Kodagu, Kodagu District. |

11. The Respondents are directed to submit their comments/report to me (Upa-Lokayukta-2) within 4 weeks from today on the issues referred to in the news item extracted above, various issues referred to above in my order.

12. The Chief Conservator of Forests, Kodagu District and Deputy Commissioner, Kodagu District shall examine the issue and submit a report within one month from the date of this order.


13. Communicate the copy of this order along with the copy of the paper publication to the Respondents and the Chief Conservator of Forests, Kodagu District and Deputy Commissioner, Kodagu District to enable them to submit their Comments/Report.



14. Send a copy of this order along with paper publication to the Chief Secretary to the Government and also to the Principal Secretary to the Forest Department with a direction to the Principal Secretary to the Forest Department to submit a report as to what steps have been taken to prevent such unnecessary contingencies in the entire State, so as to safe-guard the interest of the public at large, who are actually residing near the forest areas, within one month from the date of communication of this order.

15. Register this case and send a copy of the suo-motu complaint to the Principal Chief Conservator of Forest, Aranya Bhavan, Bengaluru for his information and necessary action and also to report to his Authority, the steps taken to prevent such unpleasant situation in future.

List this matter on 28/03/2023.

  
(Justice K.N. Phaneendra)  
Upalokayukta  
State of Karnataka.

Flaring up a buzz, P Nedumaran, the president of the World Confederation of Tamils, on Monday claimed V Prabhakaran, the LTTE supremo killed in 2009, to be apparently alive and in good health. Nedumaran said Prabhakaran would soon appear in public to reveal his plans for Eelam Tamils

## SC tells K'taka to get all nods

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Wildlife Protection Act, Pan-  
gam said.  
Meanwhile, Karnataka gov-

ernment is gearing up to execute the Kalasa-Banduri project work at Kankumbi on Goa border and is waiting for approval from the Ministry of Forests. State government sources clarified that the government will commence work on the project only after getting forest and wildlife clearances.

It may be noted that, last month, the Goa government had filed an interim application seeking stay of the approval granted by the Central Water Commission (CWC) to

the Detailed Project Report (DPR) submitted by Karnataka government to divert river Mahadayi water through the Kalasa-Bandura rivulets.

The Goa government had vehemently opposed the approval granted to Karnataka's DPR contending that it was illegal to divert water via wildlife sanctuaries under the Act.

The Chief Wildlife Warden of Goa has already issued a show-cause notice to Karnataka government against carrying out work in the Mahadayi river basin.



Forest personnel arrive to capture the tiger on Monday | EXPRESS

## Tiger attack deaths: 'Suspend forest officials'

EXPRESS NEWS SERVICE @ Bengaluru

AFTER the deaths of two relatives in tiger attack in south Kodagu, MLAs cutting across party lines demanded action against forest department officials for failing to capture the tiger. The legislators demanded that government officials concerned be suspended.

Virajpet MLA KG Bopaiah raised the issue during Zero Hour on Monday, and said, "Once these tigers get used to eating human flesh, they start entering human habitats often."

Bopaiah said the incident shows how irresponsible the forest department officials are, and demanded they be suspended. Congress MLA HP Manjunath from Hunsur Assembly constituency said, "This tiger issue has been prowling in our constituency. After such incidents, we give compensation, but don't think what happens to the families." He also said there has been another death in the family from shock after hearing the news of these two deaths.

## Give shoot at sight order, say villagers

CONTINUED FROM P3

ENRAGED villagers gathered in large numbers and protested against the forest department. They demanded that shoot at sight order.

Meanwhile, Virajpet MLA KG Bopaiah alleged in the Assembly that foresters were absent at night and arrived only after the incidents.

Kodagu CCF, BN Murthy visited the spot and is camping in the region. A team of 150 foresters have been deployed to capture the tiger, and were given 20 weapons and 12 vehicles. "Two patrol teams have been formed. The tiger was spotted twice near the estate," he said. Meanwhile, Rs 5 lakh compensation has been handed over to the victims' kin. The foresters assured to release Rs 15 lakh each as total compensation.

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