



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 89 of 2024

In The Matter Of Suo Moto Public Interest Litigation **versus**
SECRETARY

Order Sheet

04/11/2024	<p>The present public interest litigation has been registered on suo moto cognizance taken by this Court on the basis of news item published in Times City, Time of India, Raipur and The Hitavada, Window on Chhattisgarh dated 27th November, 2024. The news item is as follows:-</p> <p style="text-align: center;">“3 elephants electrocuted by loose 11KV wire in Raigarh”</p> <p style="text-align: center;">and</p> <p>The Hitavada, Widow on Chhattisgarh dated 27th October, 2024:-</p> <p style="text-align: center;">“3 elephants electrocuted”</p>

It has been published in Times City, Time of India, Raipur that three female elephants, including a calf, were electrocuted in Chuhkimar forest in Raigarh forest division on Friday night when they came in contact with an 11KV live wire hanging loose barely 3-4 meters above the ground. This takes the elephant toll in the state since 2001 to 78. The carcasses were discovered in the dense forest on Saturday morning. Two of them were hunched over in death while the calf lay almost on its back, as if it were jolted back after running to aid its mother. It has been further published that there is a clear protocol that electric lines passing over agricultural fields and through forests should be at least 7.5 metres above the ground and not dangling. Also, insulated cables are to be used, not open wires. Any violation is liable for punitive action. But an 11KV line was dangling for too low in Bakchava beat of the forest division, around 30km from Raigarh district headquarters.

It has been published in The Hitavada, Window on Chhattisgarh that three elephants were electrocuted in Raigarh district. The tragedy occurred within the premises of a forest department nursery in Chuhkimar village under Gharghora block. Animal lovers and environmentalists have

blamed the electricity department for negligence in this incident. According to the Sub-Divisional Officer (SDO) of Gharghora, who reached the spot, three elephants were electrocuted while passing through a kacchba enclosure. The forest department team is currently investigating the matter. The deceased include an adult male, an adult female, and a calf.

Ms.Surya Kawalkar Dangi, learned counsel, has wrongly filed an intervener application on behalf of intervener-Nitin Singhvi in WPPIL No.90/2024, whereas it should be filed in WPPIL No.89/2024.

It be taken on record in WPPIL No.89/2024.

Ms.Dangi submits that on 01.11.2024 one elephant has died due to electrocution at Takhatpur forest range, Bilaspur Division as the farmers have left the live electric wires on the fields as per the news report, and recently on 10.10.2024 three bears have died due to electrocution in Kanker and also the menace of leaving live electric wires in forest to kill wild animals have taken three human lives only in the month of October, 2024, two in Korba on 16.10.2024 and one in Ambikapur on 22.10.2024.

Mr.Prafull Bharat, learned Advocate General

appearing for the respondent/State submits that as per instructions received by him the incident in which three elephants have died on account of electrocution the wire was below the permissible limit and action has been taken against concerned Forest Guard and Deputy Ranger and the Electricity Department has also taken action against an erring officials.

In view of above, respondent No.1/Secretary, Energy Department, State of Chhattisgarh and respondent No.2/Managing Director, Chhattisgarh State Power Distribution Company, Raipur are directed to file their personal affidavits in the matter regarding remedial steps which have been taken by them and further, what action has been taken against the officer concerned considering the fact that on 01.11.2024 one elephant has died due to electrocution at Takhatpur forest range, Bilaspur Division as the farmers have left the live electric wires on the fields as per the news report, and recently on 10.10.2024 three bears have died due to electrocution in Kanker and also the menace of leaving live electric wires in forest to kill wild animals have taken three human lives only in the month of October, 2024, two in Korba on 16.10.2024 and one in

Ambikapur on 22.10.2024.

List this matter on **20.11.2024**.

Mr.Ramakant Mishra, learned Deputy Solicitor General appearing for the Union of India and Mr.Mayank Chandrakar, learned counsel appearing for the Chhattisgarh State Power Distribution Company, are present.

Registry is directed to publish the name of Ms.Surya Kawalkar Dangi as counsel for the intervener.

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice