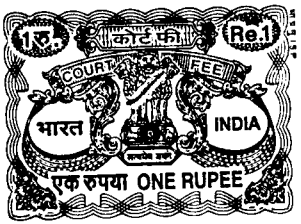


IN THE HIGH COURT OF ORISSA; CUTTACK

W.P.(C) NO.14706 OF 2022

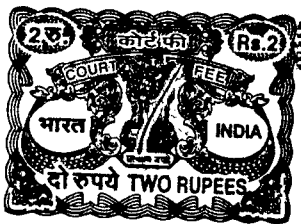


GITA ROUT ... Petitioner

-VERSUS-

STATE OF ODISHA & OTHERS

... Opp. Parties



AFFIDAVIT FILED BY CHAIRMAN-CUM-
CONVENOR, JOINT TASK FORCE IN
COMPLIANCE OF ORDER DATED 13.03.2023

9279

I, Dr. Manoj V. Nair, aged about 48 years, S/o N. Vasudevan Nair working as Chief Conservator of Forests (additional charge) O/o Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha, Bhubaneswar do hereby solemnly affirm and state as under:

Manoj v Nair

1. That, I am working as Chief Conservator of Forests (additional charge) O/o Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha, Bhubaneswar and I am competent to swear this affidavit.
2. That, the aforementioned Writ Petition was listed for hearing before this Hon'ble Court on 13.03.2023. In Paragraph-6 of the order, the Court has been pleased to direct as follows:

"On the next date, the Court will be informed in a tabular chart the names of persons who have been killed or injured or

[Signature]
M.P. SAMANTA
REGD. NO. 36/99
No. Cuttack

whose property was damaged by wild animals or those who have sustained crop losses in the last six months and what amounts by way of ex-gratia and compensation have been released to such persons or families of such persons as the case may be."

That, with regards to the direction at Para-6 of the aforementioned order, it is humbly submitted that the desired information for last six months viz. 13.09.2022 to 13.03.2023 is furnished herewith in a table as detailed below-

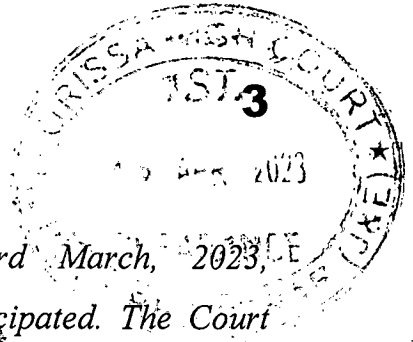
Sl. No	Particulars	Annexure No
1	In respect of Human kill	ZG/1
2	In respect of Human injury	ZH/1
3	In respect of Cattle kill	ZI/1
4	In respect of House damage	ZJ/1
5	In respect of Crop damage	ZK/1

3. That, in Paragraph-7 of the aforementioned Order the Court has been pleased to direct as follows:

"There is a series issue about deaths of elephants due to electrocution. Today, in a companion writ petition being W.P.(C) 19625 of 2015, this Court has issued notice to the five major Distribution Companies (DISCOMs) in the State of Odisha which have been made aware of the action plan and their responsibilities there under. Dr. Nair informs the Court that at a meeting,

R.P. SAMANTAR
REGD. NO. 36/99
Nota

Mang v Nair



convened by the Chief Secretary on 3rd March, 2023, representatives of these DISCOMs had participated. The Court will be informed on the next date by the JTF of the specific time-bound action plans fixing responsibilities on the DISCOMs on the steps to be taken for total prevention of electrocution deaths of elephants. The Court will also be informed as to the corrective action taken in respect of the electrocution deaths that have already taken place including one as recently as yesterday in Dhenkanal.

a) That, with regards to the direction at Para-7 of the aforementioned order, it is humbly submitted that, the approved Comprehensive Action Plan (CAP) includes among others a special chapter on **“PREVENTING ACCIDENTAL & DELIBERATE ELECTROCUTION OF ELEPHANTS”** Page no 21 under Thematic Pillar no 2 (Inter-departmental coordination) which contain the following major Action Points to be undertaken by the DISCOMs for total prevention of electrocution death of elephants.

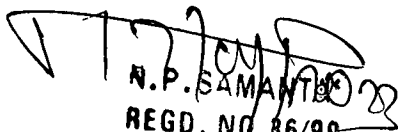
Mang V Nandan

Sl. No. of CAP	Recommended Activity	Time Line/ Periodicity	Nodal Agency/ Level within the Forest department
22	DISCOMs to ensure frequent patrolling in vulnerable locations to check illegal looking and should also take necessary legal action against such offenders	Within 6 months	DISCOM

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 REGD. NO. 36/99
 Notary, Cuttack

23	The exercise already covered to identify and map vulnerable points of electrocution in each Division (Sagging lines/ tilted poles/ interposing poles where required/ habitual hooking villages) is to be updated and periodically monitored. Accordingly appropriate mitigation measures have to be undertaken. DFOs should ensure cabling by the DISCOMs of 4444 km of bare conductors and 31,000 of vulnerable points which have been identified in elephant movement areas. These have to periodically updated after joint verification.	Every 6 Months	DISCOMs/ DFO
24	Ensure insulation of 11KV & LT lines passing through forest areas. In particularly vulnerable areas such as inside PAs with dense elephant movement, the feasibility of underground transmission lines to be explored.	Within one year	DISCOM
26	Ensure fitting of spikes on electric poles and barricading of substations/unprotected transformers, lift irrigation points in forest and forest fringe and other vulnerable areas.	Within Six months	RO/DFO/DISCOM.
30	Under Electricity Act, 2003 cases shall be booked by electricity department against offenders where electrocution death of wildlife has occurred due to illegal hooking.	Immediate	RO/JEE/SDO/Executive Engineer.

Mang V Mani

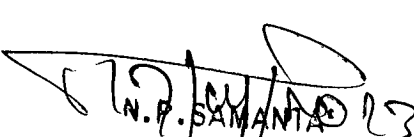

N.P. SAMANT
 REGD. NO. 86/99
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31	The Energy Dept. officials should be present in all electrocution cases and such cases should be investigated by electrical inspector.	Immediate	IO/DFO/JEE/SDO/ Executive Engineer.
32	Filing of police case by Energy Department in the local police station.	Immediate	JEE/SDO/Executive Engineer.
33	Up-gradation of electrical infrastructure and use of technology to prevent death due to electrocution. For LT distribution, fuse wires of standard rating to be used for circuit breaker. Further, (Miniature Circuit Breaker) MCB to be used in the substations of all forest fringe and other vulnerable villages for tripping electricity.	Within 6 Months	DISCOM

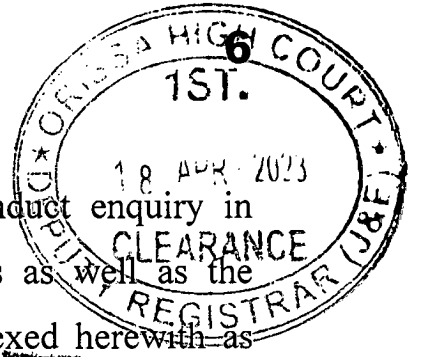
The CEO, TPCODL, Bhubaneswar, CEO, TPWODL, Burla, Sambalpur, CEO, TPNODL, Balasore, CEO, TPSODL, Berhampur have accordingly even been requested vide letter No.3798 dt.17.03.2023 of Principal C.C.F (WL) & CWLW, Odisha, Bhubaneswar to take necessary action on priority as per the said approved action plan. The said letter is annexed herewith as **Annexure ZL/1**.

Further, the CEOs of TPCODL/ TPNODL/ TPWODL/ TPSODL/ PCCF (WL) were requested by EIC (Elec.)-Cum-PCEI (O) vide letter no 1598 Dt 22.03.2023 of the Engineer-In-Chief Electricity-Cum-Principal Chief Electrical Inspector, Odisha to intimate the case of fatal/ non-fatal accident of elephants to the concerned electrical inspector of the districts within 24 hr over telephone, so that the electrical inspector


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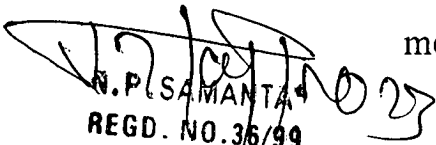
Manoj v. Mani



can rush to the spot immediately and conduct enquiry in presence of the officials of the DISCOMs as well as the Forest Department. The said letter is annexed herewith as **Annexure ZM/1.**

Further, to review the implementation of the CAP as regards prevention of electrocution, a meeting in hybrid mode was conducted on 05.04.2023 by the Chairman JTF specifically to ensure that all the DISCOMs and the Forest Dept. work together for complete elimination of death of elephants due to electrocution. There was detailed discussion on the implementation of Action Points as enumerated above. In the said meeting special emphasis was given for barricading of open transformers, fixing of inter posing poles of both HT & LT lines, conversion of LT bare conductor to AB cable, change of vaccum circuit breaker, maintenance of primary sub-station, sensitization of feeders & periodical checklist of feeder, fittings of spikes in the electric poles, establishment of elephant care control room. As per discussion with the DISCOMs in the meeting a Whatsapp group comprising of higher management of DISCOMs and Wildlife Headquarters has been created for fast dissemination of information relating to movement of elephants beyond their corridor and regular movement areas. The copy of the Minute of the above meeting is enclosed as **Annexure ZN/1.**

Mang V Mani


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b) Further, as regards the corrective action taken in respect of electrocution death that have already taken place including one as recently in Dhenkanal, the DISCOMs have already

completed 42600 numbers of HT interposing poles, 736 CKM of conversion of bare conductor to XLPE insulated cable, 14639 numbers of LT interposing poles, 677 CKM of conversion of LT bare conductor to AB cable for prevention of electrocution death of elephants in the State.

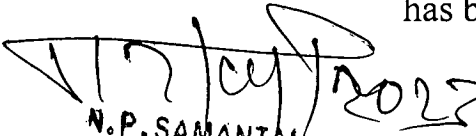
And out of the above, work done in Dhenkanal division includes 448.580 KM cabling of electrical lines and rectification of 805 number of weak points for prevention of electrocution death of elephants.

Further, two additional staff are provided by TPCODL in Dhenkanal division to be part of patrolling squad for joint patrolling of electrical lines/ installation particularly in Hindol area. Fencing of open transformers (300+) are being carried out by TPCODL on priority in Hindol, Sadangi and Angul areas.

Further, it may kindly be noted that in the instant case of Dhenkanal one person has been arrested and is under judicial custody and the case is under investigation.

4. That in Paragraph-10 of the aforementioned order the court has been pleased to direct as follows:

"As regards the case of a poaching death in Similipal, it is stated that the final report has already been filed. The Court will be informed on the next date of the progress in the said


N.P. SAMANTA
REGD. NO. 36/99
Notary, Cuttack



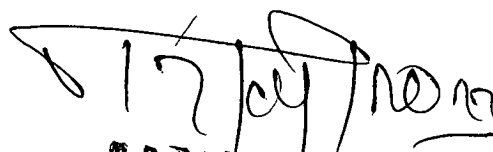
Mang v Mani

case. The separate affidavits of the ASP complying with the directions issued in this order and of Dr. Nair, the Convener of the JTF be filed at least one week prior to the next date. The affidavit of the JTF will also indicate what precise steps have been taken in terms of the action plan where immediate steps were to be taken”.

That with regards to the direction at para-10 of aforementioned order, it is humbly submitted that many of the action points of the approved CAP are already ongoing and require renewed focus and attention for ensuring effective conservation of elephants. The action points that are to be implemented immediately is annexed herewith as **Annexure ZO/1**.

The status of implementation of these action points that were to be taken with immediate effect at Divisional level and Circle level are annexed herewith as **Annexure ZP/1** and **ZQ/1**, respectively.

5. That, the humble Opposite Parties craves leave of this Hon'ble Court to make further submissions and file further affidavits, in the interest of justice and effective adjudication by this Hon'ble Court.


R.P. SAMANTA
 REGD. NO. 36/99
 Notary, Cuttack

Mang V Nair



6. That the facts stated above are true to the best of my knowledge, belief and based on available records.

Identified by:

Jagabandhu Lenka
17-04-2023
Asst. A.G's Office



Ang V Nain
17-04-2023
DEPONENT
Conservator of Forests (WL)
O/o the PCCF(WL) & CWLW
Odisha, Bhubaneswar

Place: Cuttack

Date: 17-04-2023

Certified that Cartridge papers are not available.

ADDL STANDING COUNSEL



above named deponent
identified
solemnly affirm and state
and better

N.P. Samanta
N. P. SAMANTA, SL. NO. 36/99
NOTARY, CUTTACK