



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 58 of 2019

Sanjay Rajak **Versus** State of Chhattisgarh & Others

WPIL/63/2019

Order on Board

23/09/2024	Heard Mr. Sunil Otwani, learned counsel for the petitioner in WPIL No. 58 of 2019 and Mr. Palash Tiwari, learned counsel for the petitioner in WPIL No. 63 of 2019. Also heard Mr. Yashwant Singh Thakur, learned Additional Advocate General, appearing for the respondents/State, Mr. Dhiraj Kumar Wankhede, learned counsel appearing for respondent/ NHAI, Mr. Ramakant Mishra, learned Deputy Solicitor General along with Ms. Anmol Sharma, learned Central Government Counsel, appearing for the respondent/ UOI, Mr. Pankaj Agrawal, Mr. A.S. Kachhawaha, Mr. Ashish Tiwari, Mr. Anuroop Panda, Mr. Dhaneshwar Yadav, Dr. Sudeep Agrawal, Mr. Chaitram Sahu holding brief of Mr. Sourabh Sharma,

learned counsel for the respective respondents and Mr. Rajkumar Mishra, intervenor in person, appearing through video conferencing.

In compliance of the order passed by this Court dated 05.08.2024, an affidavit has been filed by Chief Secretary, Government of Chhattisgarh. Operative portion of the said affidavit reads as under :

“3. It is most humbly submitted by the deponent that in compliance of the Hon'ble Court's order dated 05.08.2024, a meeting was convened on 10.08.2024 in which Principal Secretary, Panchayat & Rural Department, Secretary, Veterinary Services Department, Secretary, Urban Administration & Development Department, Additional Director General of Police (Traffic), Commissioner/Inspector General of Police, Bilaspur Division, President, Interdepartmental Lead Agency, Road Safety, Regional Officer, NHAI (National Highway Authority of India), Regional Officer, Regional Office Transport and National Highway, Raipur, Engineer-in-Chief, Public Works Department (N.H.) and Collector/ Superintendent of Police/ Chief Executive Officer, Zila Panchayat, Bilaspur were present. The Chief Secretary, Government

	of Chhattisgarh directed all the stake holders to enquire the incident which happened on 15.07.2024 in which 9 cattles were crushed. Copy of minutes of the meeting dated 16.08.2024 is filed herewith as <u>ANNEXURE D/1</u>. 4. That, on 10.09.2024 the deponent convened meeting of the stakeholders. In the meeting the Collector, Bilaspur was directed to submit a detailed report of the incident happened on 15.07.2024. The owner of the dead cattle was searched by the Department of Animal Husbandry by investigating in nearby villages but none came forward to claim the dead cattle. A Janchoupal was convened in nearby villages and the villagers were advised to appoint herdsman (Charwaha) in each village. The Animal Husbandry Department is also tagging the cattle in villages. The Toll Operators of the NHAI has staffed with the object of clearing the road which is also responsible for removal of stray cattle on the road. The Toll Operators and maintenance contractors of NHAI directed to keep the road obstruction free. Copy of minutes of the meeting dated 10.09.2024 is filed herewith as <u>ANNEXURE D/2</u>. 5. That, in compliance of the order issued by the Chief Secretary, Government of Chhattisgarh in
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	meeting dated 10.09.2024, the Collector, Bilaspur constituted a committee 7 members for investigation mainly on following issues: 1) Who is the owner of cattle 2) How the cattle reached on the accidental spot 3) Who is responsible for the accident 4) Any other issue That, the Collector, Bilaspur submitted a detailed report to the Chief Secretary, Government of Chhattisgarh on 11.09.2024 informing that in the enquiry it is found that the cattle were stray cattle and did not belong to nearby villages and also the owners of the cattle were not identified. The vehicle responsible for the accident was identified and the driver of the vehicle was arrested on 21.08.2024. Vehicle with registration No. CG 04 NZ 8977 owned by Neeraj Satpute and driving by Bindeshwar Dhritlahre was involved in the incident. The vehicle has been forfeited and show cause notice has been issued to owner of the vehicle. That the Superintendent of Police, Bilaspur issued declaration for reward for providing information of cattle's owner. That, the Collector, Bilaspur in its report has also informed about arrangements made by NHAI at affected
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locations. Copy of report dated 11.09.2024 of the Collector, Bilaspur is filed herewith as ANNEXURE D/3.”

From perusal of the aforesaid affidavit, it transpires that no effective solution to the problem which is being faced by the public at large has been given by the State to curb the menace of stray animals sitting/coming on the National Highways and roads of different cities in the State of Chhattisgarh and despite having been monitored by this Court for the last one year. At regular interval, it has been reported that the animals on the National and State Highways are being killed because of the road accidents and there are loss of life of human beings also. Recently, an incident has been reported in the news clipping published in the Bilaspur Bhaskar edition of daily newspaper ‘Dainik Bhaskar’ on 15.09.2024 where again 16 cattles have been crushed on Masturi-Raipur NH, bodies removed with the help of excavator.

Mr. Dhiraj Wankhede, learned counsel, appearing for the respondent/NHAI states that the Regional Officer, NHAI and Project Director, Bilaspur (Nodal Officer, NHAI)

have some suggestions and with the assistance of the State, this problem could be solved.

In view of the same, the Chief Secretary, Government of Chhattisgarh along with the Regional Officer, NHAI and Project Director, Bilaspur (Nodal Officer, NHAI), are directed to convene a meeting forthwith along with competent representatives of the Union of India, State of Chhattisgarh and NHAI to find out and draw solutions to curb out the movement of stray animals in the National Highways, State Highways and other roads over the entire State and place the same before this Court so that no such incident further takes place as it is unfortunate and disturbing to see stray animals including large number of cows lying dead on the road and many casualties taking place because of it.

Let these matters be again listed on 04.10.2024 to monitor the steps taken by the State/respondents and other stake holders.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice