

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.14706 of 2022

Gita Rout

....

Petitioner

Mr. Ashis Kumar Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Ishwar Mohanty, ASC

CORAM:

THE CHIEF JUSTICE

JUSTICE R. K. PATTANAİK

ORDER

05.07.2022

Order No.

04.

1. A serious issue concerning the unnatural deaths of elephants on account of illegal poaching has been brought forth in this PIL. Directions are sought to the State Government to explain what action has been taken to initiate proceedings under the Wildlife (Protection) Act, 1972 and fix responsibility on the officials entrusted with enforcing the said statute in letter and spirit.

2. Although the petition encloses only certain news items, today learned counsel for the Petitioner has handed over a compilation of articles concerning man-animal conflicts with specific reference to elephants in Orissa. The Court further takes judicial notice of the fact that in the past two years there have been several instances where forest officials in Odisha have come across carcasses of dead elephants with bullets and other injuries. Press statements have been issued acknowledging that the animals were victims of illegal poaching.

3. Since there is a recurrence of such incidents with greater frequency in the recent past, the Court considers it appropriate to issue notice to the Opposite Parties State Government in this petition. Mr. Ishwar Mohanty, ASC accepts notice for the Opposite Parties.

4. The Court directs the Opposite Parties to state on affidavit what steps have been taken to strictly enforce the provisions of the Wildlife (Protection) Act, 1972 and fix responsibility on the officials entrusted with the enforcement of the said Act, for such incidents of illegal poaching. The affidavit will also state what corrective mechanisms have been put place to counter the challenge posed by illegal poaching. The affidavit in the above terms be filed by the Opposite Parties within two weeks with an advance copy to the learned counsel for the Petitioner.

5. List on 25th July, 2022. सत्यमेव जयते

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge