

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA
&
THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

Wednesday, the 1st day of January 2025 / 11th pousha, 1946
SSCR NO. 79 OF 2024

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER REPORT - SM.NO.79/2024- REPORT REGARDING THE PREPARATIONS AND ACTION PLANS TO BE MADE BY THE TRAVANCORE DEVASWOM BOARD, THE OTHER DEPARTMENTS OF THE STATE OF KERALA AND THE KERALA POLICE FOR PROVIDING AMENITIES AND FACILITIES TO THE SABARIMALA PILGRIMS AND FOR EFFECTIVE CROWD MANAGEMENT FOR THE ENSUING MANDALA MAKARAVILAKKU FESTIVAL 1200 M.E. COMMENCING ON 16/11/2024 - SUO MOTU PROCEEDINGS INITIATED -REG:

PETITIONER:

SUO MOTU



RESPONDENTS:

1. STATE OF KERALA, REP.BY ITS SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, THIRUVANANTHAPURAM-695001
2. STATE POLICE CHIEF
POLICE HEAD QUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM-695010
3. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA-689645
4. THE DISTRICT COLLECTOR, COLLECTORATE, PATHANAMTHITTA,
KERALA -689645
5. PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM-695014
6. DEPUTY DIRECTOR, PERIYAR WEST DIVISION, PEERUMEDU,
IDUKKI -685531
7. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANGING DIRECTOR, TRANSPORT BHAVAN,
FORT P.O., THIRUVANNATHAPURAM-695035

8. KERALA WATER AUTHORITY
REPRESENTED BY ITS MANAGING DIRECTOR, JALABHAVAN,
VELLAYAMBALAM-695033

9. DIRECTOR GENERAL, KERALA FIRE & RESCUE SERVICES HEADQUARTERS,
FIRE FORCE JUNCTION, PULIMOODU P.O., THIRUVANANTHAPURAM-695001

10. DEPUTY EXCISE COMMISSIONER
EXCISE DIVISION OFFICE, 1ST FLOOR, DEVASWOM BOARD BUILDING,
PATHANAMTHITTA-689645

11. THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM -695003

12. DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM-695003

13. THE EXECUTIVE OFFICER
SABARIMALA, PAMPA TRIVENI P.O., PATHANAMTHITTA-689670

14. THE CHIEF POLICE COORDINATOR
(ADDITIONAL DIRECTOR GENERAL OF POLICE (POLICE HEAD QUARTERS)
SANNIDHANAM, SABARIMALA, PATHANAMTHITTA, PIN-689713

***ADDL.R15 TO R17 IMPLEADED**

15. THE DISTRICT COLLECTOR,
COLLECTORATE, IDUKKI, KUYILIMALA, PAINAV P.O., IDUKKI-685 603

16. THE SUPERINTENDING ENGINEER,
KERALA WATER AUTHORITY, PUBLIC HEALTH CIRCLE, THIRUVALLA,
PATHANAMTHITTA-689 101

17. THE TRANSPORT COMMISSIONER,
KERALA, TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 014

***ARE SUO MOTU IMPLEADED AS ADDITIONAL RESPONDENTS 15 TO 17 VIDE
ORDER DATED 14/11/2024 IN SSCR.NO.79/2024**

***ADDL.R18 IMPLEADED**

18. THE SPECIAL OFFICER (DISTRICT TRANSPORT OFFICER),
KSRTC, PAMBA, PIN – 689 662
***IS SUO MOTU IMPLEADED AS ADDITIONAL 18TH RESPONDENT VIDE ORDER
DATED 15/11/2024 IN SSCR.NO.79/2024**

***ADDL.R19 IMPLEADED**

19. THE DISTRICT COLLECTOR, COLLECTORATE, KOTTAYAM-686 002
***IS SUO MOTU IMPLEADED AS ADDITIONAL 19TH RESPONDENT VIDE ORDER
DATED 02/12/2024 IN SSCR.NO.79/2024**

***ADDL.R20 IMPLEADED**

20. THE DISTRICT POLICE CHIEF,
CIVIL STATION, IDUKKI – 685 603
***IS SUO MOTU IMPLEADED AS ADDITIONAL 20TH RESPONDENT VIDE ORDER
DATED 01/01/2025 IN SSCR.NO.79/2024.**

BY DEPUTY SOLICITOR GENERAL OF INDIA

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY SRI.NAGARAJ NARAYANAN, SPECIAL GOVT.PLEADER (FOREST)

BY SRI.G.BIJU, SC, TRAVANCORE DEVASWOM BOARD

BY SRI.DEEPU THANKAN, SC, KERALA STATE ROAD TRANSPORT
CORPORATION

BY SRI.JOSHY V.V., SC, KERALA WATER AUTHORITY

BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA
SPECIAL COMMISSIONER

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDER AGAIN ON 01/01/2025, UPON PERUSING THE REPORT, AND THIS COURT'S
ORDERS DATED 31/12/2024, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ANIL K. NARENDRAN & P.G. AJITHKUMAR, JJ.

SSCR No.79 of 2024

Dated this the 1st day of January, 2025

ORDER

Anil K. Narendran, J.

The District Police Chief, Civil Station, Idukki – 685 603 is suo motu impleaded as the additional 20th respondent. Registry to carry out necessary corrections in the cause title.

2. The learned Senior Government Pleader, on instructions from the 14th respondent Chief Police Co-ordinator, Sabarimala would submit that yesterday (31.12.2024), the total footfall at Sabarimala was 1,00,483 and the tail end of the queue went up to Marakoottam. Today, 36,322 pilgrims had darshan by 11.00 a.m. and the tail end of the queue is at Saramkuthi. Crowd management is under control at Sannidhanam, Pamba and Nilakkal.

3. On 31.12.2024, when this SSCR was taken up for consideration at 2.00 p.m., this Court passed a detailed order, taking note of the issues in crowd management on account of the issuance of special passes (facilitation cards) at Mukkuzhi in Erumeli-Azhuthakadavu-Mukkuzhi-Puthuserry-Valiyanavattam-Cherianavattam-Pamba traditional trekking path (Periya Patha)

for direct entry to Pathinettampadi (18 holy steps), without waiting in the queue in Nadapanthal, based on a decision taken in a high-level meeting chaired by the Minister for Devaswom on 28.12.2024. Paragraphs 8 to 14 of the said order read thus;

"8. From the additional report dated 31.12.2024 of the Special Commissioner, Sabarimala, and the reports dated 31.12.2024 of the Additional District Magistrate, Sannidhanam and the 14th respondent Chief Police Co-ordinator, Sabarimala, we notice that the issues in crowd management at Sabarimala on 30.12.2024, which had resulted in imposing restrictions on the movement of pilgrims from Nilakkal to Pamba, was on account of the direct entry of nearly 15,000 pilgrims with 'facilitation cards' to Pathinettampadi, without waiting in the queue in Nadapanthal.

9. When the decision taken in the high-level meeting held on 28.12.2024 is to provide 5,000 special passes (facilitation cards) per day to pilgrims coming through the traditional trekking path (Periya Patha), the said facility has to be limited to those pilgrims who enter the traditional trekking path (Periya Patha) from Erumeli and proceed towards Pamba through Azhuthakadavu, Kallidamkunnu, Mukkuzhi and then to Puthuserry, Karimala, Valiyanavattam and Cherianavattam, after trekking through Periyar Tiger Reserve for a total distance of 32 Kms.

10. Having considered the submissions made at the Bar, we deem it appropriate to order that the issuance of 'facilitation cards' to the pilgrims shall be made at Erumeli

(entry point) and the said cards shall be stamped by the Forest officials at Azhutakadavu, Mukkuzhi, Puthuserry and Cheriyanavattam (exit point). The issuance of 'facilitation cards' shall be restricted to 5,000 pilgrims per day, in terms of the decision taken in the high-level meeting held on 28.12.2024. When such pilgrims reach Pathinettampadi (18 holy steps), the Police shall collect 'facilitation cards' and destroy the same, in order to prevent reuse of such cards by other pilgrims for entry to Pathinettampadi.

11. The learned Senior Government Pleader, on instructions from the 14th respondent Chief Police Coordinator, Sabarimala would submit that the special entry of pilgrims carrying 'facilitation cards' directly to Pathinettampadi (18 holy steps), without waiting in the queue in Nadapanthal is causing issues in crowd management. The pilgrims standing in the queue in Nadappanthal are also creating certain issues on seeing the pilgrims carrying 'facilitation cards' directly proceeding to Pathinettampadi without waiting in the queue.

12. Having considered the submissions made at the Bar, we deem it appropriate to direct the 13th respondent Executive Officer, Sabarimala, to inform through the public address system at Sannidhanam about such a facility provided to pilgrims who reach Sannidhanam after trekking for 32 Kms through the traditional trekking path (Periya Patha) for more than two days. In case such a facility provided to pilgrims reaching Sannidhanam through the traditional trekking path (Periya Patha) is causing issues in crowd management, the question as to whether such a facility has to be withdrawn even before 10.01.2025 has to be considered by the Travancore Devaswom Board, in

consultation with the 14th respondent Chief Police Co-ordinator, Sabarimala and the Special Commissioner, Sabarimala.

13. The learned Senior Government Pleader would also point out that the number of pilgrims, who had darshan at Sannidhanam availing real-time booking (spot booking) facility has crossed more than 22,000 on 30.12.2024. Yesterday (30.12.2024), 15,650 pilgrims had darshan availing real-time booking facility.

14. Having considered the submissions made at the Bar, we deem it appropriate to direct the Travancorde Devaswom Board, in consultation with the 14th respondent Chief Police Co-ordinator, Sabarimala and the Special Commissioner, Sabarimala to take an appropriate decision as to whether the number of real-time booking should be restricted to 5,000 or 10,000, on a particular day, considering the number of footfall and also the position of the tail end of the queue. Any such restrictions imposed, in order to ensure that the pilgrims have a safe and comfortable darshan, shall be informed to the pilgrims through the public address system at Nilakkal, Pamba and Sannidhanam and also on the trekking path from Pamba to Sannidhanam.”

4. The learned Senior Government Pleader, on instructions from the 6th respondent Deputy Director, Periyar Tiger Reserve (West Division) would submit that yesterday (31.12.2024) 19,000 pilgrims were issued with facilitation cards at Mukkuzhi. A majority of such pilgrims entered the traditional trekking path (Periya Patha) at Mukkuzhi, who reached there in

vehicles. The learned Senior Government Pleader has also made available for the perusal of this Court a video clipping of the pilgrims entering the traditional trekking path through Mukkuzhi.

5. The learned Standing Counsel for Travancore Devaswom Board would submit that considering the issues faced in crowd management at Pathinettampadi (18 holy steps) on 30.12.2024 and thereafter on 31.12.2024, on account of large number of pilgrims reaching Sannidhanam with facilitation cards issued at Mukkuzhi, the Board has taken a decision to suspend, for the time being, the issuance of facilitation cards to pilgrims at Mukkuzhi for direct entry to Pathinettampadi, without waiting in the queue at Nadappanthal. Based on that decision, the issuance of facilitation cards at Mukkuzhi has already been stopped.

6. The Special Commissioner, Sabarimala has filed an additional report dated 01.01.2025, wherein it is stated that on 31.12.2024, about 20,000 pilgrims were issued with facilitation cards at Mukkuzhi. As part of crowd management, it was decided to stop the issuance of facilitation cards at Mukkuzhi. Today morning, about 8,000 pilgrims who gathered at Mukkuzhi held a demonstration in order to pressurise the authorities to issue facilitation cards. As per the information gathered, certain local

people and agents with vested interests were behind the demonstration, which has to be dealt with appropriately by the Police.

7. On the above issue, the learned Senior Government Pleader, on instruction from the additional 20th respondent District Police Chief, Idukki, would submit that the Deputy Superintendent of Police, Special Branch, handled the situation at Mukkuzhi with the support of the Forest Officials, in order to ensure that there is no law and order issues. The pilgrims were informed about the decision taken by the Travancore Devaswom Board to suspend, for the time being, the issuance of facilitation cards, and also the directions contained in the order of this Court dated 31.12.2024. Now, the pilgrims started moving through the traditional trekking path (Periya Patha) from Mukkuzhi.

8. As already noticed in the order of this Court dated 31.12.2024, when the decision taken in the high-level meeting held on 28.12.2024 is to provide 5,000 special passes (facilitation cards) per day to pilgrims coming through the traditional trekking path (Periya Patha), the said facility should have been limited to those pilgrims who enter the traditional trekking path (Periya Patha) from Erumeli and proceed towards Pamba through

Azhuthakadavu, Kallidamkunnu, Mukkuzhi and then to Puthuserry, Karimala, Valiyanavattam and Cherianavattam. Now, on account of the issues in crowd management at Sannidhanam, the Board has already taken a decision to suspend the issuance of facilitation cards to pilgrims coming through the traditional trekking path (Periya Patha), for the time being.

9. Having considered the submissions made at the Bar, we deem it appropriate to direct the 14th respondent Chief Police Coordinator, Sabarimala, the 3rd respondent District Police Chief, Pathanamthitta, the 4th respondent District Collector, Pathanamthitta, the additional 15th respondent District Collector, Idukki, the additional 20th respondent District Police Chief, Idukki, and the Forest Officials under the 6th respondent Deputy Director, Periyar Tiger Reserve (West Division) to ensure proper crowd management at Sabarimala, including the traditional trekking path (Periya Patha), in order to ensure that the pilgrims have a safe and comfortable darshan during the Makaravilakku festival season of 1200ME (2025). The 14th respondent Chief Police Coordinator, Sabarimala, shall deploy experienced police personnel at Pathinettampadi (18 holy steps), for regulating the movement of pilgrims, to ensure that all pilgrims have darshan of Lord

Ayyappa when the Sanctum Sanctorum of Sabarimala Sree Dharma Sastha Temple remains open.

10. A report of the additional 20th respondent District Police Chief, Idukki, on the demonstration held today morning at Mukkuzhi shall be placed on record by the next posting date.

List on 06.01.2025.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

P.G. AJITHKUMAR, JUDGE

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