



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 58 of 2019

SANJAY RAJAK *versus* STATE OF CHHATTISGARH

WPIL/63/2019

Order Sheet

19/09/2025	Heard Mr.Amit Soni, learned counsel for the petitioner in WPIL No.58 of 2019 and Mr.Palash Tiwari, learned counsel for the petitioner in WPIL No.63/2019. Also heard Mr.Yashwant Singh Thakur, learned Additional Advocate General, appearing for the respondent/State, Mr.Dhiraj Kumar Wankhede, learned counsel, appearing for the respondent/NHAI, Mr.Tushar Dhar Diwan, learned Central Government Counsel, appearing for the respondent/UOI, Dr.Sudeep Agrawal,

Ms.Harneet Kaur, learned counsel holding the brief of Mr.Sourabh Sharma, Mr.Rupesh Chitkara, learned counsel holding the brief of Mr.Bhupendra Singh, Ms Chetna Sharma, Ms Preeti Yadav, learned counsel holding the brief of Mr.Pankaj Agrawal, Mr.Anuroop Panda, Mr.Saurabh Shukla, learned counsel holding the brief of Mr.Ashutosh Singh Kachhawaha, Mr.Anil S. Pandey, Mr.R.S.Patel, Mr.Gautam Khetrapal, learned counsel, appearing for the respective respondents and Mr.Rajkumar Mishra, intervener in person, appearing through video conferencing and Mr.Mayank Chandrakar, learned counsel for the intervener.

In compliance of the Court's order dated 19.08.2025, the Project Director, PIU-Korba and in additional charge of Project Director, PIU-Bilaspur on behalf of National Highways Authority of India has filed his personal affidavit which is reproduced hereinbelow:-

“1. That, the present petitioner namely Sanjay Rajak filed writ petition under Article 226 of the Constitution of India by way of a public interest litigation (PIL) and also

	declared that he has no personal interest and prayed for suitable direction to the State Government to ensure that the menace of stray cattle to be eradicated from the roads of Chhattisgarh and to take appropriate action against the owners and persons who are leaving their cattle to stray on the roads and also prayed for issuance of suitable direction to the competent authority to give adequate and proper police protection to the concerned authorities / persons who are in-charge of catching cattle's and animals on the public roads. 2. That, the present case was last listed on 19.08.2025, wherein this Hon'ble Court observed that: "From the affidavit filed. It appears that the authorities have confined their remedial measures to NH 130/49 and the Bilaspur Bypass Section of NH-49, whereas no steps have been reported with respect to the part of NH 130 which passes through Ratanpur namely the Bilaspur-Ambikapur National Highway. In view thereof, the Project Director, National Highways Authority of India (NHAI), is directed to file a personal affidavit placing on
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	record the measures undertaken with regard to the Bilaspur-Ambikapur stretch of NH-130 through Ratanpur. The NHAI is further directed to take concrete steps for creating public awareness so that commuters are adequately cautioned while driving, and the public at large is sensitized through appropriate modes as may be deemed fit. Such awareness shall ensure that no untoward incidents occur either to road users or to animals straying on the highway". 3. That, in compliance of the order dated 19.08.2025, the Deponent is submitting the various measures taken to prevent stray cattle found on roads of National Highway via present affidavit. 4. That, it has been conveyed to the office of deponent by way of incessant correspondence that, office of NHAI PIU-Bilaspur, in Bilaspur to Pathrapali section (from Km 0.000 to km 53.300) & Katghora-Shivnagar section (from Km 82.500 to Km 163.400) of NH-130 and office of NHAI PIU-Korba, in Pathrapali to Katghora section (from Km 53.300 to km 82.500) section of NH-130, has relentlessly working in National
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	Highway section under jurisdiction of NHAI, clasping hands with the concerned O&M Contractors/Concessionaires, for purpose of completion of the subject matter project. There are Three O&M Contractor team engaged for undertaking the designated works 1.e., M/s Bilaspur Pathrapali Pvt. Ltd. in Bilaspur to Pathrapali section (from Km 0.000 to km 53.300), M/s Pathrapali Katghora Pvt. Ltd. in Pathrapali to Katghora section (from Km 53.300 to km 82.5001 section and M/s Kanhaiyalal Agrawal in Katghora-Shivnagar section (from km 82.500 to Km 163.400) of NH-130, carrying out the operation & maintenance works in their sections. Further, the Shivnagar-Ambikapur section (from Km 163.400 to Km 215.800) of NH-130 is with PWD NH (Ambikapur Dn.). 5. That, in compliance of the Hon'ble Court order dated 19.08.2025, the concerned concessionaire/contractors who are engaged for the operation & maintenance of subject matter NH Project are directed to undertake mitigation measures to control cattle menace on highways in addition to existing works being carried out site i.r.t.
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	WPIL 127/2021. 6. That, Report and the action taken by NHAI with regard to the Bilaspur-Ambikapur stretch of NH-130 through Ratanpur are as follow: i. Details of works being carried out in the site are as follows: a) Construction of Cattle platform/sheds: A Cattle Platform measuring 20m x 20m has been constructed at the Pendridih location (Km 0.00 on RHS SR) within the Bilaspur-Pathrapali section of NH. This platform is intended to provide a designated area for stray cattle, preventing them from wandering onto highways. Additionally, two locations along NH-130 in Belmundi and Ratanpur villages have been identified for the construction of cattle sheds. In this regard, the NHAIPU Bilaspur, through a letter dated 06.09.2025, has requested the relevant SDMs, namely SDM-Kota and SDM-Takhatpur, to grant the necessary permissions and take further actions so that NHAI can proceed with the construction of cattle sheds at these designated sites to accommodate stray cattle in the near future. The construction
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	work will commence following the transfer of land to NHAI from the district administration. Copy of the letters dated 06.09.2025 is filed herewith as <u>ANNEXURE - A</u>. b) Highway Lighting: Currently, all damaged lights along the Bilaspur-Pathrapali section of NH-130 are fully operational, and any defects have been promptly addressed by the O&M team as needed. c) Installation of Cattle Sign Boards: The O&M Contractor/Concessionaire has installed Cattle Sign Boards at identified locations to raise warn road users egarding the possible presence of stray cattle on the highways. d) Public Awareness: i. The O&M team distributes leaflets in nearby identified villages from which cattle enter the highway section. ii. Promotion of the 1033 helpline number to highway users is being conducted through pamphlets, posters, public announcements, and messages displayed on VMS (Variable Message Display) board and in newspapers to enhanceawareness about cattle-related issues and encourage the use of helpline
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	No. 1033 for reporting any incidents or emergencies. iii. The Toll Plaza team has been directed to make regular announcements to inform road users passing through the toll plaza to exercise caution while traveling on the highway and to remain vigilant regarding the cattle menace. iv. Retroreflective Cattle Neckbands are periodically installed on the necks of stray cattle to protect them from accidents, particularly during nighttime. e) Earlier, an amount of Rs. 5.00 lakhs were once again deposited in July 2025 to the Zila Panchayat of Bilaspur for the purpose of allocating resources to manage the cattle menace during the monsoon months, specifically from July 2025 to October 2025. The same was communicated to CEO, Zila Panchayat, Bilaspur vide NHAI PIU Bilaspur letter no.1227 dated 02.08.2025. Copy of the correspondence dated 02.08.2025 is filed herewith as <u>ANNEXURE - B</u>. f) The Operations and Maintenance Contractor/Concessionaire are instructed to enhance the patrolling frequency to ensure that cattle-prone areas are monitored every
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	hour and the same is being ensured in the National Highway section. g) Laborers are being deployed at each identified cattle-prone and critical location during the daytime, and a team of labourers is assigned with the RPV to remove cattle from the highways during night time. Copy of note sheets/documents demonstrating the details of works being carried out with photographs is filed herewith as ANNEXURE C-(Colly). 7. That, the deponent has highest regard and respect for the lawful authority of Hon'ble Court and could abide by each and every direction issued by the Hon'ble Court to protect the rights if the citizen in its true letter and spirit. 8. That, it is humbly submitted that all the effective measures and actions have been taken by all the PIUs under Regional Office, Raipur (C.G.) with the clasped hand. The attached reports indicate that all the PIUs are jointly taking all the quintessential steps to reduce accidents and safeguard the lives of commuters on NH.”
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In compliance of the Court's order dated 19.08.2025, the Collector / District Magistrate, Bilaspur has filed his personal affidavit which is reproduced hereinbelow:-

"1. That, the Hon'ble Court vide order dated 31.07.2025 had directed the District Magistrate Bilaspur to file his personal affidavit with respect to the traffic congestion near Pendridih Bypass. The Hon'ble Court also directed that there should be no encroachment under the bridge and bridge shall be made clean and beatify with sufficient street lights.

2. Vide order dated 19.08.2025 the Hon'ble Court was pleased to direct the District Magistrate, Bilaspur to file his personal affidavit by the next date of hearing, indicating the road-map prepared pursuant to this Court's order dated 31.07.2025.

3. It is most humbly submitted by the deponent that the for road safety near Pendridih bypass, installation of road studs, hazard markers, flexible median-markers, Pedestrian guard rails, kerb painting, road marking, etc.

works were carried out at site. Further, the

balance works will be get completed within a week.

4. It is further submitted that for beautification and cleaning, plantation work, cleaning of highway section, fencing work beneath the Flyover portion and RE wall facia painting work is being carried out and is under progress. Further, the balance works will get completed within a week.

5. It is humbly submitted that apart from above, High Mast of Pendridih is now rectified and additional lights inside the Flyover section will get installed within two days.

Copy of photographs of present works & proposed roadmap of cleaning & beautification work being carried out is filed herewith as **ANNEXURE D/1** Collectively.”

In compliance of the Court's order dated 19.08.2025, the Chief Municipal Officer, Municipal Council, Ratanpur has filed his personal affidavit which is reproduced hereinbelow:-

“1. That, the Hon'ble Court vide order dated 19.08.2025 had directed the Chief Municipal Council Ratanpur to file an affidavit with

	respect to the traffic congestion Bilaspur-Ambikapur Stretch of NH-130, particularly the portion passing through Ratanpur. The Hon'ble Court also directed that to ascertain the role and responsibility of the local body in maintaining and regulating the said stretch. 2. Vide order dated 19.08.2025 the Hon'ble Court was pleased to direct the Chief Municipal Officer, Municipal Council Ratanpur, Dist. Bilaspur to file his affidavit by the next date of hearing, indicating the major causes of frequent accidents. 3. It is most humbly submitted by the deponent that for road safety to the portion passing through Ratanpur, the municipal council is removing the cattle from the road by catching the cow catcher. Some of the photographs are filed herewith as Annexure R/20-1. 4. It is humbly submitted that apart from above, the Municipal Council Ratanpur is ready and duty bound to comply the order of this Hon'ble Court. This affidavit may be taken on record.”
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Today also, news has been published in Daily News Paper Navbharat, My City. The news item is as follows:-

“बोदरी-चकरभाठा में सड़कों पर मवेशियों का कब्जा”

It has been published in Daily Newspaper, Navbharat, My City that in the Bodri area under the Municipal Council, the gathering of herds of cattle from lanes to main roads has become a common problem. This is affecting traffic, and vehicle drivers are frequently becoming victims of accidents. Several accidents have resulted in the death of cattle, and people have also been seriously injured. The High Court, taking cognizance of such cases, has issued appropriate directives for a solution. However, it seems that the responsible departments have no concern. On Airport Road and the railway overbridge, a large number of cattle gather at night, making it difficult even for two-wheeler riders to pass through. The situation is such that it appears as if the overbridge has been turned into a cattle shelter. Conditions are even worse in villages. The cattle left unattended are destroying

	farmers' year-round hard work. Grazing on crops is creating a crisis in the farmers' income. The Government has launched the "Gaushala Scheme" (cow shelter scheme), but there is uncertainty regarding its implementation. Even FIRs against cattle owners by villagers are proving ineffective. It is hoped that this scheme will be implemented soon so that their crops can be protected from stray cattle. It has been further published in the said newspaper that FIRs are being registered against the owners only after the death of animals. Recently, in the village of Kadar, an FIR was lodged against the owner of an animal that died in a road accident, but even this has not improved the situation. It has also been published that cattle sit on the city's main roads day and night, causing frequent traffic jams, especially at night. Despite being assigned responsibility, officials are nowhere to be seen on the ground. Existing gaushalas (cow shelters) lie deserted, and animals roam freely. Police efforts like awareness campaigns and FIRs against cattle owners have also
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proved ineffective.

Today, another news has been published in Bilaspur Bhumi (Haribhumi). The news item is as follows:-

“ट्रेलर ने सड़क पर बैठे १४ मवेशियों को कुचला, १० की मौत”

It has been published in the newspaper that the series of cattle deaths due to collisions with heavy vehicles on the roads is not stopping. A day earlier, near Gatoura, a truck ran over 8 cattle sitting on the road. On Wednesday night, a trailer crushed 14 cattle sitting on Jayramnagar Road, resulting in the death of 10 cattle. According to Masturi police, at 9:45 P.M. on Wednesday night, 14 cattle were sitting in a line on the Masturi-Jayramnagar route near the National Highway petrol pump ahead of Bhadaura Chowk. At that time, a trailer (registration number CG 11 AK 9525) coming at high speed from the Paraghat direction ran over the cattle. Upon hearing the noise, villagers arrived at the scene to find the cattle lying in a pool of blood. Out of them, 10 cattle had died and 4 were injured. Members

of Bajrang Dal and Gau Raksha Dal reached the spot after being informed. The trailer driver who ran over the cattle was intoxicated. Bajrang Dal members caught the driver and handed him over to the police. Bajrang Dal members alleged that vehicles from the same company had crushed cattle for the second time. Based on a report filed by Manjeesh Singh Thakur, head of Bajrang Dal Gau Raksha Dal from Kirari, the police registered a case under Sections 10, 4, 6, 281, and 325 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam (Farmer and Animal Protection Act) 2004, seized the vehicle, and arrested the driver. It has been further published in the said newspaper that a day earlier, under the Gatouri overbridge on the Ratanpur route, 8 cattle sitting in a line on the road were run over by the negligent driver of an unknown heavy vehicle. All the cattle died in the accident.

In view of the foregoing facts, the District Magistrate, Bilaspur is directed to file his personal affidavit before this Court, clearly indicating the steps

taken by him in response to the news reports pertaining to the incidents involving the deaths of cattle on public roads. The affidavit shall also detail any preventive or remedial measures initiated by the district administration in this regard.

The Chief Secretary, State of Chhattisgarh, Raipur is also directed to revisit the suggestions set forth in the intervention application filed by the intervener on 22.10.2024. Although an affidavit has already been filed by the Superintending Engineer, Public Works Department, National Highways Circle, Raipur on 25.04.2025, having regard to the prevailing situation, we hope and trust that the State Government shall revisit the suggestions made therein and take appropriate steps to ensure their effective implementation. The objective must be to prevent recurrence of incidents involving the deaths of animals, particularly cattle, found sitting or straying on highways and public roads within urban and rural areas. The Chief Secretary shall file a comprehensive affidavit

detailing the action taken and proposed measures for compliance, on or before the next date of hearing.

All the concerned authorities and stakeholders are directed to take necessary and effective steps to ensure that no stray animals, including cattle, are found on highways or public roads, so as to prevent any threat to public safety and avoid further loss of animal life.

List these matters on **14th October, 2025**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice