



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 58 of 2019

SANJAY RAJAK *versus* STATE OF CHHATTISGARH

WPIL/63/2019

Order On Board

05/08/2024	Heard Mr. Amit Soni, learned counsel for the Petitioners. Also heard Mr. Yashwant Singh Thakur, learned Additional Advocate General for the State, Mr. Dhiraj Kumar Wankhede, learned counsel for the NHAI (National Highway Authority of India), Mr. Ramakant Mishra, learned Deputy solicitor General appearing for the respondent/UOI, Mr. Pankaj Agrawal, Ms. Chetna Sharma, Mr. Sumit Singh, Mr. A.S Kachhwaha, Mr. Sourabh Sharma, Mr. Ashish Tiwari, Mr. Rakshit Tiwari, Sourabh Gupta, Ms. Gunja Taram, Ms. K. Radhika and Mr. Dinesh Yadav and Mr. Rajkumar Mishra, intervenor in person appeared through video conferencing. This Court on 08.07.2024 directed the Chief Secretary of the State to issue necessary and effective orders to call the stakeholders of the District of the entire State including the Officers of the State/District Administration as well as Municipal Commissioner of Nagar
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Palika Nigam/Municipalities and also the Gram Panchayat of the Villages of nearby highway and roads that they should take effective steps curbing the danger of stray animals coming on the road and highway 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 of human lives.

There is news clipping published on 17.07.2024 in Nav Bharat Bilaspur Edition (My City) that nine cows have been crushed by the vehicle in the National Highway Bypass from Silpahari Dhuma Village.

In compliance of the order dated 08.07.2024, the State Government has issued an instruction on 22.07.2024 with respect to monitoring and taking effective measures to prevent the accidents on the road in support of the instruction dated 22.07.2024 an affidavit of Superintending Engineer, Public Works Department (PWD) NH Circle, District -Bilaspur has been filed on 30.07.2024 with reads as under:-

1. That, by way of instant writ petition public interest litigation, the petitioner seeks intervention of the Hon'ble Court on the issue of unattended stray cattle on the streets and the Highways of the State of Chhattisgarh.

The case came up for hearing before the Hon'ble Court on 08.07.2024 and the Hon'ble Court was pleased to observe that though needy steps have been taken to curb the menace of stray cattle, they are not enough and direct action be taken to suppress the menace.

The Hon'ble Court was pleased to issue direction to the Chief Secretary of the State to issue necessary and effective orders to all the stakeholders to take effective steps for curbing the danger of stray animals coming on the road and Highways.

2. That, in compliance of the order dated 08.07.2024, of Chief Secretary, Government of the office Chhattisgarh has issued a memo dated 22.07.2024 addressed to the Additional Chief Secretary, Department of Home, Principal Secretary, Department of Panchayat and Rural Development, Secretary, Department of Animal Husbandry, Department of Public Works, Department of Urban Administration and Development, Chief Executive Officer, Naya Raipur Development Authority, Additional Director General of Police (Traffic), all Divisional Commissioners, all Inspector General of Police, Regional Officer, National Highway Authority of India, Regional Officer, MoRTH, Chief Engineer, National Highway and to all Collectors, Superintendents of Police, Chief Executive Officer, Zila Panchayats, Commissioner, Municipal Corporations, Chief Municipal Officer, Municipal Councils and Nagar Panchayats, Chhattisgarh.

3. In memo dated 22nd July, 2024, the office of Chief Secretary has highlighted the issue of stray cattle on the roads and Highways and cognizance taken by the Hon'ble High Court on various incidents occurring due to presence of stray cattle. A meeting through Video Conferencing was convened on 22.06.2024 and 20.07.2024 and necessary instructions were issued in the meeting of the stakeholders.

4. That, the Chief Secretary, Government of Chhattisgarh has directed to prepare a standard operating procedure by each Department to deal with the issue of stray cattle on the roads. The Standard Operating Procedure would contain a plan for vigilance and the action to be taken.

5. It is respectfully submitted that the Chief Secretary has instructed for greater endeavor for preventing accidents on account of stray cattle on the road and fixing of liability of the concerned officer/ authority. Copy of memo dated 22.07.2024 is filed herewith as ANNEXURE X-1.

The affidavit is taken on record.

It appears that only papers works has been done by the stakeholders and nothing constructive is being done and the people as well as the stray animals are losing their

lives.

The Chief Secretary of the State is directed to hold an enquiry as to who is the person responsible for the death of the cows on the National Highway and submit his report within a period of four weeks and all the stake holders shall co-operate with the Chief Secretary in the enquiry and the report should be submit within four weeks as it has been found through the news items that though this Court is monitoring the issue of stray cattles moving on the road or National Highway through-out the State and recent incident has taken place where nine cows were crushed on the National Highway by the vehicles moving and the driver of the vehicle has fled away, as has been published on 17.07.2024 in Nav Bharat daily newspaper Bilaspur edition.

List this case on **23rd September, 2024.**

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice