

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14706 of 2022

AND

W.P. (C) Nos. 19625, 22421 of 2015 and 9056 of 2013

W.P.(C) No.14706 of 2022

*Gita Rout*

....

*Petitioner*

Mr. Ashis Kumar Mishra, Advocate

W.P. (C) No.19625 of 2015

*Mrinalini Padhi*

....

*Petitioner*

In person

W.P. (C) No. 22421 of 2015

*Dwija Dalpati*

....

*Petitioner*

Mr. Gautam Misra, Senior Advocate

W.P.(C) No.9056 of 2013

*Balagopal Mishra and another*

....

*Petitioners*

Mr. G. P. Mohanty, Advocate

-versus-

*State of Odisha and others*

....

*Opposite Parties*

Mr. Debakanta Mohanty, AGA

Mr. Ishwar Mohanty, ASC

Mr. B. K. Dash, Advocate for O.P. No.7

Mr. D.N. Mohapatra, Advocate

(in W.P. (C) PIL No.19625 of 2015)

Mr. A. Suhail, Advocate

for Intervenor in W.P.(C) No.14706 of 2022

**CORAM:**

**THE CHIEF JUSTICE**

**JUSTICE M.S. RAMAN**

**ORDER**

**15.11.2022**

**Order No.**

09.

1. The Court has had the benefit of participation online by Dr. Raman Sukumar, who is a wild life expert and specializes in elephant

movement and issues concerning elephants; he has extensive work experience in several States in the country on the issue. The Court also had the benefit of the participation online by the Joint Task Force (JTF), which has been set up. The Court was addressed by Mr. Manoj Nair, Chief Conservator of Forests (Wildlife). The Court has also been addressed by the counsel appearing for various parties and Ms. Purabi Patra, the intervener.

2. The Court has also perused the affidavits filed on 10<sup>th</sup> November, 2022 by the Chairman-cum-Convenor of the JTF as well as the Additional Superintendent of Police, who is a member of the JTF. A copy of the draft framework of the comprehensive action plan has been enclosed with the affidavit of the Chairman of the JTF. Mr. Nair informs the Court that the attempt is to roll out the action plan and achieve some of its targets by the end of December, 2022.

3. Among the issues highlighted by Dr. Sukumar was the proper mapping of elephant corridors in Odisha which according to him have not been scientifically done. Mr. Nair assured the Court that this will be one of the issues taken up by the JTF and will be addressed in consultation with the experts in the field including Dr. Sukumar. He further added that the JTF will examine the action plan that was put in place in the State of Karnataka while dealing with the similar issues as well as the “East Central India Elephant Action Plan.”

4. Mr. Nair also said that the JTF will be addressing the issues of involving the local population and finding ways of their participation in working out many of the elements of the comprehensive action plan. According to him, the electricity distribution companies have already been consulted to address the issues of elephant deaths on

account of electrocution which has been happening in great frequency in the recent past. On the issue of elephant poaching, he assured that concrete action would be taken to take the criminal cases to their logical end by having time lines for completion of investigation, filing of charge sheets and then pursuing the trial till completion.

5. The Court expects that a more detailed granular action plan on each of these aspects giving specific timelines will be placed before the Court on the next date. The Court has impressed upon the JTF that they should address two other issues: one concerns preventive measures to be adopted avoid deaths of elephants due to rail accidents and a comprehensive compensation scheme to address the issue of crop and vegetables loss as well as loss of human lives and injuries suffered as a result of the man-animal conflict.

6. Mr. Nair pointed out that there is already a compensation scheme in place. On the next date, the JTF will explain the timelines for disposing of claims for compensation under the said scheme and what amounts have been disbursed thus far.

7. Mr. Nair has taken on board the suggestion of Miss Purabi Patra that the JTF will consult Mr. Suvendu Mallik, Honorary Wildlife Warden, Khurda and Dr. Biswajit Mohanty, who is a wildlife expert.

8. List on 18<sup>th</sup> January, 2023. W.P.(C) No.14706 of 2022 be listed as the leading case.

**I.A. No.10706 of 2022 (arising out of W.P.(C) No.14706 of 2022)**

9. For the reasons stated therein and in view of the above order, the application is allowed. The intervener Purabi Patra is permitted to

participate in the present proceedings. The I.A. is accordingly disposed of.

**(Dr. S. Muralidhar)**  
**Chief Justice**

**(M.S. Raman)**  
**Judge**

*SK Jena/Secy*

