



# **HIGH COURT OF CHHATTISGARH AT BILASPUR**

## **WPIL No. 58 of 2019**

**SANJAY RAJAK *versus* STATE OF CHHATTISGARH**

## **WPIL/63/2019**

### **Order Sheet**

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| <b>31/07/2025</b> | <p>Heard Mr. Amit Soni, learned counsel for the petitioner in WPIL No. 58 of 2019. Also heard Mr. Prafull N. Bharat assisted by 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 and Mr. Tushar Dhar Diwan, learned Central Government Counsel, appearing for the respondent/ UOI, Mr. Bhupendra Singh, Mr. Anuroop Panda, Dr. Sudeep Agrawal, Ms. Swati Agrawal, Ms. Chetna Sharma, Ms. Shruti Prammar holding brief of Mr. A.S. Kachhawaha, Mr. Sourabh</p> |

Sharma, Mr. Avinash K. Mishra and Mr. Ashish Tiwari learned counsel for the respective respondents, Mr. Goutam Khetrapal, learned counsel, appearing for the intervenor, Mr. Ramakant Pandey, learned counsel appearing in person as intervenor and Mr. Rajkumar Mishra, intervenor in person, appearing through video conferencing.

In compliance of the Court's order dated 16.07.2025, an affidavit has been filed by the Chief Secretary, Government of Chhattisgarh, Raipur. Operative portion of the said affidavit reads as under :

*"3. That, in compliance of the Hon'ble Court's order dated 16.07.2025, the deponent vide order dated 21.07.2025 directed the Collector, Bilaspur and Superintendent of Police, Bilaspur to submit the report on the incident occurred in the Ratanpur Kenda Road.*

*4. That, the Collector, Bilaspur vide report dated 25.07.2025 informed that in relation to the death of animals due to vehicle accident in village Baridih Tehsil Ratanpur District Bilaspur on the night between 14/7/2025*

and 15/7/2025, a three-member enquiry team was constituted under the chairmanship of Sub-Divisional Officer (Revenue) Kota, Distt. Bilaspur by the order dated 18/7/2025. The enquiry report has been submitted by the enquiry team on 25/7/2025, in which mentions that between 11.00 pm on the night of 14/7/2025 to 5.00 am on 15/7/2025, on the NH 45 main road from Ratanpur to Kenda, between village Baridih and Nandlal Petrol Pump, 17 cattle were hit by an unknown vehicle, out of which 13 cattle died immediately and 03 cattle died on the second and third day during treatment and the remaining 01 cattle is being treated. In the context of the above incident, Crime No. 473/2025 has been registered in Ratanpur police station under sections 281, 325 and 291 Bhartiya Nyay Sanhita and investigation is being carried out. The members of the enquiry team visited the spot and inspected the incident site. Separate statements were recorded by interrogating the employees of the petrol pump, various villagers and public representatives around the incident site, in which the villagers stated that the animals involved in the accident were not from the

*village but were nomads and unclaimed. Since the incident took place at night, no eyewitness of the incident could be identified and the information about the vehicle causing the accident is also not clear in the available CCTV footage. Therefore, at present, it is difficult to fix the direct responsibility of any person. The enquiry report dated 25.07.2025 of Three Members Committee is filed herewith as ANNEXURE D/1.*

*5. It is further submitted that regarding the said incident, Senior Superintendent of Police Bilaspur has reported in a letter dated 25/7/2025 that the said incident was registered at Ratanpur Police Station in Bilaspur district and a Crime No. 473/2025 under sections 281, 325, 291 of Bhartiya Nyay Sanhita was registered against the unknown driver and the unknown cattle owners who left the cattle in a dangerous condition and investigation was taken up.*

*In the investigation of the crime, all efforts are being made for the immediate arrest of the unknown vehicle driver. During the investigation, it is informed that 08 suspicious vehicles passed through the said*

*place during the time period of the incident, for which confirmatory evidence is being obtained by checking 08 suspicious vehicles out of thousands of vehicles in the cameras installed on the roadside at Bhojpuri, Paraghat and Limha Toll Plazas and villages situated on that route, so that the real vehicle / driver can be caught as soon as possible. It is further submitted that the villagers are being questioned to identify the cattle owner. Copy of report dated 25.07.2025 of Senior Superintendent of Police, Bilaspur is filed herewith as ANNEXURE D/2.*

*6. It is most humbly submitted that to prevent these accidents, a joint team has been formed by the District Administration. Meetings have been held in rural areas with the local people in the presence of Panch, Sarpanch and village level officials and the cattle owners present in the village have been informed that strict action will be taken if the cattle are left unclaimed. Also, all the Station House Officer of the Police Stations have been directed to inform the cattle owners of their area about this information by making an 6. announcement. The*

*Municipal Corporation is registering First Information Reports against the owners of cattle left in the city. In this regard, a case has been registered against the cattle owner in Sarkanda Police Station under Crime No. 978/25 U/s 3 (11) (1) (P) of Prevention of Cruelty to Animals Act, 1960 and U/s 291, 32, 285 of Bhartiya Nyay Sanhita. Also, efforts are being made with the available means to prevent accidents, under which radium strips have been installed on more than 2000 cattle in urban and rural areas.*

*7. That, to prevent recurrence of the above incident, the Collector, Bilaspur directed the Commissioner Municipal Corporation Bilaspur to submit the report regarding the corrective measures to be taken for urban areas. The Commissioner Municipal Corporation Bilaspur has written in his report dated 23/7/2025 that the main places where stray cattle gather have been marked. Stray cattle are being sterilized with the help of the Animal Husbandry Department and the animals are being handed over to needy animal keepers. Stray cattle roaming on the road and main routes are being taken to animal shelters located in the Municipal*

*Corporation area and other rural areas, where arrangements for their fodder and water are being made. A helpline no. 07752-471224 has been issued for complaint regarding Stray cattle sitting on the road in Bilaspur Municipal Corporation area. On receipt of the complaint, action is taken to immediately remove the animals from the road. Under the Animal Trespass Act, punitive and penalty action is also being taken against the cattle owners. Along with this, efforts are being made to change the behavior by conducting door-to-door survey of animal owners and publicity and announcement through loudspeakers.*

*8. That, the Collector, Bilaspur also called report from the Chief Executive Officer, District Panchayat Bilaspur regarding the implementation of corrective measures for rural areas. The Chief Executive Officer, District Panchayat Bilaspur has reported in the report dated 25.07.2025 that in order to ensure proper management, and arrangement of proper monitoring stray animals/stray animals from problematic NH/SH and main roads under the rural areas of Bilaspur District, each development*

*block has been divided zone wise and a monitoring team has been formed in each Gram Panchayat. A proposal has been passed to impose fine on cattle owners by organizing a meeting at the Panchayat level in each Gram Holding/catching areas are being constructed mainly in Panchayat. the identified problematic roads. Settlement sites are being selected in each development block to keep the animals and new animal sheds are constructed. Action is being taken with the help of also being NH/NHAI/Police and Veterinary Department to displace the animals. Along with this, continuous awareness programmes are also being run in the Gram Panchayats adjacent to the National Highway and other main roads, so that loss of life/accident/animal loss due to animals can be avoided.*

*9. That, regarding the management of stray animals, the Joint Director, Veterinary Services, District Bilaspur, Chhattisgarh has prepared an action plan and is implementing it. According to which, the caught animals are being distributed to animal keepers of Baiga/Birhor Tribe residing in rural areas. To provide shelter to stray animals, it has been*

*proposed to establish a cow sanctuary on 205.10 acres of land in Village Jogipur, Tehsil Ratanpur, in which along with keeping the animals, arrangements for pasture will also be made. Surveillance/control teams have been formed in every gram panchayat of the district, which are monitoring the movement of stray animals on National Highways and main roads and removing them from the road. Action is being taken by forming cluster-wise teams for the sterilization of stray animals. A public awareness campaign is also being run to prevent accidents caused by stray animals by organizing Jan Chaupal in various villages. A proposal has been sent to the Director, Veterinary Services, Raipur for the establishment of leased-deed based cluster cow shelters in departmental/government land under the Veterinary Department. Radium collar belts are being put on animals for sighting of animals at night and ear tagging is being done for the identification of animals and cattle keepers. Copy of the report dated 25.07.2025 of the Collector, Bilaspur is filed herewith as ANNEXURE D/3.*

*10. It is submitted that the sign boards have been installed at sensitive places marked along the road and a platform is being constructed for the National Stray Animal Holding Area.*

*11. It is respectfully submitted that on 25.07.2025 the Hon'ble Chief Minister has also convened a high level meeting for permanent solution of the problems of the stray cattle. In the meeting the Hon'ble Chief Minister expressed that this problem is serious in both urban and rural areas and any kind of laxity in its solution will not be acceptable. The Hon'ble Chief Minister directed to develop effective and practical models for the management of animals, especially in the villages located along the national highways. The Hon'ble Chief Minister said that the presence of animals on the highway not only obstructs traffic but also causes fatal accidents, hence action in this direction is necessary on priority basis.*

*12. It is most humbly submitted that in the present case of accident, an FIR has been lodged and the guilty unknown driver and the guilty unknown animal owners are being searched for. Along with this, continuous*

*efforts are being made to ensure proper arrangements for the safety of animals in the district.”*

It has been brought to the notice of this Court that today also, one incident of road accident took place in the National Highway, in which as many as 07 cattles have been died and such incidents are being taken place on regular intervals.

The Project Director of the National Highway Authority of India (NHAI) is directed to file personal affidavit in order to demonstrate before this Court regarding measures taken by the NHAI with respect to stray cattle found on the road due to which accidents are being taking place and loss of human lives as well as death of animals in large numbers are seen through News items and Social Media, which goes to show that inspite of fact that though the State and the NHAI are taking some measures to curb the said problem, but the said measures are insufficient. Hence, we direct the NHAI to take some positive measures in order to aware the public at large that they should be cautious while

driving as well as they should be made aware through all modes as they may deem fit with respect to travelling cautiously on the road so that no untoward incident happens to the persons as well as to the animals, which are found sitting on the road.

We further direct that the State should also take effective measures promptly as has been stated by the Chief Secretary in his afore-quoted affidavit.

It has been brought to the notice of this Court with respect to the shops besides Pendridih bypass over the Government land, wherein large number of vehicles including heavy trucks are parked for taking refreshment and to repair trucks etc. and the said shops are being given on rent by the Gram Panchyat, Pendridih.

Office is directed to implead Gram Panchayat, Pendridih, through its Secretary, as party respondent and send a copy of this Court to him for necessary information and compliance forthwith.

The District Magistrate, Bilaspur is directed to file his personal affidavit with respect to the averments

made by the intervenor – Aman Singh in I.A. No. 13 of 2025 and the District Magistrate is further directed to ensure that there is no traffic congestion because of the shops being run at Pendridih bypass and further no antisocial activities be allowed to continue. Earlier also this Court had passed the order that there should be no encroachment under the bridge near Pendridih bypass. We hope and trust that place under the said bridge shall be made clean and beautification shall be done with sufficient street lights etc.

Gram Panchayat, Pendridih is also directed to ensure that the shops, which are running in the Pendridih bypass, do not allow the truck owners or any other person to have their vehicle stop there and have refreshment or lunch there, failing which, this Court would pass appropriate orders. Further, the Gram Panchayat, Pendridih is also directed to arrange alternate place for the said shops.

Mr. Ramakant Pandey, intervenor in person, appears and submits that he has suggested some ways

to curb the cattle menace on the highways and the roads of the districts of the State, but till date, no action has been taken by the State in this regard, to which, learned Advocate General submits that the suggestions given by the said intervenor has been taken into consideration, a meeting was arranged and suggestions were called for from the general public and thereafter an SOP has been issued and additional financial aid have already been given to 63 private Gaushalas.

Let these matters be listed again on **19<sup>th</sup> of August, 2025** for further monitoring of the matter.

Sd/-  
**(Ravindra Kumar Agrawal)**  
Judge

Sd/-  
**(Ramesh Sinha)**  
Chief Justice