

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPPIL No. 58 of 2019

Sanjay Rajak **Versus** State Of Chhattisgarh

WPPIL/63/2019

08.07.2024	Heard Shri Palash Tiwari, Shri Prakash Tiwari, and Shri Amit Soni learned counsel for the respective petitioners. Also heard Shri Yashwant Singh Thakur, learned Additional Advocate General for the State, Shri Dhiraj Kumar Wankhede, learned counsel for the NHAI (National Highway Authority of India), Shri Pankaj Agrawal, Ms Chetna Sharma, Shri Sumit Singh, Shri AS Kachhawaha, Shri Sourabh Sharma, Shri Ashish Tiwari, Dr Sudeep Agrawal, Shri Rakshit Tiwari, Ms Sonia Kuldeep, learned Advocates for the respective respondents, and Shri Rajkumar Mishra, intervenor in person, appeared through video conferencing. In compliance of the order dated 09.04.2024, passed by this court, the State has filed an affidavit on 04.07.2024, affirmed by the Superintending Engineer, PWD, NH Circle,

Bilaspur, district-Bilaspur, which is extracted here below for ready reference:

“1. That, a joint meeting was called by the Chief Secretary, Government of Chhattisgarh on 27.06.2024 which was attended by the Secretary, Public Works Department, Secretary, Urban Administration & Development Department, Director, Animal Husbandry, representative of the Additional Chief Secretary, Department of Home, Principal Secretary, Panchayat and Rural Development Department, Additional Director General of Police, chief Executive Officer, Nawa Raipur Development Authority and representatives of NHAI & MORTH and Collector, Raipur, Bilaspur, Raigarh and Korba.

The meeting was called to discuss the issue of stray cattle on the National Highway and State Highways and measures to prevent accident and to control stray cattle on the roads. The important roads of the State has been divided into different sections to effectively deal with the menace of stray cattle on roads.

2. That, in the meeting dated 27.06.2024 emphasize was on coordination with different departments in controlling the menace of stray cattle on the roads, appointment of Nodal Officers for stretches of roads and for issuance of Standard Operating Procedure.

3. As many as 7 stretches of roads have been enmarked in the State for controlling stray cattle on the roads and for each and every stretch of road a work has been discussed. A copy of minutes of the meeting dated 27.06.2024 is filed as **Annexure D-1**.

It would be pertinent to mention that there would be continuous inspection and monitoring of the roads for removal of stray cattle and each department has been directed to prepare its own Standard Operating Procedure and to act upon the said Standard Operating Procedure to minimize stray cattle."

On perusal of the said affidavit, we find that though needy steps have been taken to curb the menace of stray cattle, they are not enough, and strict action to be taken to suppress the menace.

Though orders have been passed by this Court at regular intervals for curbing the menace of stray animals sitting/coming on the highways and roads of different cities in the State of Chhattisgarh, and though efforts have also been made by the respective stakeholders but recently, it has been noticed in the news item published by the 'Times of India' on 7th July, 2024, that 15 cows killed and 3 left injured in an accident occurred in the Kirna area of Tilda block by the unidentified vehicle, and the villagers blocked the road. Said news clipping was produced before this Court by one of the petitioner's counsel. Further it is noticed that because of the rainy season, stray cows are sitting on the roads and highways, and the steps which have been taken by the stakeholders for preventing any death of the animals as well as the human beings going on the roads, have not been found to be more effective. In view of the same, it is directed that the Chief Secretary of the State shall issue necessary and effective orders to all the stakeholders in the districts of the entire State, which may also include Officers of the State/District Administration, as well as the Municipal

Commissioners of Nagar Palika Nigam (Municipalities), and also the Gram Panchayats of the villages of nearby highways and roads, that they should take effective steps for curbing the danger of stray animals coming on the roads and highways, which also face death because of moving vehicles on the road and accident also takes place because of the animals sitting on the road and there is also loss to human lives, failing which accountability would be fixed on those stakeholders in whose area such accident/incident takes place and legal consequences would also follow.

In view of the above, matter be again listed on **5th August, 2024.**

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice