

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 08 of 2025/EZ

In the Matter of:

In the Matter of:

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

INDEX

Sl. No.	Particulars	pages
1.	Counter affidavit on behalf of Respondent no.	

Filed by:

Malabika Roy Dey, Advocate
Standing Counsel, State of Assam

E-mail: mrdey@rediffmail.com

Mobile: 9051634204

Instrument Sl. No. 10809 X
Date 08/05/2025

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 08 of 2025/EZ

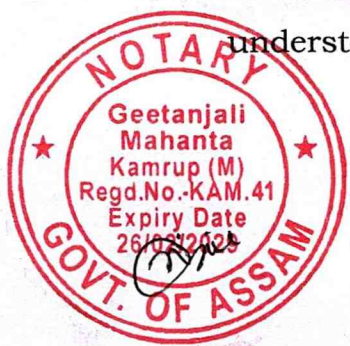
In the Matter of:

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

Affidavit in Reply on behalf of the Respondent Nos. 1, Chief Wildlife Warden, the State of Assam.

I, Dr. Vinay Gupta, IFS, son of Late Ram Kumar Gupta, aged about 56 years, by faith – Hindu, by occupation- service, residing at B-304, Unique Tower, Khanapara, Guwahati-781022 do hereby solemnly affirm and state as follows:

1. That I am the Principal Chief Conservator of Forests, Wildlife & Chief Wildlife Warden, in the State of Assam and as such I am fully conversant with the facts and circumstances of the case.
2. That I have received the notice and copy of the above-mentioned original application, as well as the orders, of the National Green Tribunal, Eastern Zone Bench, have gone through the same and understood the contents made therein.



X

3. That I will traverse only through those portions which are relevant for the present purpose, as well as for which the clarifications are sought for. The portions of original application, not replied to shall not be treated as to be my admission.

4. That the news item titled "*the last feral horses in India*" appearing in *Mongabay* dated 05.11.2024, states about the critically endangered status of feral horses in the Dibru-Saikhowa National Park, as well as of smuggling of these horses.

5. At the outset I would like to state that, - there are various opinions about the origin of these Feral horses of Dibru-Saikhowa National Park (hereinafter referred to as DSNP) and Dibru-Saikhowa Biosphere Reserve (hereinafter referred to as DSBR).

One of the views is this, that these horses are believed to be the descendants of the horses left behind by the British army during World war -II.

On the other hand, these are believed to be the abandoned escaped Cart horses from the nearby tea gardens and villages.

Again, some other theories suggests that they are originally the descendants of China's Przewalski's horses.

Be it mentioned, that, although there is no concrete/scientific proof of the origin of the Feral horses, due to lack of scientific study, but it is a fact that the abandoned or escaped horses, adapted to the wild habitat and formed their own free-ranging population, in the surrounding grasslands and chaporis (Sand bars) of the DSNP over the time.



X

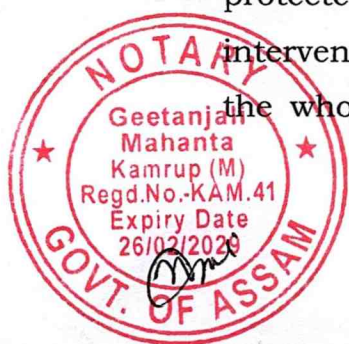
7. That, it is pertinent to mention, that the Feral horses are presently found in the sand bar and grassland of core areas such as Lanka, Tapu, Laika Chapari of DSNP and buffer areas such as Baghini Chapari, Surkhe Chaponi, Shivguri, Paglam of DSNP.

The Feral horses are generally found confined in the core area during dry and lean season for fresh grasslands as well as for water. These horses actually prefer open spaces with tall grasses which gives them grazing opportunities.

8. That the buffer and core areas of DSNP are mostly marshy, swampy and with numerous water channels, wetlands, which rejuvenates during annual flooding. The feral horses in the long run adopted to the riverine environment and they can navigate through flood plains, riverine sandbars and water channels.

9. Besides, the field observation suggests shrinkage of habitat of feral horses, as well as other wild animals, are mainly caused by annual flood, occurring within and surrounding landscape of DSNP. This eventually causes havoc by way of submergence of grasslands and forest vegetation, heavy siltation with sand, silt and debris, by way of erosion, annual shifting of flood plains, sand bars etc. Thus, the loss of area of DSNP is due to erosion, which is a natural calamity and this directly reduces the habitat of the wild animals as well as feral horses.

10. It is pertinent to mention that the entire area is naturally protected, as it is an island surrounded by rivers. As a result, the public intervention inside the DSNP is difficult. Even during the flood also, the whole area is not inundated and the Feral horses move to the



X

highland. The forest staff are duty bound to protect the DSNP with and they perform patrolling duty by boat and on foot stationing in anti-poaching camps inside and outside the DSNP that ensures protection and safety of all the wild animal and their habitat including the feral horses.

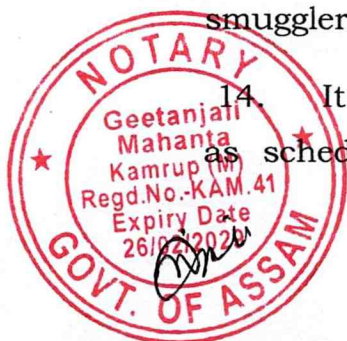
11. That as per field observation and information obtained from the forest staffs and fringe communities inhabiting around the DSNP/DSBR, there are about 175-250 Feral horses residing in the core and buffer areas of DSNP.

12. That poaching of Feral horses has never been reported till date. The forest officials and frontline staff of the Tinsukia Wildlife Division regularly conducts patrolling duty inside the DSNP as well as in buffer areas of the of the park in order to control the poaching of wild animals as well as the feral horses.

13. Moreover, mighty rivers like *River Lohit and Dibang in the East; Siang in the North; Rivers Dibru and Lohit in the South; and River Brahmaputra in the West;* around the DSNP also act as a natural barrier, as a result of which the core area of the park is not easily accessible to the miscreants and unsolicited people from surrounding areas.

Further, there is a regular monitoring of the entire area, the animal corridors in the buffer area, to restrict the entry of poachers, smugglers, fishermen etc. in the DSNP.

14. It is further submitted that, since the Feral horses are not listed as scheduled species under the Wildlife Protection Act, 1972, as



X

amended up to date, several challenges are faced by the field officials and staff in the matter of conservation and protection of Feral Horses. Therefore, if the Feral horses are included in the schedule, it will be more helpful in conservation and protection protection of the feral horses.

15. Besides the literature for conservation of feral horses in-situ, population, dynamics, their habitat preferences etc. are not available like other wildlife species. For which we will request scientific organization like Wildlife Institute of India (WII), Dehradun for undertaking such studies which will be useful for proper management of feral horses

16. The DSNP is managed on the basis of Management Plan taking into consideration of all the wildlife flora and fauna in the DSNP which also include feral horses.

17. Be it also mentioned that the feral horses of DSNP are mostly found in the core areas, which is difficult to access due to presence of river and tributaries, water channels marshy bogs etc.

18. That the statements made out in the foregoing paragraphs are true to the best of my knowledge and belief and also based on records and the same are also my respectful submissions before this Hon'ble Court and that I have not suppressed any material facts.

Besison Longpi
Advocate

Enrolment No. 1887 of 2023

Geetanjali Mahanta
NOTARY
GOVT. OF ASSAM
Kamrup (M), Guwahati
Regd.No.-KAM.41

Deponent

Ymay Gupta
Principal Chief Conservator of Forests
Wildlife & Chief Wildlife Warden
Assam, Guwahati

Solemnly affirmed before me this day,
I certify that I read over and explained
the contents to the declarant and that
the declarant seemed perfectly to
understand them