

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPPIL No.58 of 2019Sanjay Rajak **Versus** State of Chhattisgarh and others

Alongwith

WPPIL No. 63 of 2019Rajesh Chhikara **Versus** State of Chhattisgarh & Others

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06/11/2023	Heard Mr.Amit Soni and Mr.Palash Tiwari, learned counsel for the respective petitioners. Also heard Mr.Chandresh Shrivastava, learned Additional Advocate General for the State, Mr.Ramakant Mishra, learned Deputy Solicitor General for the Union of India, Mr.H.B.Agrawal, learned Senior Advocate assisted by Mr.Amit Tirkey, learned counsel, Mr.B.D.Guru, Mr.Dhiraj Wankhede, Mr. K. Rohan and Ms.Sandhya Tiwari, learned counsel holding the brief of Dr.Sudeep Agrawal, learned counsel for the respective respondents. In compliance of the order dated 19.09.2023 passed by this Court, the Chief Secretary, State of Chhattisgarh has filed his personal affidavit in which he has stated that earlier report has been submitted in compliance of this Court's order dated 13.07.2023 and as this Court found that the stray cattles were still wandering over the National Highways and on road of the different districts throughout the State, the Court has granted time enabling all the stakeholders to ensure curtailment and removing of stray cattle. He submitted that earlier the meetings were convened and

directions have been issued to all the concerned Departments for taking steps preventing the stray cattles wandering on the roads. On 22.09.2023 to make the earlier steps more effective, again issued further directives to all the Collectors to give preference for the following action to make effective plan removing the stray cattles from the National Highway/Road:

- i. For making government arrangement to monitor stray cattle on roads.
- ii. Effective system be put in place for receiving complaints from road travelers, media and other means.
- iii. Making arrangement of adequate equipments/cow catcher vehicle and nominated staff for quick action on the above information. Visible action taken by them in the field.
- iv. To take demonstrative actions against cattle owners, who habitually abandon their animals on the streets.
- v. In the medium term, to improve the cattle breed in identified areas castration by performed and to take serious efforts for changing the behavior of cattle owners in identified villages and cities.
- vi. Monthly review of the above actions in the District Level Road Safety Committee, meeting and assessment of success in the field and continuous improvement in the strategy based on experience. Copy of the letter dated 22.09.2023 is filled as **Annexure R/12.**

He also submitted that on 13.10.2023, third review meeting was convened by the deponent of the committee constituted for the purpose

of removal of stray cattles and therein appraisal of earlier directions was made and further directions were issued to the different Departments. During the meeting, all the Divisional Commissioners were instructed to coordinate with the authorities of National Highway. It was informed by the authorities of National Highway that total 18 villages are most affected areas from where daily stray cattles are being removed and for that a team has been constituted who works in three shifts. The complaints received through Toll Free No.1033 have also been disposed and prompt action has been taken. It was informed by the National Highway, PWD that 35 places have been identified to be vulnerable and mapping work is in progress for removing the stray cattles, 135 persons have been deputed and for other places also the Departmental Officer/Employees have been assigned duties. It was reported by the Department of Police that Police Vehicles are deployed on road are also being utilized for removal of the stray cattles and for that instructions have been issued to the concerned officers. The Department of Veterinary informed problems in keeping the cattles due to shortage of space and arrangements for opening new Gaushalas, for which they have already issued tenders and as such were further instructed by the construction of Gaushalas for keeping of the stray cattles.

He further submitted that after receiving the reports from all the Departments with regard to action which they have taken, they were instructed for removal of their difficulties and specifically directing in the meeting to all the stakeholders to make further action plan specifically identifying the places and assigning the duties to the officers designated

by name for monitoring, to receive the information and reports from such officers who have been deputed for the work of monitoring and immediate removal of cattles from the roads, to issue the standard directions for the officers who were assigned duties to make arrangement of the vehicles and identify the places where the cattles are to be kept on receiving the information. Copy of the minutes of the meeting dated 13.10.2023 is filed as **Annexure R/13**. As per the agenda and the directions issued to the different Departments for taking further action with regard to removal of stray cattles reports were received from all the different Department wherein the following action has been highlighted:

- I. **NATIONAL HIGHWAY AUTHORITY OF INDIA**: As per the action taken report of the National Highway Authority of India, they have displayed Helpline No.1033 in all National Highways. Complaints are being registered regarding any cattle menace and the same was being forwarded to the Accident Management Team and Cattle Rescue Team and immediate action is being taken. As per the report till 26.10.2023, total 76 number of complaints regarding accident due to cattle were reported and all are resolved satisfactorily. Proper advertisement of Helpline No.1033 has been carried out promoting the public awareness. The Cattle Rescue Team has been deployed in three shifts and for identified 65 number of location persons are deployed 24X7 hours for removal of cattle. As per their data in the month of August 2023, about 15,223 cattles in the month of September, 2023 about 16,810

number of cattles and in the month of October, 2023 about 13,446 cattles in total 45,687 cattles have been removed from the project highways. Copy of the action taken report of the National Highway Authority of India is filled as **Annexure R/14**.

II. **DEPARTMENT OF URBAN ADMINISTRATION &**

DEVELOPMENT: As per the report received from the Department of Urban Administration & Development from the Five Divisions, 73,510 stray cattles and around 18716 number of domestic cattle were removed from the road in total which come to 92,226. The stray cattles were shifted to kanji house/Gouthan/Gaushalas/other places in total 59785 number of cattles were relocated in all the 5 Divisions. Radium belt was tagged and in total in last four months, 34787 number of cattles were placed with Radium Belt either by Gau Seva Sansthan or by the Department or through other medium in all the 5 Divisions. Fine was also imposed on various persons. A detailed report with regard to the above information received from the Department is filed as **Annexure R/15**.

III. **DEPARTMENT OF PANCHAYAT AND RURAL DEVELOPMENT:**

The Department of Panchayat have also submitted its report for the last three months and in total 30,662 number of cattles were brought to the Kanji House/ Gothan after removing them from the roads throughout the State. Total 1887 owner of such stray cattles were imposed with fine and an amount of Rs.7,77,445/- has been recovered from them. As per the report throughout the State in different districts, the catchment areas have been identified

wherein number of stray cattles are being found and the availability and requirement of Kanji House/ Gouthan in those areas. Copy of the report submitted by the Department of Panchayat is filed as **Annexure R/16.**

IV. **DEPARTMENT OF VETERINARY:** Department of Veterinary in the last three months have also acted in terms of the directives and in total 61380 cattles were tagged, 11,652 were placed Radium belt by the Department in the Catchment Area and in total 41,696 cattles have been relocated from the roads to different Gaushalas/ Gouthans/ other places by the Department with the assistance of other Departments. In Catchment Areas, 5792 cattles, as per the directives issued by the Directorate, have been castrated and further advertisement was issued for establishment of new Gaushalas by the Department and the same is under process. Copy of the reports received from the Department of Veterinary is filled as **Annexure R/17.**

V. **DEPARTMENT OF POLICE:** Department of Police have in compliance of the directives for removal of the stray cattles from the roads reported that around 278 informations by the Highway Patrolling and other Patrolling Vehicles was reported to 1033 for removing that cattles from the Highways. The Department has also attempted to bring awareness amongst the cattle owners for keeping their cattles within bounds. Copy of the report received from the Department of Police is filed as **Annexure R/18.**

VI. **DEPARTMENT OF PUBLIC WORKS (NH):** At the report received

from the Public Works Department (NH) in collaboration with the other Departments action has been taken for removal of cattles, prevention of accidents due to stray animals for which manpower has been deployed at different identified places for removal of the animals from the roads. Copy of the abstract information submitted by the Department of PWD (NH) is filed as **Annexure R/19.**

He has also submitted that the issue is continuously being monitored and all the Departments throughout the State are in cooperation taking action for preventing the roaming of stray cattles on roads and further action plan is being prepared on the basis of reports received for making the steps mere effective in its implementation.

Whatever the steps which has been taken by the Chief Secretary, State of Chhattisgarh are taken on record by this Court, but in order to see that the grievance of the stray cattles are total wipe out from the National Highways and from other roads of different Districts, it is further directed that all the stakeholders shall continuously monitor that no stray cattles are found on the National Highways or on road of the Districts of the State.

All the respondents are directed to file fresh affidavits regarding monitoring and steps taken by them in this regard.

Let be matters be again listed on **19.12.2023.**

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

