IN THE HIGH COURT OF ORISSA: ©

TTACK.

W.P. (C)(PIL) NO. 19625 OF 2015

Mrinalini Padhi

PETITIONER

-VERSUS-

State of Odisha and others

OPP.PARTIES.

SHORT SUBMISSIONS ON BEHALF OF THE PETITIONER

- 1. The petitioner has filed the aforesaid Public Interest Litigation with the following prayers:
 - to review all non-forest activities and land user in

 the areas adjoining designated forest having elephant habitat and corridor and take appropriate action in that regard in case there is any violation of law;
 - (ii) take adequate and effective measures to prevent the wild life especially the elephants straying in human habitats by constructing electric fencing and other conventional method of fencing;
 - (iii) State must also encourage participation of many local villagers in form of voluntary work or otherwise to check the growing conflict.
 - (iv) The department of Forest must create enough water bodies and crops inside the forest area which will enable to feed the growing number of elephants inside the wild life area.

- (v) State must ensure a regular vigil in the villages adjoining the wild life areas to prevent the wild life from staying into human habitats.
- (vi) An action plan would be put in place and timely action would be taken to ameliorate the dangers faced by the citizens on account of elephant menace or death caused by wild elephants.
- (vii) The State shall implement the policy and action plan of the Union concerning Project Elephant in its true letter and spirit.
- (viii) Any other or further order as may be deemed fit and proper in the facts and circumstances of the case;"
- 2. The petitioner has filed the aforesaid PIL in 2015 after seeing the plight of the farmers in her village, Gailo in Dhenkanal District. Due to scare of elephants many of the farmers have abandoned farming and have become migrant labourers and have left their villages in search of food and livelihood.
- 3. The petitioner had relied on the judgment of the Hon'ble Karnataka High Court in W.P.(C) No.14029 of 2008, which was initiated suo motu on the directions of the Hon'ble Chief Justice pertaining to the death of elephants in Mysore Forest Area.

4. The Hon'ble Supreme Court in the case of **T.N.** Godavarman Thirumalpad Vs. Union of India [W.P.(C) no.202 of 2005] had held that:

"Man-animal conflict often takes place when wild animals cause damage to agricultural crop and property, killing of livestock and human beings. Human population growth, land use transformation species loss of habitat, eco-tourism, too much access to reserves, increase in livestock population bordering the forest, depletion of natural prey base etc., often stated to be reasons for such conflict. Central Government, the State Governments and the Union Territories should evolve better preservation strategies, in consultation with wildlife Boards so that such conflicts can be avoided to a large extent. Participation of people who are staying in the Community Reserves is also of extreme importance."

- 5. It is pertinent to mention that the petitioner had also made some suggestions which could deal with the issue at the micro levels. The same were submitted in the office of the learned Advocate General, Odisha. However, it is found that many of them have been assimilated in the affidavit filed earlier.
- 6. At the very outset, the petitioner wishes to draw the kind attention that the delay in crop loss escalates the man-elephant conflict further. The sources of information of the petitioner are

derived from discussions with the stakeholders, farmers and guidance of officials who have dealt with similar problems in other states. The petitioner has also relied on the book "Jumbos on the edge" by Shri Sanjeev Chaddha, IFS.

7. The State Level Monitoring Committee on Human Wildlife Conflict in its meeting held on 6th July, 2023 had stated that:

"The ACS, FE & CC emphasized on expeditious grant/payment in case of wildlife depredation and suggested to adopt the model being followed by OSDMA."

After threadbare deliberations, the following decisions were taken.

- (1) Necessary steps shall be taken to reduce the turnaround time for compassionate grant, payment to those affected by wildlife depredation. The model followed in OSDMA may be studied for replication by the Forest Department.
- 8. The Commissioner-cum-Convener (JTF) had filed an affidavit on 10.11.2022. In the said affidavit at page-16, it was stated by Shri Jitasatru Mohanty, as Member of JTF that the compassionate payment should be changed into compensation payment. He had also suggested to enhance the same further.

- 9. On 15.12.2022, wild lift expert, Dr. Raman Sukumar and the Joint Task Force had appeared. Mr. Manoj Nair, Chief Conservator of Forests (Wildlife) had stated as follows:
 - "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."
- 10. In view of the aforesaid facts and circumstances, it is humbly suggested that:
 - (a) The Scheme should be changed from compassionate grant to compensation scheme.
 - (b) The compensation module of OSDMA should be adopted by the Forest Department forthwith.
 - (c) The compensation for crop loss due to elephants should be at par with that of loss due to natural calamities.
 - (d) The same should be disbursed immediately to the claims which are pending.
 - (e) Mining Activities & Man-Elephant conflicts. The map showing 14 elephant corridors may be super imposed over the map showing the existing mines in the State. A larger picture will emerge as to whether the mining activities in the State are in any way obstructing the path of the elephant in the corridors.

- (f) Unused mines may be put to use before any fresh mine is allotted in areas which are located in the forest areas.
- (g) Open Cast Mines which have been dug and then abandoned pose a great threat to the elephants in that area. The non-working mines may be taken back for plantations of trees.
- (h) Funds for the aforesaid purpose may be made from the following sources, namely; (i) OMBADC (ii) DMF & (iii) CAMPA.
 - (i) OMBADC: On the directions of the Hon'ble Supreme Court in 2014, Odisha Mineral Bearing Areas Development Corporation (OMBADC) was set up to promote inclusive growth in the mineral bearing areas of the State;
 - (ii) DMF: District Mineral Foundation is to work for the benefit of the people living and areas affected by mining related operations.
 - (iii) CAMPA: Compensatory Afforestation Fund Management & Planning Authority (CAMPA) Act The Supreme Court of India in 2002 in the case of T.N. Godhavaraman Vs. Union of India, had ordered the creation of CAMPA fund. Compensatory Afforestation means that every time forest land is diverted for non-forest purposes such as mining or industry, the user agency pays for planting forests over an

20 OCT

equal area of non-forest land, or when such land is not available, twice the area of degraded forest land.

The funds can be used for the treatment of catchment areas, assisted natural generation, forest management, wildlife protection and management, relocation of villages from protected areas, managing human-wildlife conflicts, training and awareness generation and allied activities.

- (i) There is a need for Taxonomists and Agro Forestry to make a study on the favourite plantations, which are liked by the elephants.
- (j) Land Acquisition Policy for Corridor Widening:

Local Community will be happy to surrender the land in lieu of compensation by cash or land allocation elsewhere. Some of villages had become part of the migratory corridors for elephants, who were attracted by the crops or the smell of liquor into their land and even damage their houses and hence were threat to their life and livelihood, specially in areas where the migratory elephant herds have stayed back.

Funds for purchase of the lands can be made from the Project Elephant Scheme of the Govt. of India.

(k) Changing crop patterns of farmers in villages along with the elephant corridors.

In the 1990's, the Govt. launched a drive to try alternative crops to save the farm from being denigrated by elephants.

Cultivation of agricultural crops and commercial crops like banana and mango increased human – elephant conflict.

Compensatory mitigation measures like plantation of mulberry, chitli and citrus which are not preferred by elephants, can be a long term measure.

CUTTACK.

Dt. 12-9.23

, Petitioner

ORISSA HIGH COURT

IN THE HIGH COURT OF ORISSA: C U T T A C K

W.P. (C)(PIL) NO. 19625 OF 2015

CLEARANCE DEPUTY REGISTRAR (J&E)

Mrinalini Padhi

3

PETITIONER.

-VERSUS-

State of Odisha and others

OPP.PARTIES.

SHORT SUBMISSIONS ON BEHALF OF THE PETITIONER

- 1. The petitioner has filed the aforesaid Public Interest Litigation with the following prayers:
 - "(i) to review all non-forest activities and land user in the areas adjoining designated forest having elephant habitat and corridor and take appropriate action in that regard in case there is any violation of law;
 - the wild life especially the elephants straying in human habitats by constructing electric fencing and other conventional method of fencing;
 - (iii) State must also encourage participation of many local villagers in form of voluntary work or otherwise to check the growing conflict.
 - (iv) The department of Forest must create enough water bodies and crops inside the forest area which will enable to feed the growing number of elephants inside the wild life area.

()

- (v) State must ensure a regular vigil in the villages adjoining the wild life areas to prevent the wild life from staying into human habitats.
- (vi) An action plan would be put in place and timely action would be taken to ameliorate the dangers faced by the citizens on account of elephant menace or death caused by wild elephants.
- (vii) The State shall implement the policy and action plan of the Union concerning Project Elephant in its true letter and spirit.
- (viii) Any other or further order as may be deemed fit and proper in the facts and circumstances of the case;"
- 2. The petitioner has filed the aforesaid PIL in 2015 after seeing the plight of the farmers in her village, Gailo in Dhenkanal District. Due to scare of elephants many of the farmers have abandoned farming and have become migrant labourers and have left their villages in search of food and livelihood.
- 3. In pursuance to the direction of this Hon'ble Court, the State has filed an affidavit on 22.12.2022 indicating the elaborate plan of actions for combating the issue of poaching and killing of the elephants.
- 4. The petitioner had brought to the notice of this Hon'ble Court some long term measures which could be implemented

13 JAN 2023

SA HIGH COURT

for dealing with the herculean task of the man-elephant conflict ARANCE in our State.

- 5. It is pertinent to mention that the petitioner had also made some suggestions which could deal with the issue at the micro levels. The same were submitted in the office of the learned Advocate General, Odisha. However, it is found that many of them have been assimilated in the affidavit filed earlier.
- 7. It is submitted that the short term, fire fighting measures are very vital, but the same will not solve the issue of manelephant conflicts unless the same is dealt with the deep rooted cause of the conflict.
- 8. The petitioner vide her letter dated 09.01.2023 has brought to the notice of the Joint Task Force the following suggestions, dealing with the issue of man-elephant conflict at a macro level to bear results in the next decade or so. The sources of information of the petitioner are derived from discussions with the stakeholders, farmers and guidance of officials who have dealt with similar problems in other States. The petitioner has also relied on a book "Jumbos on the edge" by Shri Sanjeev Chaddha, IFS (which has the foreword by Shri Raman Sukumar). The suggestions are as follows:

6(a) Mining Activities and Man-Elephant Conflicts:

That the map showing 14 elephant coffidors ARANCE (although Sri Sukumar had stated in the Power Point EGISTRAR (J&E)

Presentation that there are only 9 existing corridors) may be super imposed over the map showing the existing mines in the State. A larger picture will emerge as to whether the mining activities in the State are in any way obstructing the path of the elephant in the corridors.

Unused Mines: Amongst the areas where mining activity is going on, there are mines which are lying unused. They may be put to use before any fresh mine is allotted in areas which lie in the forest areas.

Open Cast Mines: The mines which have been dug and then abandoned pose a great threat to the wild animals living in that area. The non-working mines may be taken back for forestry. These mining dumps can be made green with plantations of trees. The funds for the same can be used from the following sources, namely, (i) OMBADC (ii) DMF (iii) CAMPA.

- (i) OMBADC: On the directions of the Hon'ble Supreme Court in 2014, Odisha Mineral Bearing Areas Development Corporation (OMBADC) was set up to promote inclusive growth in the mineral bearing areas of the State;
- (ii) DMF: District Mineral Foundation is to work for the benefit of the people living and areas affected by mining related operations.

CAMPA: Compensatory Afforestation (iii) & Planning Fund Management Authority (CAMPA) Act – The Supreme Court of India in 2002 in the case of TN Godhavaraman Vs. Union of India, had ordered the creation of CAMPA fund. Compensatory Afforestation means that every time forest land is diverted for non-forest purposes such as mining or industry, the user agency pays for planting forests over an equal area of non-forest land, or when such land is not available, twice the area of degraded forest land.

The funds can be used for the treatment of catchment areas, assisted natural generation, forest management, wildlife protection and management, relocation of villages from protected areas, managing human-wildlife conflicts, training and awareness generation and allied activities.

6(b) Plantation inside the forest:

The recent behaviours of the elephants shows as to how they are moving away from their "institutional memories" of food inside the forest and are moving away to feed on standing crops grown by the farmers. There is a need for Taxonomists and Agro Forestry to make a study on the favourites plantations of plants like bamboos etc. which are liked by the elephants.

The plantation of the same along with creating water bodies inside the forests can attract them back to the jungle. The elephants also play a very vital role in maintaining the biodiversity of the jungle as there are good carrier of the seeds of many species for the propagation.

6(c) Land Acquisition Policy for Corridor Widening:

Local Community will be happy to surrender the land in lieu of compensation by cash or land allocation elsewhere. Some of villages had become part of the migratory corridors for elephants, who were attracted by the crops or the smell of liquor into their land and even damage their houses and hence were threat to their life and livelihood, specially in areas where the migratory elephant herds have stayed back.

Funds for purchase of the lands can be made from the Project Elephant Scheme of the Govt. of India.

6(d) Changing crop patterns of farmers in villages along with the elephant corridors.

In the 1990's, the Govt. launched a drive to try alternative crops to save the farm from being denigrated by elephants.

Cultivation of agricultural crops and commercial crops like banana and mango increased human – elephant conflict.

Compensatory mitigation measures like plantation of mulberry, chitli and citrus which are not preferred by elephants, can be a long term measure.

6(e) Compensation and not compassionate payment:

As stated by Shri Jilasatru Mohanty, Member of JTF at page-16 of the Affidavit filed by Commissioner-um-Convener (JTF) on 10.11.2022 that the compassionate payment should be changed into "Compensation Payment". He also suggested the same to be enhanced further.

The delay in compensation for crop loss escalates the man-animal conflict further. Hence, the compensation amount should be enhanced and the same should be disbursed as soon as possible in order to assuage the anger and pain of the loss due to the destruction by the animals.

6(f) Mitigation: "Strategy should be adopted in linear projects like National Highways, Railways, Irrigation Projects, Transmission Lines etc. These strategies can be incorporated in the project right

at the inception stage so as to reduce the impact on wild life." As stated by Shri Sanjeev Chaddha in his book "Jumbos on the edge", the future of elephant conservation in India.

For the Petitioner.

DB-115 WRIT BR-VIIISEAT NO. AND MRINALINI PADHI(In Person)

D. H. C.–97-A]

In the High Court of Orissa

BLAPT/W. P. (C) No. 19625/2015

(So. Achre.) B.N. Mokepatra, A.Das J. Mohanta, P.K. Nayak S.N. Dash , P.T. Portyat

Praclipta Ker. Mohamy

Petitioner

Versus

MRINALINI PADHI

M/S. B.K. NayaK(1) A. Dash

STATE OF ODISHA & PRS Opposite-Party M/s. Anindy & Ku. Mishra

•			A.K. Sahoo.
Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	of office note as to action (if any) (of-5) also gis an a kuman Dash,
1.	02/11/2015.	Presented in Court B.O.	Mr. Lalit Ku. Maharana (fer TPSODL TPWODL, TPNODL, TPCODL)

SCANNED

Receipt filed Obefeet No-6 as per ce is removed

No defect. For Admitsion, Bench



[O. H. C.-98]

SI. No. Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any) taken on Order
		· · · · · · · · · · · · · · · · · · ·
2. 17.11.2015	The petition is admitted	
•	and leave is granted to amend the	
	petition so as to join the Electricity	
	Distribution Companies as opposite	
	parties.	•
,	Learned Additional	
į :	Government Advocate appears and	
	waives notice for opp. parties 1 to 3.	
·	If other parties are joined	
	as opponents, notice shall be	
	issued to them by speed post	/
	immediately, fixing returnable on	
	3.12.2015. Requisites shall be filed	
	within seven days.	
	List this matter on	
	3.12.2015.	
		·
	(D.H. Waghela) Chief Justice.	
	1 h	
biswal	(B. P. Ray) Judge	

[O. H. C.-98]

hop (c) - 19625/15-

[0.11.096]		VO 1 ()		
SI. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order	
			c) consolidate de cause title tile	
	·	•	and Kept ch record.	
		·	23/11/15	
	·		Order No-2	
·			Issue No: My 707 to Dave: 27.11.15 Notice ex	
	·		admission matter Ocened to OPS 4 to 7 by 81 not	
			for appearance and show cause	
		- ·	(lostal fee of R)	
			Objet Bratas 22/11/15 Supoli	
			24"1" Buy	
		·		

WP(c)-19625/15

SI. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
			For Jelmission with i) m. C. No - 19481/15 at flog A for amendment felos menolyment felos menolyment felos menolyment felos menolyment felos menolyment felos menolyment felos petètè on hous boen admitted viole Cource crelex No-2, attel: 19/11/15 cenel granted to amena the petètèm to joir the Electrice y Toistretoute m Compani as Ops 4 to 7 ii) ADs from Ops 4 to 7 ruceened.
			Denes

DPC)-19625/15

[O. H. C	C98]	WP (°)	W/ (-)-1/003/1	
SI. No. of Order	Date of Order	ORDER WITH SIG	NATURE '	Office note as to action (if any), taken on Order
				i) ADS from OPS 4 to 7 returned Cefter nalid
·				Service.
				èi) Ms. Pradipta Ku mohanty (Sr. Adre and associates enta appearance on beha of Of-4.
				iv) m/s. 13. K. Nayan(
				of OP-7.
				19/02/10
				Orclere No-2 For Admission
				i) m.c. No-19481 IS at flue A' for amendment filed
				On 23.11.2015. (The Same Miss. performents of the mass been admits rêde. Counts orden.
				2, olto: 17.11.2015 of granted to amend the petition to join the Electricity Dictribute
OGP-MP-	-PTS-U 1 (H. C.)	44–2,00,000 -9-2-2015	The state of the s	tomparisos of y to
			000	1200

13 1 Memo

sere

[O. H. C.-98]

WPC)-19625/15-

[O. H. C	98]	1010-11622112		
SI. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order	
3,	22,01,6	This mather es adjourned		
		vide comman order no. 8		
•		dfd. 22. 1.16, passed is		
	·	were (PIL) No- 22 421/15.	·	
		Auli.		
	·			
			·	
	·		Orden No- 2	
1				
			previous office note offel !- 19/1	
			may rivelly be	
	9		repeated.	
		·	len Ben	
			9).	
	·		to Rof on	
			15P (PZC) -2242	

SI. No. Date of Office note as to action (if any), ORDER WITH SIGNATURE of Order Order taken on Order i) m/c. D. N. Mohapatira associates entered appearance on behalf ei) M/s. Anindya ku. Milehra & A.K. Sahoo entered appearance on behalf of op-5. For Admilsein 8) m.c. No - 194 81 15 at flag a for among ment filed on 23.11.11 (The above social mesc. petetéan has beenadmitti rède courch's order No. 2, atd: 17.11.2015 and granted to amend the petetion to join the electricity Distribution companies as OPS 4 to alongnith hop (1) - 22421/15 1) - 9056/13 (both are penoleng OGP-MP-PTS-U 1 (H. C.) 44-2,00,000 -9-2-2015

antig

Bent

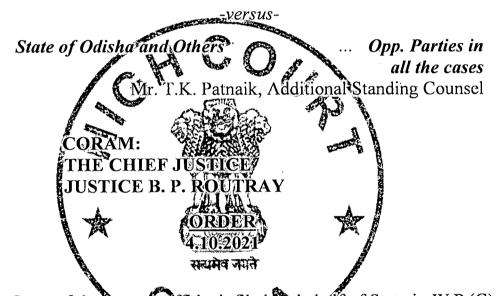
IN THE HIGH COURT OF ORISSA AT CUTTACK W.P.(C) PIL No.19625 of 2015

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

Mrinalini Padhi (in WP(C) No.19625 of 2015)
Balagopal Mishra & another (in WP(C) No.9056 of 2013)
Dwija Dalpati (in WP(C) No.22421 of 2015

Petitioners

Petitioner in person (WP(C) No.19625 of 2015) Mr. Gautam Mishra, Sr. Advocate (WP(C) No.22421 of 2015)



Order No.

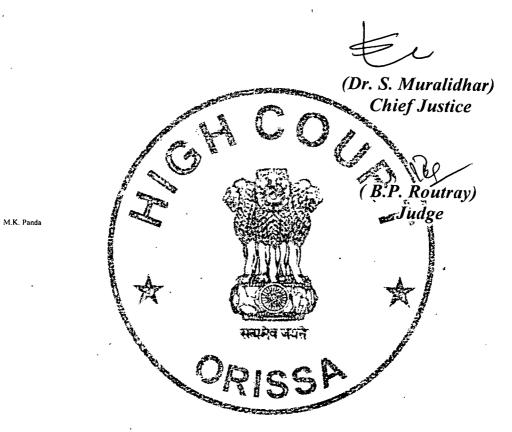
- 1. Copy of the counter affidavityfiled on behalf of State in W.P.(C) No.9056 of 2013 be served on the Retitioner in W.P.(C) No.19625
 - of 2015 who is permitted to file a response thereto before the next
 - date, bringing on record the updated position.
 - 2. Mr. Gautam Mishra, learned Senior Counsel appearing for the Petitioner in W.P.(C) PIL No.22421 of 2015 (*Dwija Dalpati v. State of Orissa*) has submitted a convenience note. A copy thereof be served on Mrs. Padhi, Petitioner in W.P.(C) No.19625 of 2015 as well. Mr. Mishra has also placed on record the copy of judgment dated 8th October, 2013 of the Karnataka High Court in



Page 1 of 2

W.P. No.14029 of 2008 (Suo Motu v. State of Karnataka and Others). Copies of said judgment also be served on Mr. Patnaik, learned Additional Standing Counsel to enable him to submit a response thereto on the next date.

3. List these matters in the miscellaneous board for hearing on 11th January, 2022.



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) PIL Nos.19625 & 22421of 2015 and W.P.(C) No.9056 of 2013

Mrinalini Padhi Petitioner (In W.P. (C) PIL No.19625 of 2015) In person Dwija Dalpati Petitioner (In W.P. (C) PIL No. 22421of 2015) Mr. Gautam Misra, Senior Advocate Balagopal Mishra and another Petitioner (In W.P.(C) No.9056 of 2013)

M/s. G. P(Mohanty and associates, Advocates State of Odisha and other Opposite Parties ate for Opposite Party No.7 (C) PIL No. 19625 of 2015), Mr. B. P. Tripathy, Advocate for Opposite Party No.13 (in W.P.(C) No.9056 of 2013), Mr. Debakanta Mohanty, AGA **CORAM:** सत्प्रदेश नपने THE CHIEFJUSTICE JUSTICE CHÎTTAR

Order No.

Q5 (04.)

List on 25th August, 2022 along with W.P.(C) No.14706 of 2022.

23.08.2022

(Dr. S. Muralidhar) Chief Justice

(Chittaranjan Dash)

Judge

M. Panda

115

12/2

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) Nos.14706 of 2022, 9056 of 2013, 19625 and 22421 of 2015

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

Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate

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

Balagopal Mishra and another

Petitioners

Mr. G.P. Mohanty, Advocate

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

Mrinalini Padhi

Petitioner

Mrs. Mrinalini Padhi, In Person

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

Dwija Dalpati

Petitioner

Mr. Gautam Misra, Sr. Advocate

-versus-

State of Odisha and others

Opp. Parties

Mr. Ashok Parija, Advocate General assisted with

Mr. D.K. Mohanty, AGA Mr. Iswar Mohanty, ASC

CORAM:

THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH

ORDER 25.08.2022

08.

Order No.

1. Pursuant to the order passed by this court on 8th August, 2022, two affidavits have been filed in Court. The first is by the Director General of Police (DGP) in which the proceedings of the meeting held on 17th August, 2022 under the

Chairmanship of the Chief Secretary of Odisha has been enclosed. A decision was taken at that meeting to constitute a Joint Task Force (JTF) comprising officers from the Forest and Police Departments to investigate different cases of unnatural deaths of the elephants in the State. The JTF is to work under the Principal, Chief Conservator of Forests (PCCF), Wildlife in his office and the DGP is expected to provide the required number of police officials of different ranks to act as members of the JTF.

- 2. Apart from the issue of poaching and unnatural deaths of elephants, the JTF is to look into the cases of poaching of tigers, leopards and illegal trade in pangolins. One Public Prosecutor in each district is expected to be entrusted with the handing of these cases. There are certain other tasks set out for the JTF including the creation of awareness about protection of wildlife "among all the stakeholders".
- 3. Conscious that the proceedings do not commit the JTF to any definite time-line, and considering that the other affidavit filed today by the PCCF enclosing the details of the pending cases shows that in a large number of cases charge sheets are yet to be filed, the Advocate General volunteers that the necessary corrective steps would be taken within three months and within the same period, charge sheets would be filed in all those cases where it is yet to be filed.
- 4. The Court finds that while the steps proposed are in the nature of 'remedial' action, there is nothing stated in terms of 'preventive' action. Further, the Court finds that the composition of the JTF is not broad-based to accommodate the

views of wildlife experts or civil society groups involved in wildlife conservation or those working with farmers who may have lost their crops and other interested persons engaged in the issue of man-animal conflict. The learned Advocate General volunteers that the JTF will either co-opt wildlife experts and civil society groups or consult them in its deliberations which will take place at least once every fortnight so that a comprehensive action plan can be drawn up including both the preventive and remedial elements.

5 Considering the number of petitions raising these very issues pending before this Court, a direction is issued that counsel in each of the petitions will prepare a short summary of their respective suggestions and provide them to the Advocate General within a week's time to enable him to examine all the suggestions and place it before the JTF for its consideration. This would include examining the orders dated February, 2012 of the Supreme Court in T.N. Godavarman Thirumulpad v. Union of India (2012) 3 SCC 277 concerning the "Asiatic Wild Buffalo"; the judgment of the Karnataka High Court in Suo Motu v. State of Karnataka (W.P.(C) No.14029 of 2008), the judgment of the Madras High Court in S. Manoj Immanuel v. Union of India (W.P.(MD) No.19711 of 2018) and the decision of the Supreme Court in Hospitality Association of Mudumalai v. In defence of Environment and Animals (2020) 10 SCC 589. Further, the measures taken by the State of Assam in tackling similar problems in that state concerning elephant-human conflict will also be examined by the JTF.

- 6. Considering that the PCCF is going to be the Convener of the JTF, a direction is issued to the PCCF to place before this Court along with an affidavit, the comprehensive action plan drawn up by the JTF, before the next date.
- 7. The Court takes note of the fact that there have been more deaths of elephants since the previous hearing. The Court has been shown a news item that only this morning, two female elephants were electrocuted inside the Krishi Vigyan Kendra in Judia under Keonjhar Sadar. The Advocate General further states that the PCCF will a file further affidavit by the next date placing on record the result of the investigation into the said deaths.

8. List on 26th September, 2022.

(Dr. S. Muralidhar) Chief Justice

(Chittaranjan Dash) Judge

KC Bisoi

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) PIL Nos.19625 & 22421of 2015

W.P.(C) No.9056 of 2013 & W.P.(C) No.14706 of 2022

Mrinalini Padhi Petitioner

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

In person

Dwija Dalpati Petitioner

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

Mr. Gautam Misra, Senior Advocate

Balagopal Mishra and another (In W.P.(C) No.9056 of 2013)

Petitioners

Mr. G.P. Mohanty, Advocates

Gita Rout

Petitioner

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

Mr. A.K. Mishra, Advocates

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA

Mr. B. K. Das, Advocate for Opposite Party No.7 Mr. D.N. Mohapatra, Advocate (in W.P. (C) PIL No.19625 of 2015)

Mr. A. Suhail, Advocate for Intervenor

CORAM:

THE CHIEF JUSTICE JUSTICE CHITTARANJAN DASH

Order No.

ORDER 26.09.2022

06.

1. An affidavit has been filed by the Principal Chief Conservator of Forests (Wildlife) on 22nd September, 2022 setting out the steps taken by the Joint Task Force (JTF) since the previous

hearing. It appears that the first meeting of the JTF was held on 20^{th} September, 2022. The decisions taken at the meeting have been set out in detail in para 5 of the affidavit. Copies of the affidavit be supplied to all the counsel appearing for other parties to enable them to file their response thereto before the next date.

2. Inter alia, it has been proposed in the affidavit of the PCCF that a comprehensive action plan will be prepared by December, 2022. The affidavit acknowledges the further deaths of elephants since the last date of hearing and about action initiated against the forest officials besides DISCOM officials for negligence.



S. Behera

IN THE HIGH COURT OF ORISSA AT CUTTACK W.P.(C) No.19625 of 2015

Mrinalini Padhi

Petitioner

Mrs. Mrinalini Padhi, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA

CORAM: THE CHIEF JUSTICE JUSTICE CHITTARANJAN DASH

ORDER 20.10.2022

Order No.

07.

1. It is stated that the Joint Task Force (JTF) held a meeting on 19th October, 2022. The convener of the JTF will file an affidavit placing on record the minutes of its deliberations and specific action points.

2. Mr. Debakanta Mohanty, learned AGA has placed before the Court a communication regarding the current status of the criminal cases. It is not clear that what exact progress has been made in terms of arresting the accused in those cases and the further developments in those cases where arrests have been made.

3. An affidavit on the above aspects be filed by Mr. Jatin Kumar Panda, Additional S.P., who is part of the JTF, before the next date. The members of the JTF are requested to remain present virtually on the next date to answer the queries of the Court. The comprehensive action plan also be presented in the Court.

4. List on 11th November, 2022 at 2 P.M.

(Dr. S. Muralidhar) Chief Justice

(Chittaranjan Dash) Judge

IN THE HIGH COURT OF ORISSA AT CUTTACK

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

Mrinalini Padhi

Petitioner

In person

-versus-

State of Odisha and others

Respondents

Mr. Debakanta Mohanty, A.G.A.

CORAM: THE CHIEF JUSTICE JUSTICE M.S. RAMAN

Order No.

08.

1. The affidavits filed by the Additional SP and the Chairman, Joint Tax Force W.P.(C) No. 14706 of 2022 are taken on record.

Copies thereof be served on the counsel for Petitioner,

Respondents as well as the Interveners.

2. List 15th November, 2022 at 2 PM

सन्मय गरत

(Dr.fŠ. Muralidhar) Chief Justice

> (M.S. Raman) Judge

S.K. Guin

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 No.

<u>ORDER</u>

15.11.2022

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

Page 1 of 4

movement and issues concerning clephants; 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 10th 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 18th 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

Page 4 of 4

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos. 19625 of 2015 and 9056 of 2013

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

Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate

<u>W.P. (C) No.19625 of 2015</u> Mrinalini Padhi

Petitioner

maini Faant

In person
Petitioners

W.P.(C) No.9056 of 2013
Balagopal Mishra and another

None

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA Mr. Ishwar Mohanty, ASC

Mr. Manoj Nair, Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Bhubaneswar

CORAM: THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

Order No.

ORDER 13.12.2022

10.

1. Today's hearing has been advanced on account of a development that has caused deep concern. This is the discovery of a carcass of a poached male elephant, which took place around 7th December, 2022. The evidence of theft of the tusks was made to disappear by the burning of the carcass by Forest Officials of the Jenabil Range, Similipal South Division. The Court has been given a written status report of the Deputy Conservator of Forests, Joint Task Force stating inter alia that all they could find were few bones and flesh of the

Page 1 of 2

animal from a waterfall/stream wherein the alleged burnt matter was disposed of by the said Forest Staff. It is stated that three Forest Officials have been placed under suspension by the Field Director (STR). The said report and the letters dated 10th December, 2022 placed today are taken on record.

- 2. Mr. Manoj Nair, the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden (PCCF) is present in virtual mode. He states that he is right now stationed in Similipal itself to ensure the inquiry is taken to a logical conclusion. The Court has impressed upon Mr. Naik that it would like to be assured that preventive steps that were planned by Joint Task Force (JTF) are actually being put in place immediately.
- 3. An affidavit listing out the precise preventive measures taken will be filed before the next date. This will include the names of the "Gaja Sathis", who are said to have been deployed and the map showing the elephant corridor routes in State of Odisha with the names of villagers that fall in and around the corridors. The affidavit will also set out the details of the FIR registered in connection with the above incident.

4. List on 22nd December, 2022 at 10.30 am. Mr. Nair will remain present in virtual mode on the next date.

(Dr. S. Muralidhar) Chief Justice

> (M.S. Raman) Judge

Man 29.

M. Panda

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos. 9056 of 2013, 19625 of 2015 and 22421 of 2015

<u>W.P.(C)</u> No.14706 of 2022 Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate Mr. Afraz Suhail, Advocate

W.P.(C) No.9056 of 2013
Balagopal Mishra and another

Petitioners

Mr. G.P. Mohanty, Advocate

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

Petitioner
In person

<u>W.P.(C) No.22421 of 2015</u> Dwija Dalpati

Petitioner

Mr. Gautam Misra, Senior Advocate assisted by Mr. A. Dash, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Λ.K. Parija, Advocate General assisted by Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

CORAM: THE CHIEF JUSTICE JUSTICE M.S. RAMAN

Order No.

ORDER 22.12.2022

11.

1. The Court has had the benefit of a power point presentation by Dr. Raman Sukumar giving a detailed explaination of the present active elephant corridors in Odisha. He has identified nine of them, two of which form part of the earlier identified fourteen elephant corridors. He has, in the virtual presence of the Joint Task Force (JTF) headed by Dr. Manoj Nair, the Chief Conservator Forests and the Field

Officer of the Similipal Tiger Reserve as well as in the physical presence in Court of the learned Advocate General and Senior Counsel as well as counsel appearing on behalf of the respective Petitioners, made certain useful suggestions on how to ensure safe passage for elephants across Odisha. He has emphasized the need to provide additional bridges to link two important reserves viz., the Sambalpur Reserve and the Mahanadi Reserve where at least 70 to 75 per cent of the elephant population of approximately 2000 in Odisha today are active. Dr. Nair states that in the action plan that will be drawn up by the JTF many of these elements will be addressed. The power point presentation of Dr. Sukumar be kept as part of the parties.

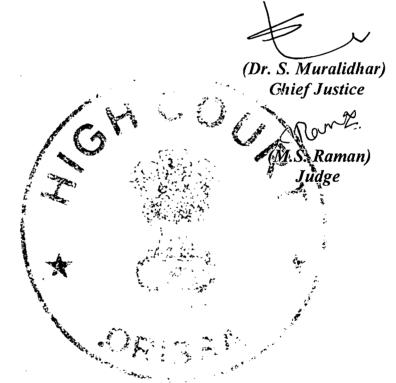
2. An affidavit dated 21st December, 2022 has been filed by Dr. Nair, the Chief Conservator of Forests explaining the scheme of "Gaja Sathis" and stating that in the current year, the scheme has been scaled up and 54.57 volunteers have been engaged in 1177 villages. It is stated that a "Jana Surakhya Gaja Rakshya" scheme has been rolled out to encourage public community partnership having provision for solar fencing with 90% cost being borne by the State. Also to prevent electrocution of elephants and other wild animals, bare conductors in the elephant movement areas to the extent of 2,354 kilometers have already been insulated out of the identified stretches of 3,814 kilometers. It is stated that, in addition, another 4,444 kilometers of bare conductors and 31,000 electrical points have also been identified. Based on the data of human-elephant conflict, 32 Ranges in 19 Divisions have been identified to be the

most conflict prone Ranges. The affidavit also lists out the interventions made for habitat improvements including creation of 34 water bodies, renovation of 26 water bodies, 44 water harvesting structures and meadow development over 200 hectares and over 1 lakh bamboo seed ball plantation.

- 3. A list of the Gaja Sathi volunteers has been enclosed with the affidavit. As regards the re-mapping of elephant corridors, although the affidavit encloses as Annexure-T/1 series, maps showing those corridors, Dr. Nair states that steps are being taken through Project Elephant, Government of India to confirm the viability of the corridors pursuant to a meeting held on 22nd April, 2022 under the Chairmanship of the Director (Project Elephant), Government of India. Steps have been taken to declare the Similipal-Kuldiha-Hadagarh traditional elephant corridor as Conservation Reserve under Section 38 of the Wildlife (Protection) Act.
- 4. As regards the incident of an elephant death in Similipal, it is stated that three Forest Officials have been arrested under the Wildlife (Protection) Act and forwarded to the Court of the SDJM, Udala and remanded to the judicial custody.
- 5. The Court inquired from the Field Officer, Similipal of the circumstances under which one of the witnesses in the case of elephant poaching had committed suicide. The Court has been assured that in the said case a charge-sheet will be filed at an early date and the case taken to its logical conclusion.

6. Certain further suggestions have been given from the side of the Petitioners by counsel appearing on their behalf in the virtual presence of the JTF Dr. Nair will take those into consideration while drawing up the action plan. It will be open to the respective counsel to give their written suggestions to the JTF at the earliest.

7. List on 18th January 2023 at 10.30am.



S.K. Guin

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

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

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

Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate

Mr. Afraz Suhail, Advocate
.... Petitioners

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

Balagopal Mishra and another

Mr. G.P. Mohanty, 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 assisted by

Mr. A. Dash, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA and

Mr. Ishwar Mohanty. ASC

CORAM:

THE CHIEF JUSTICE JUSTICE M.S. RAMAN

ORDER 18.01.2023

Order No.

12.

Ŋ

1. Dr. Manoj V. Nair, the Chief Conservator of Forests (Additional Charge) has filed an affidavit dated 17th January 2023 enclosing the "Comprehensive Action Plan for Conservation of Elephanis and Mitigation of Human-Elephant Conflict in Odisha." Dr. Nair, who appeared online explained that the report contains an executive

summary along with the proposed action points under following "10-pillar strategy":

. }

SI. No.	Name of the Thematic Pillar	No. of Long-term Action points	No. of Medium-term Action points	No. of Short-term Action points	Page number
1	Human-elephant conflict mitigation	0	2	17	1.1
2 .	Inter-departmental co- ordination	2	1	22	18
3.	Protection, enforcement and prosecution	2	4	36	24
4	Elephant habitat, corridors and connectivity	4	2	400 44 CON 15 15 15 15 15 15 15 15 15 15 15 15 15	31
5	People's participation, education & awareness	i de la companya de l	T 0	16	35
6	Habitat management for increased productivity	8616	4	<u> </u>	38
7	Human resource management capacity building		A. Mariana Mariana	20	42
8	Wildlife health management and disease control	0	0	8	46
9	Research & application of technology	0	4	15	47
10	Monitoring	0	1	4	50
	Total	17	19	158	51

- 2. Dr. Nair has taken the Court through the important aspects of the report which deals inter alia with inter-departmental coordination, which in turn would require District Level Human Wildlife Conflict Mitigation Committees to be constituted under the chairmanship of the Collector and having the representatives of the Superintendent of Police and Heads of relevant line Departments and the DFO being the Member Secretary. The aspect of 'Human-Elephant Conflict Mitigation' requires adoption of a 'zone based approach' taking cue from the report of the Karnataka Elephant Task Force. Four broad zones, viz., Zone-I (Elephant Conservation Zone), Zone-II (Elephant-human Co-existence Zone), Zone-III (Conflict Mitigation Zone) and Zone-IV (Elephant Removal or Exclusion Zone) have been envisaged. Separate strategies have been worked out for 'protection, enforcement and prosecution' as well as improving elephant habitat corridors and connectivity and people's participation, education and awareness. . 6 41 June 19
- 3. In response to the concerns expressed by learned counsel appearing for the parties, Dr. Nair points out that the action plan also speaks of 'habitat management for increased productivity' which would involve improving the elephant habitat, plantation of bamboo, ficus and preferred elephant food plants, water sources and other habitat improvement measures apart from forest fire prevention.
- 4. One major concern in the past few months has been the increased deaths of elephants due to electrocution. To tackle this

issue, the action plan proposes to involve the Electricity Distribution Companies (DISCOMs) to provide solar fencing using the recently launched "Jana Surakhya Gaja Rakhya". One suggestion is for the use of portable (removable) solar fences which has been found to be effective in Sri Lanka and for it to be tried on a pilot basis in selected areas.

- 5. Dr. Sukumar, who participated online, made certain suggestions regarding ground survey and verification preceding the maps to be drawn up and for the elephant corridors to be studied on a more intensive basis. He also emphasized the need to make Zone-II. i.e., the Elephant-human Co-existence Zone "shock proof". This would require steps to be taken to ensure that there is no "illegal hooking" of electricity lines, by local population anxious to protect their fields and crops from predatory attacks of wild pigs and boars, which in turn appear to be trapping elephants into deaths.
- 6. The Court is informed that the Comprehensive Action Plan would require to be approved by the High Power Committee of the Government of Odisha. Considering that the action plan has been drawn up after consulting a wide range of actors as well as experts and the inputs of others as suggested by this Court in its previous orders, and considering that the problem requires urgent attention, the Court requests the High Power Committee through the Chief Secretary to immediately take up this issue of approval of the Comprehensive Action Plan without any delay and preferably within a period of two weeks from today. This is to ensure that it is immediately rolled out and action points are worked out on the

basis of such action plan. Dr. Nair informs the Court that the action points will be finalized within a month thereafter.

- 7. Mr. Ashis Kumar Mishra, learned counsel appearing for the Petitioner in W.P.(C) No.14706 of 2022, places before the Court the report of his personal visit to village Bakua located inside the Similipal Wildlife Sanctuary and expresses concern that no steps have been taken to further investigate FIR No.320 dated 21st December 2022, registered at PS-Jashipur in Mayurbhanj District concerning the death of Turam-Purty-who purportedly was an eyewitness to the death of an elephant by burning at Garandia (Jenabil Range) in the Similipal Forest. Mr. Panda, the Additional Superintendent of Rolice, Member of JTF, present online, has undertaken to contact the Inspector Incharge (IIC) of PS-Jashipur to ascertain the progress of the investigation in the said case. The Court will be informed of the progress on the next date.
- 8. The Court notes with some concern Mr. Panda's submission that three of the forest officials who had been arrested in the case of the burning of an elephant carcass in Simlipal forest were subsequently granted bail and have thereafter not been able to be traced despite issuance of non-bailable warrants. The Court would like to emphasize the need for the Police to follow up on these issues with urgency and complete the investigation by taking it to the logical conclusion without unnecessary delay. In the previous order dated 22nd December 2022, the Court noted the assurance that a charge sheet would be filed at an early date and now notes with some concern that charge sheet is yet to be filed. It is expected that by

<u>بر</u>

the next date the charge sheet in the said case would have been filed. The Court also notes in this context that the specific action points regarding "crime detection, inquiry and prosecution" in terms of the Comprehensive Action Plan are to be fixed and implemented without any delay.

- 9. The JTF will file a further affidavit before the next date enclosing the action points drawn up on the basis of the Comprehensive Action Plan.
- 10. Ms. Mrinalini Padhi, the Petitioner in W.P.(C) No.19625 of 2015 pointed out that she has already impleaded the DISCOMs as Opposite Parties. She undertakes to file an application to implead the present entities so that directions can be issued to them on the next date to file affidavits in response to the action points to be fixed by the JTF.
- 11. List on 13th March, 2023 at 10:30-am. A copy of this order be communicated forthwith to the Chief Secretary, Government of Odisha.

(Dr. S. Muralidhar) Chief Justice

(M.S. Raman)

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos. 9056 of 2013, 19625 of 2015 and 22421 of 2015

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

Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate

Mr. Afraz Suhail, Advocate
.... Petitioners

Mr. G.P. Mohanty, Advocate

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

Balagopal Mishra and another

_

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 assisted by Mr. A. Dash, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, Additional Government Advocate and Mr. Ishwar Mohanty, Additional Standing Counsel Mr. Akhaya Biswal, Advocate for Intervener (in I.A. No.3126 of 2023)

Mr. Swayamjit Rout, Advocate (in I.A. No.640 of 2023)

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

ORDER 13.03.2023

I.A. No.1737 of 2023 (W.P.(C) No.19625 of 2015)

13. 1. Notice be issued to the Companies indicated in the Schedule to this application, i.e., TPSODL, TPWODL, TPNODL and TPCODL through Registered/Speed Post with A.D. making it returnable before

the next date. Requisites for which shall be filed within three working days. In addition to the above, notice is permitted to be served by Dasti.

2. The Court is informed that one Sri Bijay Kumar Das, Advocate usually appears on behalf of some of these Distribution Companies (DISCOMs). The Registry will request him to remain present on the next date.

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

- 3. Subsequent to the previous hearing on 18th January, 2023 there has been an unfortunate loss of elephants as well as humans who have either died or have been injured due to the human wildlife conflict (HWC). The Court is informed by Dr. Manoj V. Nair who is the Convener of the Joint Task Force (JTF) that there have been 12 elephant deaths and deaths of 14 persons in just less than two months since the previous hearing. Of the 12 elephant deaths, two were due to poaching, four due to electrocution, two calves died due to trampling by other elephants in their herds, three died due to the diseases and one due to infighting.
- 4. Of the four electrocution deaths and two poaching deaths, the Court is informed by the Additional SP, who is a part of the JTF, that six First Information Reports (FIRs) have in fact been registered. He assures that by the next date, a separate status report will be placed on record by him, i.e., the ASP indicating the progress of investigation in the said six FIRs.
- 5. The Court notes that as part of the State Action Plan (SAP), which the Court is now informed has been approved by the State Government, Section-1 of Chapter-IV which deals with "Human

Elephant Conflict Mitigation" having 19 Action Points. Action Point 6 pertains to "Revision of compassionate payment for both Human death, crop loss, human injury and property damage by wild animals". Although the turnaround time is six months, Dr. Nair informs the Court that every effort is being made to ensure release of ex gratia amounts and compensation in a much shorter period for which purpose, there are District Level Committees and District Level Senior Officers' Meetings being conducted.

- 6. On the next date, the Court will be informed in a tabular chart the names of persons who have been killed or injured or 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.
- 7. 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 thereunder. Dr. Nair informs the Court that at a meeting, 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. The Court would like to

emphasize that drawing up and approving of an action plan is perhaps the first step, but ensuring its implementation, in its letter and spirit, is an imperative. The Court is assured by Dr. Nair speaking for the JTF that they will be ensuring that the SAP that has been rolled out is implemented without let or hindrance. He informs the Court that 79 Forest Guards have now additionally been deployed to aid the JTF in the tasks set out under the SAP.

- 8. Although the previous date the Court was informed that steps would be taken to convert the Zone-II into a 'shock-proof' zone, Dr. Nair informs that Zones-I, II and III will be required to be made 'shock-proof' as there have been numerous instances of young bulls among the elephant herds, straying in Zones-I, II and III thus increasing the potential of HWC.
- 9. The ASP has informed the Court of the progress in FIR No.320 registered at the PS-Jashipur by way of a status report enclosed as Annexure-ZC/1 to the affidavit tendered in Court today by Dr. Nair. It reveals that there have been arrests of further persons suspected of the crime. The ASP present online assures the Court that very soon a charge sheet will be filed in the said case.
- 10. 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 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.

- 11. The IIC, Jashipur will remain present online on the next date along with the JTF.
- 12. List on 20th April, 2023 at 10.30 am.

I.A. No.640 of 2023 & I.A. No.3126 of 2023

13. Notice. Copy of these applications be served on Mr. Debakanta Mohanty, learned Additional Government Advocate for the State to enable him to obtain instructions for the next date.

(Dr. S. Muralidhar) Chief Justice

(G. Satapathy)
Judge

S. Behera

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos. 9056 of 2013, 19625 of 2015 and 22421 of 2015

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

Gita Rout

Petitioner

Mr. Ashis Kumar Mishra, Advocate

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

Petitioners

Balagopal Mishra and another

<u>W.P. (C) No.19625 of 2015</u> Mrinalini Padhi

Petitioner

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

Petitioner

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, Additional Government Advocate and Mr. Ishwar Mohanty, Additional Standing Counsel

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

<u>ORDER</u>

14. 1. The present matter is taken up today on being mentioned by Mr. Debakanta Mohanty, learned Additional Government Advocate for the State stating that Dr. Manoj V. Nair who is the Convener of the Joint Task Force (JTF) is in some difficulty tomorrow and may not be available till 8th May, 2023.

2. List on 9th May, 2023 at 10.30AM. Mr. Mohanty, learned Additional Government Advocate for the State undertakes to inform all other counsel of the cancellation of tomorrow's date.

(Dr. S. Muralidhar) Chief Justice

(G. Satapathy)
Judge

S. Behera

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos.9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 OF 2023

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

Petitioner

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

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

Petitioners

Balagopal Mishra and another

Mr. G.P. Mohanty, Advocate

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

Petitioner

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

In person

Petitioner

Dwija Dalpati

Mr. Gautam Misra, Senior Advocate assisted by Mr. A. Dash, Advocate

-versus-

State of Odisha and others

Opposite Parties

Dr. Manoj V. Nair; Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Bhubaneswar,

Mr. Debakanta Mohanty, Additional Government Advocate & Mr. Ishwar Mohanty, Additional Standing Counsel, Mr. Bijaya Kumar Dash, Advocate FOR O.P. No.7-TPCODL, Mr. Akhaya Biswal, Advocate for Intervener (in I.A. No.3126 of 2023)

Advocate (in I.A. No.640 of 2023) and Mr. J. K. Panda, Additional Superintendent of Police

W.P.(C) No.14057 of 2023

Petitioners

State of Odisha and others

Mr. Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another Opposite Parties

Mr. Sankar Prasad Pani, Advocate

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

ORDER 09.05.2023

15.

- 1. The Vakalatnama filed by Mr. Bijaya Kumar Dash, learned counsel for Opposite Party No.7-TPCODL is taken on record.
- 2. Pursuant to the order passed by this Court on 13th March 2023. two affidavits have been filed The first dated 17th April, 2023 is by the Chairperson-cum-Convenor Joint Task Force (JTF), Dr. Manoj V. Nair providing information as regards compensation paid in respect of human losses, human injuries, animal losses, house damage and crop damage. It is stated that in the past six months, there have been 21,093 cases of crop loss on account of attacks by elephants. Dr. Nair, who appears in virtual mode, informs the Court that sum of Rs.7.22 crores has been paid on this score. The Court has also been shown a copy of the Notification dated 3rd May, 2023 issued under Rule 45-KK of the Wildlife (Protection) (Odisha) Amendment Rules, 2023 enhancing the amounts of compassionate payment in all of the above categories. For the instance, the ex gratia for human loss has been increased from Rs. 4 to Rs. 6 lakhs. According to Dr. Nair, there is a 40 days turnaround time for payment of compensation.

- 3. It appears that on 5th April 2023, there was a meeting held by the Chairperson of the JTF with the DISCOMs where *inter alia* a discussion was held on the mitigation measures that have to be put in place for avoiding deaths of elephants due to electrocution. The series of steps to be taken with the DISCOMs, pursuant to the Comprehensive Action Plan (CAP), include "barricading the oper transformers, fixing of interposing poles of both HT and LT lines, conversion of LT bare conductor to AB cable, change of vacuum circuit breaker, maintenance of primary substation, sensitization of feeders & periodical checklist of feeder, fittings of spikes in the electric poles, establishment of elephant control room etc."
- 4. The minutes also refers to a study undertaken by SNEHA (Support for Network and Extension Help Agency) having experience in working on human-elephant conflict issues in Karnataka. SNEHA was engaged by the DISCOMs to undertake a study in two districts i.e. Dhenkanal and Angul. Mr. Bijaya Kumar Dash, learned counsel appearing for the DISCOMs has handed over a copy of the reported submitted by SNEHA to TATA Power Limited, Mumbai where *inter alia* one suggestion given is for use of alternate 6V Solar or DC fence set-up which will "repel the wildlife or set off an alarm instead of creating causality."
- 5. The Interveners in I.A. No.3126 of 2023 has also asked for similar measures to be deployed in the villages of those Applicants after undertaking a ground survey.
- 6. Mr. Shenhagam, who is the CEO of TPCODL, is present on line, and explains that Elephant Control Rooms have been set up by the

DISCOMs since 2020 and that on advance information of elephant movement being received from the Forest Department, they are able to take corrective action.

- 7. However, the Court is of the view that steps would have to be taken by the DISCOMs to interact with the residents of villages falling within their respective areas which have witnessed elephant. The DISCOMs would do well to persuade the movement in the past. The DISCOMs would do well to persuade the villagers to go in for 6V Solar fencing and offer it as a viable alternative even while disconnecting the illegally 'hooked' electricity connections which are powering the ad hoc electric fences put up by the villagers to prevent attacks by wild animals of either humans or crops.
 - 8. Dr. Nair placed before the Court the statistics of elephant deaths and human deaths in the past two months. On 9th March 2023, an adult male elephant was electrocuted in Keonjhar and on 13th March, 2023 another male was electrocuted in Gumsar in Ganjam District. On 11th April 2023, one adult female elephant and an adult male elephant were electrocuted in Bonar and Subarnapur respectively. Apart from the four electrocution deaths, there have been in the last two months, 14 more deaths of elephants—2 due to disease, 2 due to natural causes, 1 due to infighting and 1 due to a train accident. Of 18 elephants that have died, there have been 11 adults and 7 very young calves. Dr. Nair adds that the reasons for the death of these 7 very young calves are still being analyzed.
 - 9. During this period, 20 persons have lost their lives due to attacks by elephants. Dr. Nair further adds that these deaths have occurred in

areas not necessarily in or around the 14 elephant corridors in Odisha that were earlier identified by identified by the Asian Nature Conservation Foundation (ANCF). It is informed that due to passage of time only 4 such corridors are considered active and one among them has been notified as a Conservation Reserve pursuant to a judgment by the Supreme Court of India in *Binay Kumar Dalei v.*State of Odisha (decision dated 2nd March, 2022 in Civil Appeal Nos.1627-1628 of 2022).

10. At this juncture, it must be noted here that the Wildlife Society of Odisha (Elephant Corridors) ['WSO'] had approached the National Green Tribunal (NGT) with a petition being O.A. No.129 of 2016 questioning the inordinate delay on part of the State of Odisha in notifying the Elephant Corridors under Section 3 of the Environment (Protection) Act, 1986 (EP Act) read with Rule 6 of the Environment (Protection) Rules, 1986. It must be further noted here that in the said application, the NGT appears to have passed a 'final order' on 17th August, 2021 directing the State of Odisha to notify the 14 Elephant Corridors as earlier identified by the ANCF within a period of two months. This led to the State of Orissa filing a Review Petition pointing out that there is a petition, W.P.(C) No.275 of 2015, on this issue which is pending before the Supreme Court. Further, it was pointed out that the report of the ANCF suggests that "most of the corridors have no functional existence and most of the corridors are also not ecological feasible." Accordingly, a review was sought by the State of Odisha of the order dated 17th August, 2021 of the NGT. Even while the said review petition was pending, Execution Application No.3/2022/EZ appears to have been filed by WSO

pressing for execution of the order dated 17th August, 2021 in which the NGT passed an order on 6th April 2023, granting the State one month's time 'and no more' to notify the elephant corridors. By this time, in the hearing of the execution application, it was brought to the notice of the NGT by the State of Odisha that this Court was seized of one of the present petitions i.e. W.P.(C) PIL No.14706 of 2022 on the same issue. Against the said order dated 6th April 2023, the State of Odisha has filed W.P.(C) No.14057 of 2023 in which this Court passed an order on 4th May, 2023 staying the further proceedings before the NGT.

I. A. No.6983 of 2023 arising out of W.P.(C) No.14057 of 2023

- 11. WSO has filed this I.A. seeking vacation of the aforesaid stay order dated 4th May, 2023. Notice Notice is accepted by the learned Additional Government Advocate for the State, who undertakes to file a reply thereto within four weeks, rejoinder thereto be filed on or before the next date. The Vakalatnama filed by Sri Pani is taken on record.
- 12. Dr. Nair has explained two major-problems coming in the way of notifying elephant corridors. The first being there is no legal provision in the Wildlife Protection Act, 1986 (WP Act), which enables the making of such notification. The second is that the EP Act only talks of eco sensitive zones, which does not fully answer the need for a comprehensive provision for this purpose.
- 13. Mr. Pani, learned counsel appearing for WSO sought to counter the submission by referring to Section 3(2) (v) of the EP Act, which empowers the Central Government to take 'measures to protect and

improve environment' and in that process, notify restriction of areas "in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards." In the considered view of the Court, Section 3(2)(v) of the EP Act operates in a very narrow sphere as it does not contemplate loss of human lives, crops and vegetation etc. as a result of movement of wild animals including elephants and it is doubtful therefore if the measures taken under the above provision to answer the problem brought about as a result of elephant-human conflict.

- 14. In any event, it does appear that identifying elephant corridors precisely is a complex task as pointed out by the ANCF and which was also voiced today during the course of hearing by Dr. Nair. It is significant that many of the deaths that this Court has noted in the present order or in the earlier orders of elephants and humans have occurred in areas not strictly in an around the elephant corridors earlier identified.
- 15. Consequently, at this stage, the Court does not consider it advisable to vacate the order passed by it on 4th May, 2023 in W.P.(C) No.14057 of 2023 and would consider that question after response is received to the application filed today by the WSO.
- 16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week

from today in which the Chairperson of the JTF will also participate and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

- 17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used.
- 18. The second affidavit has been filed by Shri J. K. Panda, Additional S.P. and a member of the JTF where the details of the 6 ongoing criminal cases that having been registered in Athagarh, Similipal, Gumsur and Dhenkanal Divisions have been set out. The Court is assured by Mr. Panda that all possible steps have been taken to carry each of the criminal cases to the logical end by completing investigation, filing charge-sheet, arresting the persons accused and ensuring that the case progresses. A further affidavit updating the status of these criminal cases be filed before the next date.

I. A. No.640 of 2023 and I.A. No.3126 of 2023 arising out of W.P.(C) No.14706 of 2022

19. The Intervener in I.A. No.640 of 2023 has prayed for processing of all compensation claims for the loss of human lives and crop loss by the State Government and for all such claims to be settled in a time bound manner. Notice was issued in the said I.A. on 13th March, 2023 and no replies have yet been filed. Meanwhile, an additional affidavit has been filed by the Intervener on 5th May 2023, copy of which has already been served on learned Additional Government Advocate for the State. Let a copy thereof be served on learned counsel for the Petitioners as well other counsel appearing today. Replies to both the I.As. i.e. I.A. No.640 of 2023 and I.A. No.3126 of 2023 be filed by the State within four weeks and rejoinder thereto, if any, be filed before the next date.

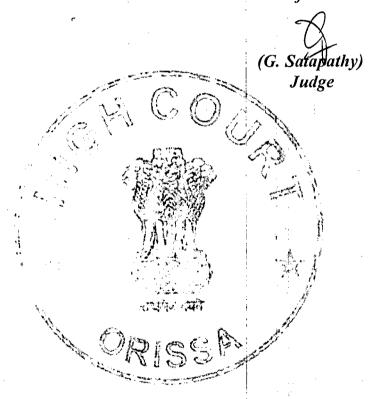
20. Dr. Nair informs the Court that on 17th April, 2023, a High Power Committee (HPC) has been constituted with the Principal Secretary, (Energy) being one of the Members and all the DISCOMs being the special invitees. He informs the court that the HPC would meet very soon. Apart from inviting the DISCOMs, the Court directs that the representatives of the Applicants in I.A. No.640 of 2023 and I.A. No.3126 of 2023 also be invited to present their issues before the said Committee. The HPC will also invite SNEHA apart from Dr. Sukumar to participate in virtual mode at its meeting. The minutes of the meeting of the HPC be placed before the Court along with an affidavit before the next date.

21. Dr. Nair will file his affidavit explaining the progress in the implementation of the CAP.

22. List on 19th July, 2023 at 10.30 am.

(Dr. S. Muralidhar)
Chief Justice

M. Panda



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

and

W.P. (C) Nos.9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 of 2023

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

Petitioner

Gita Rout

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

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

Petitioners

Balagopal Mishra and another

Mr. G.P. Mohanty, Advocate

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

Petitioner

Mrinalini Padhi

None

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

Petitioner

Dwija Dalpati

Mr. Gautam Misra, Senior Advocate assisted by Mr. A. Dash, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA & Mr. Ishwar Mohanty, ASC for the State Mr. Bijaya Kumar Dash, Advocate TPCODL

Mr. Akhaya Biswal, Advocate for Intervener

W.P.(C) No.14057 of 2023

Petitioners

State of Odisha and others

Mr. Debakanta Mohanty, AGA Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another

Opposite Parties

Mr. Sankar Prasad Pani, Advocate

Page 1 of 3

CORAM: THE CHIEF JUSTICE JUSTICE SAVITRI RATHO

ORDER 29.08.2023

Order No. 16, (18)

W.P.(C) No.14057 of 2023 and I.A. No.6983 of 2023

- 1. Heard Mr. S.P. Pani, learned counsel, who is representing the Opposite Party No.1-Wildlife Society of Orissa (Elephant Corridors).
- 2. The interlocutory application being I.A. No.6983 of 2023 has been filed seeking vacation of the stay order dated 4th May, 2023.
- 3. Mr. Ishwar Mohanty, learned Additional Standing Counsel has stated that the State has filed their response to the said application seeking vacation of the stay order.
- 4. Mr. Pani, learned counsel for Opposite Party No.1 has not asked for any accommodation for filing any rejoinder to the response filed by the State.
- 5. I.A. No.6983 of 2023 will be taken up for consideration of the prayer for vacation of the order dated 4th May, 2023 on merit on 11th September 2023.

W.P.(C) No. 14706 of 2022, W.P. (C) Nos. 9056 of 2013, 19625 of 2015, W.P.(C) No. 22421 of 2015 and W.P.(C) No. 14057 of 2023

6. Let the matters be listed on 11th September, 2023.

Many

- 7. It has been agreed upon by the learned counsel for the parties that Dr. Manoj V. Nair, the Principal Chief Conservator of Forests (Wild Life) should be requested to make a presentation on ground reality on which the Public Interest Litigation (PIL) is focused. The conversation should encompass the comprehensive action plan for conservation of elephant and mitigation of human-elephant conflict in Odisha.
- 8. This Court would request all the counsel appearing for the parties including the Interveners to be present at 4PM at the New Conference Hall in the Old Building of the Court on the date fixed. This Court would request Dr. Nair to initiate the conversation by PPT presentation so that everybody can get the crux of the problem at the beginning and we believe that it will streamline the conversation to a definite direction in order to find a solution to the problem.
- 9. The writ petition being W.P.(C) No.4571 of 2022, which has been wrongly tagged with this batch of writ petitions, be de-tagged.

(S. Talapatra) Chief Justice

(Savitri Ratho) Judge

S.K. Guin

÷



IN THE HIGH COURT OF ORISSA AT CUTTACK W.P.(C) No. 28706 of 2024

Registrar (Judicial), Orissa High

Petitioner

Court, Cuttack

Mr. K. C. Kar, Govt. Advocate(State)

-versus-

State of Odisha & Others

. Opposite Parties

Mr. Ashis Ku. Mishra, Advocate

Mr. D. R. Bhokta, Advocate(CGC)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MISS JUSTICE SAVITRI RATHO

Order No.

ORDER 19.11.2024

17. (01)

W.P.(C) No. 28706 of 2024, W.P.(C) No.14706 of 2022, W.P.(C) No.9056 of 2013, W.P.(C) No.19625 of 2015, W.P.(C) 22421 of 2015 and W.P.(C) No.14057 of 2023

This matter is taken up through Hybrid mode.

- 2. Suo motu notice has been taken by this Court on its judicial side based on newspaper reports published in Orissa Post captioned "JUMBOS IN PERIL" and the Times of India, Bhubaneswar Edition, both published today, i.e. 19.11.2024.
- 3. The report in the Orissa Post discloses that three elephants two females and a calf were electrocuted to death in Sambalpur District,



after coming in contact with live wires laid by poachers, reportedly to kill wild boars. It further appears from the said report that there has been 27 deaths of elephants in 15 forests and wildlife divisions till mid-July of 2024-25 and electrocution accounts for nearly 30% of the total deaths.

- 4. There is another report published in Bhubaneswar edition of Times of India today regarding the electrocution of the three elephants. If the report in the Times of India is to be believed, as many as 78 elephant deaths were recorded in the State during the year 2023-24, according to Wildlife Society of Odisha data. The said report in the Times of India also mentions that electrocution was the leading cause with 20 deaths, followed by 10 deaths due to natural causes 5 deaths caused by poaching/ivory hunting and 5 deaths due to train/vehicle accidents.
- 5. We take serious note of the facts which have emerged from the aforesaid two newspaper reports. More than five decades ago, noticing rapid decline of Indian wild animals because of taxidermy and trade in wild life and products derived there from, the Wild Life (Protection) Act, 1972 was enacted to provide for protection of wild animals, birds and plants etc. The disclosures made in the





newspaper reports, if correct, are appalling. It has happened despite stringent statutory provisions and this Court's intervention in the pending proceedings.

6. Mr. Goutam Mishra, learned Senior Counsel assisting this Court has drawn our attention to this Court's order dated 13.12.2022 and 29.08.2023 passed in - W.P. (C) No.14706 of 2022 and batch. The order dated 13.12.2022 reads as under;

"1. Today's hearing has been advanced on account of a development that has caused deep concern. This is the discovery of a carcass of a poached male elephant, which took place around 7th December, 2022. The evidence of theft of the tusks was made to disappear by the burning of the carcass by Forest Officials of the Jenabil Range, Similipal South Division. The Court has been given a written status report of the Deputy. Conservator of Forests, Joint Task Force stating inter alia that all they could find were few bones and flesh of the animal from a waterfall/stream wherein the alleged burnt matter was disposed of by the said Forest Staff. It is stated that three Forest Officials have been placed under suspension by the Field Director (STR). The said report and the letters dated 10th December, 2022 placed today are taken on record.



- 2. Mr. Manoj Nair, the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden (PCCF) is present in virtual mode. He states that he is right now stationed in Similipal itself to ensure the inquiry is taken to a logical conclusion. The Court has impressed upon Mr. Naik that it would like to be assured that preventive steps that were planned by Joint Task Force(JTF) are actually being put in place immediately.
- 3. An affidavit listing out the precise preventive measures taken will be filed before the next date. This will include the names of the "Gaja Sathis", who are said to have been deployed and the map showing the elephant corridor routes in State of Odisha with the names of villagers that fall in and around the corridors. The affidavit will also set out the details of the FIR registered in connection with the above incident.
- 4. List on 22nd December, 2022 at 10.30 am. Mr. Nair will remain present in virtual mode on the next date."
- 7. The order dated 29.08.2023 reads thus;
 - "7. It has been agreed upon by the learned counsel for the parties that Dr. Manoj V. Nair, the Principal Chief Conservator of Forests (Wild Life) should be requested to make a presentation on ground reality on which the Public Interest Litigation (PIL) is focused. The conversation should encompass the comprehensive



action plan for conservation of elephant and mitigation of human-elephant conflict in Odisha."

- 8. Mr. K.C. Kar, learned Government Advocate accepts notice in the present suo motu proceeding on behalf of the Opposite Parties (1) State of Odisha represented by the Chief Secretary, Odisha, (2) Addl. Chief Secretary, Department of Forest and Environment of Govt. of Odisha, (3) Principal Chief Conservator of Forest, Sambalpur, and (5) Divisional Forest Officer, Raikhol.
- 9. In addition to the persons/officers impleaded as Opposite Parties in the present suo motu proceeding, let the following be also impleaded as Opposite Parties No.6 & 7 respectively:-
 - "1. The Union of India through its Secretary, Ministry of Environment and Climate change
 - 2. The Director of Wildlife Preservation, New Delhi, appointed under Section- 3 of the Wildlife (Protection) Act, 1972."
- 10. Mr. D. R. Bhokta, learned Central Government Counsel accepts notice on behalf of the Union of India and the Director of Wildlife Protection.





11. List this matter on 26.11.2024 to be taken up at 2.00 p.m. along with W.P.(C) No. 14706 of 2022, W.P.(C) No. 19625 of 2015 and W.P.(C) No. 9056 of 2013.

13. On the next date, the Principal Chief Conservator of Forests (Wild Life) shall be required to join the proceedings online. He will further be required to furnish to this Court in the meanwhile, the number of reported deaths of the elephants in the State of Odisha from 2020 till date in tabular form displaying the known reasons for their deaths, by way of an affidavit. He shall also be required to disclose in the affidavit, the steps taken to investigate the cause behind the deaths of the three elephants in Sambalpur District as reported in the newspapers.

(Chakradhari Sharan Singh) Chief Justice

> (Savitri Ratho) Judge

Subhalaxmi



IN THE HIGH COURT OF ORISSA AT CUTTACK W.P.(C) No. 28706 of 2024

Registrar (Judicial), Orissa High Court, Cuttack

Petitioner

-versus-

State of Odisha and others

Opposite Parties

Ms. Aishwarya Dash, Addl. Standing Counsel

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

Order No.

26.11.2024

W.P.(C) No. 28706 of 2024, W.P.(C) No. 9056 of 2013, W.P.(C) No. 19625 of 2015, W.P.(C) No. 22421 of 2015, W.P.(C) No. 14706 of 2022 and W.P.(C) No. 14057 of 2023.

These matters are taken up through Hybrid mode.

- 2. In the light of this Court's order dated 19.11.2024, Dr. Manoj V. Nair, the Chief Conservator of Forests (Wildlife-I) has joined in the proceedings online through video conferencing.
- 3. An affidavit has also been filed, sworn by him, in compliance of the said order. In the said affidavit details relating to deaths of wild elephants in the State of Odisha from 2020-21 to 2024-25 (as on 22.11.2024), with dates have been provided in tabular form. The said affidavit also contains, briefly, the causes of deaths of the elephants for the said period under Annexure-3 at page 59.





Referring to the said figures, Dr. Nair has admitted that deaths of wild elephants by electrocution, either deliberate or accidental is the area of most serious concern.

- 4. It is evident from the data provided in the affidavit that in the year 2024, twenty-three deaths of wild elephants have been reported due to electrocution. Eight-five elephants in the State of Odisha died of electrocution from 2021 to 22.11.2024. This has happened despite this Court's serious intervention, which led to preparation of an action plan and constitution of Joint Task Force to protect the wild elephants in the State of Odisha.
- 5. Mr. Goutam Mishra, learned Senior Counsel has submitted that considering the circumstance that electrocution is one of the major reasons for the deaths of wild elephants in the State of Odisha, inclusion of the representatives from the electricity distribution companies (DISCOMS) of the State is required.
- 6. In the facts and circumstances, to begin with, we deem it proper to direct Dr. Manoj V. Nair, the Chief Conservator of Forests (Wildlife-I) to convene a meeting of the Chief Executive Officers of Tata Power Central Odisha Distribution Limited (TPCODL), Tata Power Western Odisha Distribution Limited (TPWODL), Tata





Power Northern Odisha Distribution Limited (TPNODL), Tata Power Southern Odisha Distribution Limited (TPSODL) by 06.12.2024 to ponder over the issue of deaths of wild elephants in the State of Odisha because of electrocution and the remedial measures, which can be taken jointly by the State and the DISCOMS.

- 7. List these matters on 10.12.2024, to be taken up at 2.00 P.M. Dr. Manoj V. Nair, the Chief Conservator of Forests (Wildlife-I) shall be required to inform this Court the outcome of the meeting to be convened by him, in terms of this Court's present order. Dr. Nair shall also be required to inform this Court about the developments in the complaint case registered in relation to the deaths of three elephants on 18.11.2024.
- M
- 8. We also deem it proper to direct for impleadment of Tata Power Central Odisha Distribution Limited (TPCODL), Tata Power Western Odisha Distribution Limited (TPWODL), Tata Power Northern Odisha Distribution Limited (TPNODL), Tata Power Southern Odisha Distribution Limited (TPSODL) through their respective Chief Executive Officers as opposite parties in W.P.(C)



No. 28706 of 2024. Let necessary steps be taken by Registry to amend the cause title of the case.

9. Mr. Sankar Prasad Pani, learned counsel appearing on behalf of the wildlife society, opposite party in W.P.(C) No. 14057 of 2023 has drawn our attention to an interim order passed by this Court on 04.05.2023 in the said writ petition. He has submitted that an application has been filed for vacation of the interim order vide I.A. No. 6983 of 2023. We make it clear that on the next date, we will take up W.P.(C) No. 14057 of 2023.

(Chakradhari Sharan Singh) Chief Justice

> (Savitri Ratho) Judge

Arun Mishra

NOP(c). Case No. 19625/15

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
(L)	22.1.16	office note ded. 3.3.17 at prepared may kindly be repeated
		ponerage voag. Bereh
		Sanara que ceeth
		nep(1). No. $9056/15$
		Karlash ch. Barile
4.	4.10.2021	For Hearing!
		i) Pursuant to ord. dtd. 4.10.21, receipt
	•	showing servoice at copy of the counter afficient served on the peritioner not filed.
		connenience note en the petitioner
		mal cocoload
	,	(ii) Receipt showing service of capy of the judgment on Mr. Parnaik pleamed A.S.C not received.
		iv) M.c. NO. 19481/15 is at flag A' for
		(The abone said Misc case has been admitted
		vide count's ordine a dld 17.11.15 and granted to comend the pelitien to join the electricity Distribution companies a ops 4 to7)
OCD MD CTCD	(10) 0 1 00 000 3 0 0	(Regarding disposal of the Misc Can) Bench
OGP-MP-CTCP-((HC) 9-1,00,000-3-8-20	021 Sand Parel 1021 Sand 39 100 (1) 23 421/15 Adj to 11.1.22

WP (1) Case No. 19625 /15

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
09	23-08-2022	With
		i'm 15 - Bis ay a keemar Dash & association
· · · · · · · · · · · · · · · · · · ·		filed v. Nama for the Head-Legal filed v. Nama for the Head-Legal Services, TPCODLy Bhubaneswar,
		services, the
		Mp(1) 22421 /2015, wp(1) 985 6/2013
		WP(1) 14706 /2022 - Sent to list or WP(1) 14706 /2022 - Sent to list or
		23/8/2022 1 16-08-2022-
· · · ·		Bench
		Sabita Rath
		M. 8 D. solar
		and and
.06	25-08-2022	Previous note may be repeated, with worth wold 19056/13, 14706/22, 22421/2015.
	•	Adon to 26/09/2022.
		Adon to 2 Bench
		Sahita Rath
		22-9-2022
		Mara. va

Ž

NOP(1) Case No. 19625/2015

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
86.	26.09.22	For fearther hearing
		coffice note deld. 7.1.22 al prepage may be repeated
		i) No seech affidanit has filed in this coop as per or. NO 6 dtd. 26.912022
		seen.
		nope.). 9056/13, 22421/15
. •		Sandipla Doug Dt. 19.10.22 Bench
		(Connected nor(r). 14706/22 already sent to list on 18.10.22)
•		M. K. Paida
. <u>,</u> 07 ·	26.09.22	(office note det. 7.1.22 at propage roay be repeated)
	•	2) No such affidarit has filed in this core as per protono. 6 ded. 26.9.22
		etti darit is received.

The Color of the Color of the Council

nep(1) Case No. 19625 2015

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
0 म	₹6,09,22	for feerther hearing
		Office note det. 7.1.22 at priepage may be repeated)
		he ceah out out
		i) prenserant to ord. no. 7 dtd 20.10.2
		no seich attidarit nos been filed
		;;i) ord. ded. 20.10.22 may Kindly
-		be seen:
		NOP(1). NO. 9056/13, 22421/15,14706/22
		(Adj to 11.11-22 at 2 P.M)
		Sandipla Does Dr. 9.11.22 Bench
· .		St. '
•		4. K. J. J.
08	11.11.2022	for further hearing
		(Office note ded. 7.1.22 at merge may
•		;) pressuant to ord. dld. 20.10.22, affiland
		I filed by Additional SP & the chairman J.T.F.
		respective record.
OGP-MP-DTP-U1-(H.C.) 19–2,00,000–3-11-2	2021, NOP(1), 9056/13, 22421/15, 14706/22 Ma
	~ @	1) Adi to 15.11.22 at 2em.

00F-MP-DIP-01-(H.C.) 19-2,00,000-3-11-2021 Value 17 Adj to 15.11.22 at 26

ner(1) Case No. 19625 2015

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
. 09.	15 11 2022	office note ded. 14.11.22 at propage
		may be repeated
		(Red-in nep(i), NO. 14706/22)
• .		Sardipta Das Dt. 12.12.22 Bench
10.	13.12.2022	office note dtd. 14.11.22 at prepage
		may be repeated (Ref. in nep(c). No. 14706/22)
		Adj to 22.12.22 at 10.30 am
		Sandipla Das Bench Dt. 20.12.22
ij	23.12.22	office note dtd. 14.11.22 at pryage may be repeated
		i) Submissions on behalf of the petitioner kept on face of their necond.
		(Ref in nep(), No, 14706/22)
	ı	Sandipla Das Adj' to 18.1.22 Sandipla Das Bench
	1	a de la companya de

NOP(1) Case No. 19625/15



OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
12.	18.01.23	office note dtd. 16.1.23 al prepage
		may be repeated
		;) f.A. NO. 1737/23 is at flag B' filed
		by the peritioner for amendment of the cause title of this wer't perition, copy
		cause title of this verit petition, copy
• · · · · · · · · · · · · · · · · · · ·	,	Serned
	``. ·	(Retin norc). No. 14706/22)
		Sondieta Das Ady' to 13.3.23 Bench
•		Sonda 9.3.23 Bench
		· ·
13	18.03.23	Meno No. 14048 to 14057 Df 21/03/23
-		Modice issued to TPSODL, TPNODL
		TPNODL, TPCODL (OPS 4 to 7) by negd, post
		with AD fixing Dt. 10.04.23 for
	,	appearance à file showcause
0		
ż		16.3.23 postal steerps (75/- XY attixed) Shares
	* *	suff.
,		Mema No. 14055 to 14058 DP 21/03/23
		Motice issued to TPSODL, TPWODL,
		TPNODL, TPCODL (OP: 4 to 7) through Dork
		fring Dt. 10.04.23 for appearance
OGP-MP-DTP-U1-(H.C.) 19–2.00.000–3-11-2	

OGP-MP-DTP-U1-(H.C.) 19-2,00,000-3-11-202

2.3.23

Seepe 200

Case No. WP(1) No. 19625/2015

OFFICE NOTES			OFFICE NOTES
, -	Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
-			Revived By Dost Notice
		·	ON SP. No 1 to 4 in 1 ANO 1737/23 (WPC 19625/15
			Rangom Kn. Nutrelat For M. Posthi
			For M. Podhi Pakitinon
			23.3.23
٠			
		_	

Case No. WPW. No. 19625 2015

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
		Receivers charm of 13-322 for Oslovan Duy
		100 (40)
13.	13.03.23	For fuerther hearing
		For further hearing (office note dtd. 7.1.22 at prepage may le repeated)
		i) presserent to ord. dld. 20.10.22, affidavit
•		filed by Additional SP & the chairman
		J.T.f. in nopc). No. 14706/22 incorporates
		in respective record.
		ii) Submissions on behalf of the
·		petitioner Kept on face at the record
		iii) J.A. NO. 1737/23 is at flag &
		filed by the peritioner for amendment of the cause title of this verit
		petition, copy serned.
· .		iv) AD returned from (TPWODL), after valid
		v) & pastination returned from
· · · · · · · · · · · · · · · · · · ·		ville set Daylin notice not received from other parties. ville set Daylin notice not received from other parties.
	· ·	brief with country & Addl. affidarit weith
		Annexunes on learned coversel for DISCOMS
		receined.
	•	viii) ond. Atd. 13.3.23 may kindly be seen
		regarding personal appearance at learned coursel Mr. Bijay Kumar Das, appears on behalf at DISCOMS.

Case No. NO. 19625/15

SI. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
		Postal tracking report et notice to the companies se TPSODL, TPNODL, TPNODL & TPCODL are at flags '1', '2', '3' & y' for Kind percesal. Adj to 20.04.23 (for nef. in nop(i). No. 14706/22) Sondieta Pas Dl. 18.4.23 Bench M/s Bijaya kumar Dash & associates appear on behalf of TPSODLI by
14	19.3.23	office note ddd. 18.4.23 as abone may be repeated i) M/S Bijaya Kumor Dash & associates appear on behalf of TPSODE by filing a vakalatnama.
		Adj to 9.5.23 ad 10.30 AM. (Ref. weith nep(i). 14706 / 2022) Sordipla Day Bench Dt. 5.5.23

Case No. NO. 19625/15

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
15.	09.05.23	office note dld. 5.5.23 al prepage
	r.	may be repeated Adj to 19.07.23 at 10.30 am
		(Ref. weith ner(1), 14706/22)
		Sordipla, 23 Bench Bench
		M/S Bijaya KU. Darh, S. R. Darh, R.B. Darh R.K. Nayak, S. Behera, S. Mohandy, appear on behalf of TPCODL by filing a vakalatnama
		behalf of TPCODE by filing a vakalatnama
16.	19.07.23	Ottice note ded. 18.4.23 at prepage
•		may be repeated

Case No. NO. 19625/15

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
15.	09.05.23	Office note dld. 5.5.23 al prepage
		may be repeated
· · .		Adj to 19.07.23 at 10.30 am
.*		(Ref. weith ner(r), 1470 6/22)
		Sandipla 23 Bench Dl. 17-07.23
		Sandt of. 2) Dl. 17-07.2
		M/S Bijaya KU. Darh, S. R. Darh, R.B. Darh R.K. Nayak, S. Behera, S. Mohandy, appear an behalf of TPCODE by filing a vakalatnama
		behalf at TPCODE by filing a vakalatnama
		Q
16,	19.07.23	Office note ded. 18.4.23 at prepage
•		vay be repeated
•		
	•	

Case No. NO. 19675 2015

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
<i>15</i> .	09.05.23	For feerther tlearing
		i) M.C. NO. 19481/15 is at flag A'
•		for amendment filed on 23.11.15
•		(The abone said Misc care has been admitted
		vide count's ord. no. 2 ded. 17.11.15 B
-	*	granted to amend the petition to join the
	• • 1	Electricity Distribution companies as
	• •	OPS 4 to 7)
٠.		Regarding disposal of the Misc. Can.
		ii) 9.A. No. 1737/23 is at flag B' filed
.		by the peditioner for comendment at
	•	the cause title of this world petition,
•		copy serned.
	·	iii) AH: clarit filed by TPWODL
		is at flag c', copy serned.
		iv) Mr. Lalit Ku. Maharana, learned coversel
		appears on behalf of TPSODL, TPNODL,
		TPNODL, TPCODL OCOO by filing
		vahalatnamas weith taking consent from
		the previous course!
	, , , , , , , , , , , , , , , , , , ,	v) Seconission on behalf of the peditioner
		Kept on face of the record.
•		Acl; to 23.08.23
	,	
		(Ref. with 100(1), 14706/2022)
·		n Day
		Condipies 23 Benefit
		Sondipla Day Bench
] ·	

Case No. NO. 19625 15

Sl. No. of Order for Compliance		Notes and action taken on order with signature of Dealing Assistant and Superintendent		
. 16	29.08.23	Record received from count today		
		Bn 5.9.23		
16	29.08.23	office note ded. 21.8.23 at prepage may be repeated.		
		at flag 'D', copy served.		
		ii) Attodorit on behalf of TPNODL		
		is at flag E', copy serned. (Ret desith nop(), 14706/2022)		
		Adj to 11.09.2023		
		Sandipla Das Arg 10 mont 2 Bench Dl. 5.9.23 Bench		
16	29.08.23	office note as abone may be repeates		
		i) Afficient en behalf af TPCODL is al sflag of filed, copy not served (2nd copy not filed) (Refueith nop()) NO 14706 (2022)		
	•	Sendiplo Day Sendiplo Day De 31 9.23 De neh		

Case No. NO. 19625/2015



Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
16	29.08.23	Office note dld. 21.9.23 at prepage
	•	may be repeated.
		i) shoul seedmission on behalf of the
		pelitioner deld. 18.09.23 Kept on top
		of the record.
		(Ref in ropa). No. 14706/2022)
		O Das
		Sandipla 2.24 Bench
	!	Sandipla Das Dt. 20.2.24 Dt. 20.3.2000 Bench
		Received from couent today at 4:15 p.m.
		an.
		An 10 10
17	(19.11.24)	for feerther tleaning
·	(19.11.24)	i) M.C. No. 19481/15 is at flag A' for
		amendment filed on 23.11.15 . The above said Misc. case has been admitted vide
		Count's and no 2 ded. 17.11.15 & granted to
		amend the pedition to join the Electricity
		Distribution companies as ops 4 to +)
·		Regarding disposal of the MSC, Care.
•		i) I.A. NO 1734/23 is at flag & filed 6
,	÷. •	the petitioner for amendment at the
		Covere title of this writ petition, copy served iii) Afficianit afiled by TPNODL is at
		flag C', copy surned.
:		
	i '	

Case No. WP(1). No. 19625/2015

OFFICE NOTES

Sl. No. of	Date of Order for	Notes and action taken on order with
Order for compliance	compliance	signature of Dealing Assistant and Superintendent
		iv) Affidanit ded 21.8.23 on behalf of TPSODI
		filed which is at flag D', copy served.
	· · · · · · · · · · · · · · · · · · ·	v) Affidarit ded. 21.8.23 on behalf of TPNO
,		ic of flag E', copy served.
		100) A.P. Davit all 18.7.23 on behalt of M
	·	TPCODE filed which is at they to
		not serned. (and copy not filed).
·		vii) Short submissions dtd. 13.01.23 x 20,10.2
	,	Kept on for of the record.
		mini dipla Das Bench
	• .	Sandipla Das Sandipla Das Dt. 24.11.24 Bench
		Office note as abone may be repeated
17.	19.11.2024	i) pursuant to ord, ded 19.11.24, no such
,		affidarit neceived from the Principal Chief
• •		Conservator of foresti (wild life).
		(Ref weith nerce) 28706/2024)
		Adj to 26.11.24
		<u> </u>
		Sardipla Cas Dr. 25.11.24 Benes
18.	26.11.24	office note ded. 22,11.24 as above may be
		i) Ond. Add. 26.11.24 may kindly be seen
,		negarding to inform this count the outcome of the
•		meeting by Dr. Many V. Nair, the chief Conservator
vet		et Forests (wildlife-1) Adj to 10.12.24 at 2.00 pm
·	,	(Ref caigh nap(1), 78706/2024)
•	1	Nethorika Prinjadorcehini Bene

chita Dath 39

Case No. NO. 19625/2015

Sl. No. of Order for compliance Compliance Received 25.11.24.	
Received gear 25.11.24	
25.11.24	
	•
	,
	,

THE HIGHCOURT OF ORISSA, CUTTACK FILING ACKNOWLEDGEMENT SLIP

Diary No.- (58109 / 201!

Case Number

: WP(C)-19625/2015

Pet/Res Name:

MRINALINI PADHI VS . STATE OF ODISHA

Registration Date

: 02/11/2015

Filed By: MRINALINI PADHI

Subject

: LETTER PETITION & PIL MATTER

PS Case

Lower Court Details

D.O.J

Monday 02nd of November 2015 02:46:00 PM

of RSGI facid 1. COURT FEE IS DEFICIENT:

- 2. VALUATION OF PROPERTY NOT MADE A
- 3. AUTHENTICATION FEE IS DEFICIENT.
- 4. AFFIDAVIT/VERIFICATION NOT PROPER.
- 5. SECOND COPY OF PETITION NOT FILED.
- 6. RECEIPT SHOWING SERV, COPY TO AĞ/CG/IT/CT/ETC.NOT FILED.
 - 7. VAKALATNAMA NOT PROPERLY STAMPED, EXECUTED, ACCEPTED. In fewers,
 - 8. CAUSE TITLE NOT IN ORDER.
 - 9. PROVISION OF LAW NOT FURNISHED ON TOP OF CAUSE TITLE.
 - 10. SUBJECT CODE NOT FURNISHED.
 - 11. NEAT, LEGIBLE ATTESTED ANNEXURES NOT FILED.
 - 12. ASSESMENT SLIP NOT FILLED-IN PROPERLY.
 - 13. APPLICATION CONTAINS MORE THAN ONE PRAYER.
 - 14. NOT PROPERLY INDEXED.
 - 15. ALL PAPERS NOT PROPERLY SIGNED.
 - 16. PETITION/APPEAL NOT IN TIME \nearrow
 - 17. REFERENCE CERTIFICATE NOT FURNISHED.
 - 18. CERTIFIED COPY OF TRIAL/APPELLATE COURT ORDER NOT FILED №
 - 19. UNDERTAKING FOR NON FILING OF TRANSLATED COPY NOT FILED
 - 20. VERNACULAR CERTIFICATE NOT FURNISHED,
 - 21. STATUTORY DEPOSIT/AWARDED AMOUNT NOT DEPOSITED. >
 - 22. REQUISITES NOT FILED.
 - 23. NOMENCLATURE NOT CORRECTLY FURNISHED.
 - 24. LIMITATION NOT IN TIME / EXPIRED. /

DEFECTIVE/READY

	AHO/ AS/ CMPA /CMPAT/ CMPMC/ CRA/ CRMC/ CRRET/ CRREV/CVA/ CVREF/ CVREV/ CVRVW/ DREF/ EC/ EP/ FA/ GA/ JCRA/ JCRMC/ JCRREV/ MA/ MJC/ MREF/ OCRMC/ OJC/ OS/ SA/ SCA/ SJC/ SM/ TA/ TMC:
	Case Type N, PCO No. 19625/2015 Date of Regn. 211.15
	If 'State' is a Party, Name the Deptt: (Pet/Res) [put mark]
	If Public Undertakings (specify name): (Pet/Res) [put mark]
(a)	Number of category with sub-category under which the matter falls: 9 9 0 0
	IF OTHERS, specify the subject
b)	Which is applicable? [put mark] (Single Bench/Div. Bench/Three Judge Bench/Five Judge Bench)
	Article of the Constitution/Act (Central/State) [put mark]
	Wa 226 and 227 of the Constitution
	Section/Sub-section involved:
	Rules involved:
	Whether any other matter is pending in this Court on the same point of law: If so, give the number of matter:
	<i>X</i> ∇
	Whether any other matter is pending against the impugned order/ Judgement? If so, give the number of matter:
	<u>×</u>
	Whether the matter is covered by any judgement of the Supreme
	Court, this Court or any other High Court, if so give details of the
	judgement:
	<u> </u>
) .	Point of law involved in the matter: The Pohlmany Challer of the Public Information



IN THE HIGH COURT OF ORISSA: CUTTACK

W.P. (C)(PIL) NO. 19625 OF 2015.

code219900

Mrinalini Padhi

Petitioner.

- Versus -

State of Odisha and others

Opp. Parties.

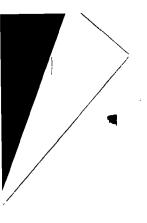
INDEX

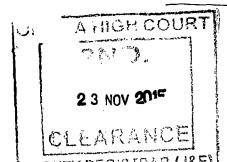
Sl.No.	Description of documents.	Pages.
1.	Writ Application.	1 - 25
2.	ANNEXURE-1 Copy of the statistics collected from the Website of Forest Department.	26.32
3.	ANNEXURE-2-SERIES Copies of publications.	33-48
4.	ANNEXURE-3 Copy of the representation.	49-51
4.	Vakalatnama.	

CUTTACK.

Date: 2.11.15

for the petitioner.





IN THE HIGH COURT OF ORISSA CUTTACK (ORIGINAL JURISDICTION CASE)

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

Code 219900.

In the matter of:

An application under Articles 226 of the Constitution of India, And

In the matter of:

Public Interest Litigation.

And

In the matter of:

Mrinalini Padhi, Advocate, Aged about 55 years, w/o. Sri Saurjya Kanta Padhi, resident of 10/Bhasakosh Lane, Cuttack-2, Odisha

Petitioner

- Versus -

- 1. State of Odisha, represented through the Secretary to Govt., Forest & Environment Department, Odisha Secretariat, Bhubaneswar,
- 2. Principal Chief Conservator of Forests, Odisha, Bhubaneswar.
- 3. Chief Wild Life Warden, Odisha, Bhubaneswar.
- 4. Southern Electricity Supply Company of Orissa Ltd. (SOUTHCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar -751015, represented through its Chief Executive.
- 5. Western Electricity Supply Company of Orissa Ltd. (WESCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar 751015, represented through its Chief Executive.
- 6. Northern Electricity Supply Company of Orissa Ltd. (NESCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar 751015, represented through its Chief Executive.
- 7. Central Electricity Supply Utility of Orissa (CESU), 2nd Floor, IDCO Tower, Janpath, Bhubaneswar-751 022, represented through its Chief Executive. ... **Opp. Parties.**

(The matter out of which the present writ petition arises was never before this Hon'ble Court in the present form)

Meinaleni Palli.

To

The Hon'ble Shri Justice D.H. Waghela, B.com., LL.M., Chief Justice of Orissa High Court & His Lordship's Companion Justices of the said Hon'ble Court.

The humble petition of the Petitioner above named.

MOST RESPECTFULLY SHEWETH:

- 1. That the present petition under Article 226 of the Constitution of India is being filed by way of public interest litigation and the petitioner has no personal interest. The petition is being filed in the interest of large number of people who are deeply affected both in terms of life and livelihood due to the frequent and perennial problems of elephants staying in human habits in different parts of State of Odisha. It is also for protection of the wild life within its territorial boundary.
- 2. That the petitioner is a practicing lawyer of the Orissa High Court since 1985. From April, 1994 to December, 1998, the petitioner was a member of the State Consumer Disputes Redressal Commission, Odisha and was also working as a Member of the Permanent Lok Adalat from July, 2011 to August, 2015 (a statutory body under the Legal Services Authorities Act). The petitioner was a Member of the High Court Legal Services Authority and is deeply associated and voluntarily working as Founder Secretary of Sahaya Red Cross Centre for Special Children since 1991 which is looking

Meiale Pall

after the special abled children particularly the mentally challenged.

The petitioner is vitally interested in public causes.

The petitioner had earlier filed a PIL bearing O.J.C. No.10755 of 1999 against Dalmia Industries Limited which was promoting the Ayurvedic herbal formulation for mentally challenged and giving a false hope that the problems of learning disability, improper speech, lacking in attention and concentration can be cured by the Ayurvedic formulation. Due to her working experience, she consulted Prof. & HOD, Psychiatry-cum-Additional Superintendent, Mental Health Institute, S.C.B. Medical College Hospital, Cuttack, whether it is possible that mental deficiencies would be cured by the medicine, who in turn submitted a report that the mental deficiency by definition is a condition which is "irremediable and incurable other than by habit training" and there is no medication which can cure learning disability, motor coordination problem or speech disabilities in mentally retarded. Since the petitioner had a perception and though it was also stated in different text books, apprehending it may cause serious and irreversible damage to the mentally challenged, the petitioner had filed the PIL for directing that such a medicine should not be sold without approval of the authorities in the relevant field. In the writ petition, this Hon'ble Court was pleased to issue notice and the opposite party-Dalmia Industries Limited appeared, but thereafter it has withdrawn the

Moundless Rall

medicine from circulation. However, the writ petition is still pending.

The petitioner had also filed another PIL in W.P.(C) No.9086 of 2003 for improvement of the conditions of jail especially women and children and this Hon'ble Court was pleased to pass elaborate order on 6.4.2014 directing for enquiry by a District Judge. This matter is also pending for adjudication.

- 3. That the petitioner is filing the present petition on her own and not at the instance of anyone. The litigation cost, including the Advocate's fee and the travelling expenses are being borne by the petitioner herself.
- 4. That the brief facts of the case in brief are as follows:
- 4.1) That the petitioner had occasion to have first hand experience recently on 8th August, 2015 she had visited her mother-in-law, Late Smt. Justice A.K. Padhi's village Gailo, in the district of Dhenkanal. In the night almost 18 elephants strayed into the village. The entire village was in state of panic. The elephants roamed around and ate/destroyed all crops particularly banana, sugarcane, mango trees and paddy. The fields were also completely destroyed by their movements. The Forester and other staff immediately reached but they were mute spectators as they have no means nor ability to drive away the elephants. It was also indicated by the forest officials that the elephants have developed

Marielyfish

intolerance to their sirens and are attacking them and their vehicles.

4.2) That the instances of man-animal interface have grown in recent years in Odisha, particularly in respect of wild elephants, monkeys and wild boars. There are reportedly many cases of deaths of human beings, cattle, damage to house and crop by wild animals and also retaliatory killing of wild animals. During the period of ten years from 1994-95 to 2003-04, a total of 3425 instances of depredation have been recorded (excluding the cases of crop damage), on the basis of compassionate payment made to the victims, out of which 2888 cases were due to elephants (85%), 358 cases due to bears (10.45%), 69 cases due to tigers (2.1%), 67 cases due to crocodiles (1.95%) and 43 cases due to leopard (1.25%) (figures reported in different studies). Apart from this, elephants damaged 18,152.67 acres of paddy crop during the above period. Growing pressure exerted on wildlife habitats is the main reason for conflict with wildlife. The other reason is fragmentation and honeycombing of wild animal habitats. The loss of corridors and migratory routes of long ranging animals like elephant is the major reason for increasing man-elephant conflict in Odisha.

For years people in forest regions of Odisha have existed peacefully with the elephants but things are changing slowly. As the habitats of the pachyderms get devoured by human population on

Mariale Roll

the name of development, the elephants are gradually transgressing into the human dwellings.

The ongoing Rengali Left Bank Canal Irrigation Project on the Brahmani river of Odisha is a pointer to the fact. The irrigation project might be aimed towards agricultural prosperity of the state, but for the dwellers of 360 odd villagers in Dhenkanal and to the numerous animals who live in the forests nearby, it is a battle of survival. The final stages of work on the canal have exposed the villagers to a bitter man-elephant conflict. Figures at hand are but an adjunct to the fact. Of the 65 human deaths in Odisha from elephants accidents in the last six-seven years, 30-35 cases have been reported from Dhenkanal only.

The Rengali left bank project has destroyed the traditional habitat of elephants passing through the reserve forests of Dhenkanal, Kapilash and Anantpur, in Dhenkanal forest division. Villagers complain that they had lived peacefully with the animals for ever and the animals never attacked their villages. However, this has become a regular feature now with the corridor that provided a safe exist for the elephants to migrate, being destroyed. Elephants are migratory animals and require a lot of space. The development of the irrigation project has robbed them of this free space. Traditional paths are now totally cut off due to steep-walled canals on either side of the Brahmani river, creating insurmountable obstacles for elephant migration.

Meirele: Pall

Experts point out that Kapilash was the terminal point of habitat for the entire elephant population stretching from Dhenkanal, Keonjhar, West and East Singhbhum district of Jharkhand upto the Dalma forests, covering a distance of 430 Kms. The rich and diverse forests of Dhenkanal offered an ideal transit path for passing elephants, providing them an abundance of food, shelter and water. However, lack of continuity and fragmentation of their habitat by the canal and its distributaries has put the elephant population under severe stress, experts say.

With the elephants transgressing regularly into human dwellings in search of food and damaging the crops, the villagers have slowly stopped cultivation altogether and many have become migrant labourers.

- 4.3) That instances of wild animal killing resorted to by enraged villagers in retaliation to protect their lives and property have also been noticed. During the period from 1998-99 to 2003-04, a total of 8 such cases have been reported in respect of elephants with Keonjhar and Dhenkanal divisions accounting for as many as 2 cases. Similarly one case each has been reported from Ghumsur (North) and Baripada Division in respect of bear and leopard respectively, for the above period.
- 4.4) That total number of human beings killed during the period from 1998-99 to 2003-04 due to elephant attack is 228, with Keonjhar district alone accounting for 93 numbers followed by

Marialer Rall

6

Sambalpur and Sundargarh accounting for 28 & 23 number of deaths, respectively. Bamra and Bonai forest divisions have also recorded instances of elephant depredation. Only five forest divisions of Keonjhar and the adjoining Sambalpur, Sundargarh, Bamra and Bonai account for 57.8% of the total depredation instances due to elephants in the state of Odisha. In certain areas, like Kamakshyanagar in Dhenkanal Division, the forests are regenerating as a result of peoples' participation. Elephants are moving towards such new areas after very long gap. Sometimes the local inhabitants, who did not have an elephant neighbour in their recent memory do not get a clue about how to live with wild elephant. As a result they fall easy victims to instances of depredation. The statistics mentioned herein are collected from the website of the Forest department and is annexed herewith as

4.5) The protection of wildlife is considered a part and parcel of government duties in most countries. Expansion of human activities into areas having wildlife populations has however resulted in situations of conflict. A broad definition of human-elephant conflict is "any human-elephant interaction which results in negative effects on human social, economic or cultural life, on elephant conservation or on the environment". A wide variety of vertebrate pests come into conflict with farming activities in India including birds, rodents, primates, deer, buffaloes, pigs, and elephants. While it is widely

Manche Pall

ANNEXURE-1.

recognised that in most cases elephants do not inflict the greatest damage to subsistence agriculture, they are regularly identified as the biggest threat to Indian farmers. Elephants may not cause the greatest damage overall when taken at the district or national levels. However, the damage they often inflict is devastating for the individual farmer. Elephants elicit the greatest fear from rural communities because they have the potential to damage large areas of crops, destroy property, and cause injury and death.

4.6) That Human Elephant Conflict (hereinafter referred to as "HEC") is a serious concern in elephant conservation in India. HEC occurs throughout the elephant range, and has been reported in most of the elephant range states of the Indian sub-continent in both hill and forest situations. HEC occurs wherever people and elephants co-exist, and poses a serious challenge to wildlife managers, local communities and animal activists alike. Increasing human populations and expanding agriculture have increased the potential for conflict between humans and elephants in many regions. Elephants have been compressed into ever-smaller areas and their traditional migration routes have been cut off. As a result, humans and elephants compete directly for land that is becoming increasingly scarce. HEC creates anger towards elephants from the communities who live near them because they can ruin people's livelihoods. Such anger undermines support for elephant conservation, and has lead to farmers killing elephants or turning a

Marsh fall



blind eye to poaching in retaliation for the damage they have caused. Consequently HEC casts an ominous shadow over the future of elephant conservation both inside and outside protected areas.

- 4.7) That rural farmers have used traditional methods, including burning fires and beating drums, for hundreds of years to chase elephants away. Wildlife managers across India rely upon a series of conventional methods, including disturbance shooting, culling physical barriers and fencing as a means of mitigating HEC. In addition, there are a number of experimental methods to reduce crop damage utilizing acoustic, olfactory and barrier techniques, which have emerged relatively recently. Farmers may also use catapults, or throw rocks, burning sticks and occasionally spears at crop-raiding elephants. This usually involves getting close to the animals, and therefore the level of danger is high. Fires may be lit on the boundaries of fields or burning sticks may be carried by the farmers. Plastic, rubber, straw-cow dung-chilly mix may also be burnt to create a noxious smoke, and fires may be left burning all night even if the farmers are not present in the fields.
- 4.8) That across Africa and Asia, farmers attempt to construct barriers around their fields and homesteads to deter elephants. One of the most common barrier materials is thorn branches. Logs and sticks may also be piled up around the edges of fields. In some areas farmers may simply run bark ropes from tree

Mariel Pall

1

to tree and hang pieces of white cloth from the line. None of these barriers can stop a determined elephant, but they do create a psychological barrier that may have some deterrent effect. The constraining factor is usually the availability of the materials to build the barriers. Add to this the problem that green-fencing such as thorn bamboo only have a deterrent value when fully grown. Their tender new shoots are actually preferred items in an elephant's diet. This type of barrier fences usually cost less than 50,000/km.

- they tend to become ineffective over time. Usually a community will rely upon just a few methods, and these will be used repeatedly with little variation. The methods mentioned above may be considered 'empty threats'; that is, the elephant may be scared by them, but they cause no actual harm. Because of this, elephants will slowly habituate to them, and may eventually ignore them altogether. The cost of these traditional deterrents is difficult to estimate.
- 4.10) That "Disturbance shooting" is the firing of gun shots or fire crackers or flares over the heads of crop-raiding elephants. Used across the sub-continent since colonial times, disturbance shooting has been a longstanding "conventional" deterrent. However, it is at best considered a temporary respite from elephants. There is a large body of anecdotal evidence to suggest

/ Revalutable

W

that elephants become habituated to the noise if exposed to it for a prolonged period of time. This method is usually carried out by wildlife authority personnel responding to the problem from a central location, and is therefore constrained by transport and logistical problems.

4.11) That electric fences come in a variety of designs and have been used to protect small farms, enclose entire wildlife reserves, or deflect animals away from specific areas. Elephant fences are normally charged using pulsed high-voltage DC current and may incorporate a number of design features, such as extra pole wires, to protect them from elephant attacks. In areas where no mains power is available, the batteries that power the energizers can, even though expensive, be recharged using solar cells. The materials, installation and maintenance costs usually make electric fencing impractical for applications in very poor rural areas unless funded by institutional government or non-government aid agencies. In addition, equipment such as solar panels, energisers, batteries and wire are all desirable materials, and there is a high risk of theft especially if the fences are put up over large, unsupervised government land areas.

A key factor determining the success of an electric fence is ownership. A fence that is constructed and maintained by a government agency will always be viewed as a government fence. The maintenance will be left to the government and the community

Mainelin Rall

W

will take little or no responsibility. Rarely does a government agency have the resources to maintain a fence year after year, and inevitably the fence deteriorates. However, if the community builds a fence (with the cost of materials subsidised by a donor agency), and the community is responsible for its upkeep, then success is much more likely, because local people have a stake in its success.

Electric fencing can be adapted to rural conditions by cutting down on building costs and materials. For example, it is possible to construct a fence with just one or two live strands and hang them from bush poles instead of metal stanchions. This cuts costs considerably, but there is still a need for insulators, batteries and in some cases solar panels. The cost of electric fencing ranges from 1 Lakh to 2 Lakhs per kilometre depending on the power source (mains or solar) and on whether bush poles or metal stanchions are used.

4.12) That in Asia, trenches have been dug along protected area boundaries or around water points with varying degrees of success. A trench has to be wide and deep enough to ensure an elephant cannot step over it (elephants are not able to jump). In some places, trenches have been filled with pointed sticks to further deter elephants from crossing. Trenches in conjunction with electric fences have worked well where both have been well maintained. The major drawback with trenches is that they encourage soil erosion. Elephants have also been known to fill them in by kicking

Moundus falls

W

soil from the edges into the trench, thereby enabling them to cross. Trenches require a large investment of labour, or mechanized digging equipment, and intensive maintenance. Trenches can cost between 2.5 to 4 Lakhs per kilometre.

The limitation of physical barriers such as trenches and RCC walls (12 lakhs per kilometre) is that they are generally expensive to construct, require a lot of labour and high levels of maintenance. In addition, much anecdotal evidence suggests that elephants will overcome even the most sophisticated physical barriers over time. Furthermore, permanent barriers may not be popular with farmers as they are seen as a restriction on agricultural expansion and free movement of domestic animals.

4.13) That there are also some experimental methods that are currently being field tested both in India as well as in other Asian and African countries. Bee-hive fencing: First used in Kenya, they are now being tried out in other African Countries as well as in Sri Lanka and India. Though successful in some areas of Africa, their success in Sri Lanka and India is questionable, mainly due to the fact that Asian domesticated bees are far less aggressive than their African counterparts. Despite their relatively high installation cost (about 3 Lakhs/km), they have the advantage of adding to the income of the farmers if properly maintained (about 1.5- 2 Lakhs/km/annum).

Moundly fall



- 5. That wildlife protection is part and parcel of government duties, and since the government has an equally binding constitutional obligation to protect its citizens and their property, it seems fairly clear that the elephants can only be protected by restricting their movement so that they do not stray into inhabited areas. This means that:
- (1) Electric fences and/or other barriers need to be placed at government cost around the protected areas where elephants have their natural habitat.
- (2) Fodder plantations and water holes for elephants need to be created within those protected areas so elephants are not forced to range outside those areas due to hunger or thirst.
- (3) In areas where large number of elephants and populations are straying into human habitats, some elephants may be taken into capacities and kept in elephant resorts specially built for this purpose or kept in zoological parks like Nandankanan.
- (4) Patrolling of forest officials may be intensified in the entry points of reserve forests and necessary preventive measures be taken to stop the entry to human habitats.

If properly implemented, and with proper community involvement, the government would save the huge amounts it presently pays as compensation, and there could be a lasting peace

Marshy Rall

between both the human and animals of the country, thus bringing Human-Elephant Conflict to an end.

6. That nearly 44% elephant habitat falls within 11 protected areas and 3 elephant reserves, viz, Mayurbhanj, Mahanadi and Sambalpur have been declared. With two proposed elephant reserves viz. Brahmani-Baitarani and South Orissa elephant reserve. Conflict between humans and elephants occurs wherever they coexist, especially in the interface between elephant habitat and agricultural land or human settlements.

All these adverse conditions have contributed to the manelephant conflict in many parts of Odisha and Keonjhar district in
particular. Keonjhar district of Odisha has 4862 hectare of forest
coverage with 73 numbers of elephants (2012). It lies between two
major elephant corridors namely Similipal and Satkosia. Studies
(2008-12) indicated 38 human casualities with 35 number of
elephants' death. Paddy was the most and jute was the least
affected cash crop of the district. Food scarcity, deforestation,
drying of water bodies in summer, attraction of stored mahua
flower, encroachment of forest land, urbanization, railways,
irrigation project, industries, mining and crackers were the most
effective tools to drive away the elephants. However, poaching with
gun, bow and arrow, poisoning and electrocution have also been
observed. Unless a safe elephant corridor with availability of food
and water is ensured, increased anthropogenic activities near the

Manch fach

elephant habitat will be expected. This would lead to regular man elephant conflict and ultimately death of elephants. Thus, survival of such a large terrestrial animal in future depends on commitment of and concern of people of Odisha.

- 7) That elephant is included in Schedule-I of the Wildlife (Protection) Act, 1972. A complete ban on ivory trade was imposed in 1991. Project elephant was launched in February, 2991 by Government of India to consolidate the programme for conservation of elephant and its habitat. The Project seeks to address (a) the threat to the survival of elephant in our country on account of loss of its habitat, migration path and poaching for tusks and (b) issues arising out of elephant depredation in villages. Project elephant also seeks (i) to maintain an appropriate size of the population in any habitat to safeguard it against extinction and (ii) to maintain genetic continuity of isolated populations, which are otherwise susceptible to inbreeding.
- 8) That it is the duty of the Government and the NGOs to organize proper awareness programmes and establish good communication channels with villagers, particularly frequently elephant movement area and affected villagers, nearer to elephant corridor. Recruit and Train villagers to handle village level management activities for preventing elephant intrusion. Strengthening the elephant squad and elephant trackers in concerned division and ranges where human elephant conflict is

Marsh Pall

more. Copies of some of the publications on the subject are annexed herewith as **ANNEXURE-2-series**.

- 9) That the source of information of the facts pleaded is based on the personal verification, visiting the place, interviewing local people and collection of information in the internet.
- 10) That the petitioner has sent specific representation in this regard to the Government in the Department of Forest and Environment and not received any reply. A copy of the said representation is annexed herewith as **ANNEXURE-3**.
- 11) That to the best of knowledge of the petitioner, no public interest petition raising the same is filed before this Hon'ble Court or before any other court in the State of Odisha.
- 12) That the present petition is being filed on the following amongst other:

GROUNDS.

- A) For that a case was filed in the Hon'ble High Court of Karnataka, Bangalore in W.P.(C) No.14029/2008 (GM-RES) which was initiated suo motu on the directions of the Hon'ble Chief Justice pertaining to the death of four elephants in Mysore Forest Area, has been pleased to observe, (relevant paragraphs of which are as follows):
 - "13. Article 48-A, which is a Directive Principle of the State Policy and Article 51-A(g), which is a fundamental duty enshrined in the Constitution, guide the State as well as the citizen in the matter of protection of environment including wildlife. They read as follows:-

Marial Rall

"48A. Protection and improvement of environment and safeguarding of forests and wild life:- The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

- 51A. Fundamental duties:- It shall be the duty of every citizen of India.
- (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;"
- 14. Article 48A was inserted by the 42nd amendment made to the Constitution to protect and improve the environment and to safeguard the forest and the wildlife of the country. Article 51A states that it shall be the duty of every citizen of India to protect and improve natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.
- The Stockholm Declaration, the Declaration of United Nations Convention on Human Environment signed in the year 1972, to which India is a signatory, have laid down the foundation for sustainable development and urged the nations work together for the protection of environment. Conventions on Biological Diversity, signed in the year 1992 at Rio Summit, has recognized that the conservation of biological diversity is "a common concern of human kind" and it is an integral part of the development process. The Parliament has enacted the Biological Diversity Act in the year 2002 followed by the National Biodiversity Rules in the year 2004. The main objective of the Act is conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the utilization of genetic resources. The International Union for Conservation of Nature (IUCN) has calculated the percentage of endangered species as 40% of all organisms. The IUCN adopted a resolution resulting in a treaty drafted as the Washington Convention and known as the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973. The Forest Conservation Act is enacted in the year 1980 with a view to check further de-forestation which would result in ecological imbalance. The aforesaid enactments enacted in the light of Article 48A and 51A(q) of the Constitution and the Conventions have enabled the Government of India to lay down various policies and action

. Marielle Rach

plans such as the National Forest Policy (NFP) 1988, National Environment Policy (NEP)2006, National Bio-diversity Action Plan(NBAP) 2008, National Action Plan on Climate Change (NAPCC) 2008 and the Integrated development of wild life habitats and centrally sponsored scheme framed in the year 2009 and integrated development of National Wild-Life Action Plan (NWAP) 2002-2016.

- The Wildlife (Protection) Act, 1972 (the 'Act' for short) provides for protection of wild animals and birds with a view to ensuring the ecological and environmental security of the country. The Act provides for setting up of protected areas such as national parks, wildlife sanctuaries, conservation reserves and community reserves. The Schedules list names of endangered species of mammals, amphibians, reptiles, For birds, crustaceans and insects. the possession, transportation, translocation etc., of these species permission from the Government of India is needed. Penalties for contravention of the Act in respect of Schedule I species are very stringent. Under the said Act, the National Board for Wildlife and the State Boards for Wildlife have been constituted having specific functions to carry out the objects of the Act.
- 17. Section 9 of the Act expressly bars hunting any wild animal specified in Schedules I to IV except as provided under Sections 11 & 12 of the Act. The expression 'hunting' includes:
 - (a) killing or poisoning of any wild animal or captive animal and every attempt to do so;
 - (b) capturing, coursing, snaring, trapping, driving or baiting any wild or captive animal and every attempt to do so;
 - (c) injuring or destroying or taking any part of the body of any such animal or, in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles, or disturbing the eggs or nests of such birds or reptiles;
- 18. Section 11 of the Act states that, notwithstanding anything contained in any other law for the time being in force and subject to the provisions of Chapter IV, the Chief Wild Life Warden may, if satisfied that the wild animal specified in Schedule I has become dangerous to human life or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefore, permit any

March Pach

person to hunt such animal or cause such animal to be hunted, but no wild animal could be ordered to be killed unless the Chief Life Warden is satisfied that such animal cannot be captured, tranquilized or translocated. Also no such captured animal can be kept in captivity unless the Chief Wild Life Warden is satisfied that such animal cannot be rehabilitated in the wild and the reasons for the same have to be recorded in writing. The process of capture or translocation of an animal in Schedule-I has to be made in such a manner as to cause minimum trauma to the animal. Indian Elephant is found in Entry 12-B of Schedule-I of the Act."

- B) For that the protection of wild life is a paramount duty of the state and every citizen. Similarly protection of citizens is also a paramount duty of the state and every citizen has a right to life under Article 21 of the Constitution of India and the right to life is being threatened by the perpetual migration of wild life.
- C) For that the State has a paramount duty to ensure that the citizens remain in peace and without fear and especially the poor people's livelihood need to be protected from all concerned including wild life.
- D) For that the State does not seem to have consistent and conscious policy in this regard and all actions are primarily as a fire fighting measure to save an immediate problem.
- E) For that a large number of poor people living in rural areas and they are in penury and anxiety because of mass destruction of crops and their houses and it is threatening their life and livelihood and the State must protect its citizens as they are absolutely vulnerable in many areas and their survival is at stake.

Munch Padle

V

For that it is found that man-elephant conflict could be F) addressed and mitigated in four ways (1) Introducing barriers such as trenches, fences or repellants such as crackers, watcher squads etc., between the elephant and man ;(2) Change in cropping patterns around elephant populated areas to include non-palatable crops, which do not attract elephants ;(3) securing corridors for elephant movement ;(4) Capture of rogue and problem herds. The first method is only a temporary solution and ought not to impede migration. The second and third measures are critical long-term measures that need to be pursued for finding a permanent solution to man-elephant conflict. The last measure should be resorted to only after identifying rogue animals which could be captured and translocated. The issue of translocation of herds of elephants from one habitat to another is a matter which would require careful and comprehensive consideration. (Source: Law of Forests in India - by R.N. Choudhury – 3rd Edition)

- G) For that some of the recent decisions of the Hon'ble Supreme Court in this regard are :
 - (1) Sansar Chand Vs. State of Rajasthan, reported in (2010) 10 SCC 604;
 - (2) Lafarge Umiam Mining Pvt. Ltd. Vs. Union of India and others, reported in (2011) 7 SCC 338;
 - (3) Centre for Environment Law Vs. Union of India and others, reported in (2013) AIR SCW 2317;

Musli Pall

V

- (4) T.N. Gadavarman Thirumilpad Vs. Union of India and others, reported in (2012) 3 SCC 277.
- 9. That the petitioner has no other alternative efficacious remedy than to approach this Hon'ble Court under its extraordinary writ jurisdiction seeking relief in the nature of a writ of mandamus directed against the Opposite Parties.

PRAYER

It is, therefore, prayed that this Hon'ble Court may be graciously pleased to admit the writ application and issue notice to the Opposite Parties requiring them to show cause as to why the same shall not be allowed and upon hearing the parties, be pleased to allow the writ application by issuing a writ in the nature of mandamus directing thereby the Opposite Parties to:

- (i) to review all non-forest activities and land user in the areas adjoining designated forest having elephant habitat and corridor and take appropriate action in that regard in case there is any violation of law;
- (ii) take adequate and effective measures to prevent the wild life especially the elephants straying in human habitats by constructing electric fencing and other conventional method of fencing;
- (iii) State must also encourage participation of many local villagers in form of voluntary work or otherwise to check the growing conflict.

Miralui Kall

- (iv) The department of Forest must create enough water bodies and crops inside the forest area which will enable to feed the growing number of elephants inside the wild life area.
- (v) State must ensure a regular vigil in the villages adjoining the wild life areas to prevent the wild life from staying into human habitats.
- (vi) An action plan would be put in place and timely action would be taken to ameliorate the dangers faced by the citizens on account of elephant menace or death caused by wild elephants.
- (vii) The State shall implement the policy and action plan of the Union concerning Project Elephant in its true letter and spirit.
- (viii) Any other or further order as may be deemed fit and proper in the facts and circumstances of the case;

And for such act of kindness, the petitioner as in duty bound, shall every pray.

Cuttack.

Dt. 2.11.15

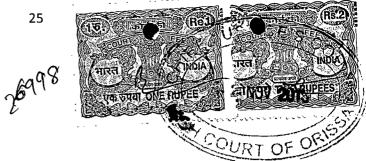
By th∉\Petitioner &

Advocate

AFFIDAVIT

I, Mrinalini Padhi, aged about 55 years, wife of Sri Saurjya Kanta Padhi, resident of 10/Bhasakosh Lane, P.O.: Chandinchwok, P.S.: Lalbag, District: Cuttack, do hereby solemnly affirm and state as follows:-

1. That I am the petitioner in this case.



That the facts and submissions stated above are true to the

best of my knowledge and belief.

CERTIFIED that due to want of cartridge papers, this petition

has been typed out on thick white papers.

identified before me by

The Affidavit was readover to the deponent

who stated to have understood and ago knowledged the same to be correct at the Whe of swearing the affidavif

rombissiones of 2.40 f, M

Figh Court of Order.



Project Elephant

Annex

Elephant is an animal included in Schedule-I of the Wildlife (Protection) Act, 1972. A complete ban on ivory trade was imposed in 1991. Project Elephant was launched in February 1992 by Govt. of India to consolidate the programmes for conservation of elephant and its habitat. The Project seeks to address (a) the threats to the survival of elephant in our country on account of loss of its habitat, migration path and poaching for tusks; and (b) issues arising out of elephant depredation in villages. Project Elephant also seeks (i) to maintain an appropriate size of the population in any habitat to safeguard it against extinction; and (ii) to maintain genetic continuity of isolated populations, which are otherwise susceptible to inbreeding.

A Top

Project Objectives

- To conserve and protect elephant populations and to ensure that any population remains healthy and viable within its ecosystem.
- $\bullet\Box$ To conserve and protect the habitat of the elephant, and to reverse the deterioration of these habitats.
- •C To conserve, protect, and open up traditional migration corridors linking the different habitats.
- To create conditions, through eco-development activities, welfare measures and mitigation of elephant depredation for nurturing the traditional compassion and tolerance of the people living in and around elephant habitats.
- To take concrete measures to protect the elephant from poaching and other threats.
- To create viable mechanisms to ensure inter-state and inter regional coordination in protecting and conserving the elephant and its ranges.
- To create infrastructure and facilities, including training of manpower, for conservation support activities, veterinary care, humane methods of tranquilising and translocation, etc.
- To encourage, and create facilities for research related to the ecological significance of elephant and veterinary care of the animal.
- To educate people about the ecological significance of conserving the elephants and to revive the historical reverence and compassion for elephants.
- To devise strategies and programmes of providing alternative source of livelihood to craftsmen and communities adversely affected due to ban on the trade of ivory products.

Elephant Reserve (ER) Network

"Because the elephant requires much larger home range than any other terrestrial animal, it is usually one of the first species to suffer the consequences of habitat fragmentation and destruction." Elephant Reserves offer hope to rejuvenate some of the fragmented habitats.

In the state of Odisha, where many forests are shared by the tiger and elephant, the establishment of ERs have raised the hope to unify fragmented tiger habitats as well.



Three Elephant Reserves (ERs)—the Mayurbhanj ER. Mahanadi ER and Sambalpur ER were notified in the State in the years 2001 and 2002 to define the prime elephant habitats and to launch various management interventions for conservation of elephant. The extent of notified and proposed forest blocks in these three reserves is 4129 sq. km, and the geographical area covered by these three reserves is 8539 sq. km. In order to (a) include most of the remaining important elephant habitats with n ERs, (b) redress the problem of rising number of cases of elephant depredation and (c) reverse the trend of habitat fragmentation and degradation, it is proposed (year 2004) (i) to expand the area of Mahanadi and Sambalpur ERs, and (ii) to

constitute new ERs called the Brahmani-Baitarani ER and South Odisha ER. As per the proposed constitution

of the ER-network the maximum number of elephants will remain within the Reserves.

▲ Top

Mayurbhanj ER

SIMILIPAL-KULDIHA-HADGARH ELEPHANT RESERVE (Constituted: September 2001)

State: Odisha

Districts: portions of Mayurbhanj, Balasore, Bhadrak and

Keonihar

North: 21o10' to 22 o35' latitude East: 85 o45' to 87o05' longitude

Approaches to the Reserve:

Southeast : Kuldiha (from Balasore 40km) South : Hadgarh (from Bhadrak 40km) West: Karanjia (from Keonjhar 50km) North :Rairangpur (from Tatanagar (80km) Northeast :Similipal (from Baripada (20km)

Area of the Reserve:

The Mayurbhani ER comprises of the following areas.

Similipal Tiger Reserve: ... 2750.00sq.km Kuldiha Sanctuary: ... 272.75sq.km Hadgarh Sanctuary ... 191.06sq.km

---- 3213.81sq km Balance area including

RF, PF, VF, DPF and Revenue lands:3829.93sq.km Total: 7043.74sq.km.

& Tour

Sambalpur ER

BADRAMA-KHALASUNI ER (Proposed in 2004)

(First constituted: March 2002; Revision Proposed in March 2004)

[As per 2002 notification, Sambalpur ER included the entire area of Badrama Sanctuary and Khalasuni

Sanctuary.]

Districts of: Sambalpur, Sundargarh, , Jharsuguda, Sonepur

Forest Divisions: (Parts) of : Bamra (Wildlife), Bonai, Sambalpur (N), Sambalpur (S), Rairakhol.

Latitude: 200 5'N and 220 12'N Longitude: 830 13'E and 840 58'E

Approaches to Sambalpur ER:

1. N.H.6 runs in the middle of the Elephant reserve.

2. NH 42 runs through the proposed extension.

- 3. Sambalpur-Rourkela State highway runs along the North-West and Northern boundary of the elephant
- 4. Sambalpur Riy. Junction and Jharsuguda Riy. Junction on East Coast Riy. are at a distance 30 and 25kms. respectively from the reserve boundary.
- 5. SH 10 runs on the Western and northern boundary of the proposed extension.

Area of Sambalpur ER (as in 2004):

Bamra WL	573.27	1576.0197	2149.2897
Sambalpur (S)	402.45	828.06	1230.51
Sambalpur (N)	76.55	151.4200	227.97
Bonai	693.56	295.54	989.10
Rairakhol	813.54	436.4600	1250.00
Total	2559.37	3287.4997	5846.8697

▲ Top

Mahanadi ER (Proposed in 2004)

(First constituted: March 2002; Revision Proposed in June 2004) [As per 2002 constitution, the Mahanadi ER includes total area of Satkoshia Gorge Sanctuary (795.52sq.km); Baisipalli Sanctuary (168.35sq.km); Hatidhara RF in Boudh District (63.89sq.km); Makaraprasad RF in Nayagarh District (10.54sq.km)]

Districts: Angul, Cuttack, Nayagarh, Kondhmal, Dhenkanal Forest Divisions: Portions of Angul, Athagarh, Cuttack, Nayagarh, Boudh and Dhenkanal, and entire Satkosia Wildlife Division, Mahanadi Wildlife

Division and Athamallik Forest Division. Latitude: North - 20°. 10′ to 21°.5′ Longitude: East: - 84°. 15′ to 85°.58′

Approaches to Mahanadi ER:

On the North-East-Hindol is approachable from Dhenkanal (60 Kms.)

On the North-Pampasar is approachable from Angul (30 Kms.)
On the South-West-Dhandatopa is approachable from Athamallik (10 Kms.)

On the South-West-Charichhack is approachable from Boudh (40 Kms.)

On the South-Dasapalla is approachable from Nayagarh (40 Kms.)

On the South-East- Gania is approachable from Nayagarh (60 Kms.)

On the West- Kapilas is approachable from Dhenkanal (30 Kms.)
On the East- Tangi is approachable from Cuttack (20 Kms)

▲ Top

Area of Mahanadi ER (as in 2004):

Name of the Division	Elephant Habitat (RF, PRF)	Zone of Influence	Total
Satkosia Wildlife Division	447.79	207.2	654.99
Mahanadi Wildlife Division	300.50	136.79	437.29
Angul Division	252.28	355.72	608.00
Dhenkanal Division	513.51	1333.16	1846.67
Athagarh Division	400.48	680.93	1081.41
Athamallik Division	538.39	1302.61	1841.00
Boudh Division	335.01	110.00	445.01
Nayagarh Division	299.00	708.35	1007.35
Cuttack Division	52.20	62.40	114.60
Total	3139.16	4897.16	8036.32

Elephant Conservation Issues

The factors impinging on conservation of elephants in Odisha fall under two distinct categories.

a. Activities like hunting for tusks and killing by villagers in retaliation for depredation caused by single elephants or herds;

b. Diversion of forest lands, mainly for mining of forest land, encroachment, and shifting cultivation leading to loss/ decline/fragmentation/degradation of elephant habitat.

Strategy and Action Plan

- (i) Constitution of 'Elephant Reserves' by including the contiguous elephant habitats, ranges and the corridors between them.
- (ii) Evolving appropriate management of the designated 'Elephant Reserves' and other Elephant Habitats and conservation of the traditional migratory paths.

(iii) Measures to minimise the problem of crop-raiding, house damage and killing of humans.

- (iv) Management of problem elephants or 'Problem Populations' by means of capture/ translocation/ domestication and other methods.
- (v) Adoption of 'Animal Welfare' measures. Domestication and use of elephants for tourism, patrolling, etc have to be done carefully without subjecting the elephant to undue stress and ensuring proper upkeep and care of the animals. Methods of capturing have to be humane. Emphasis to be laid on training of right type of mahouts.
- (vi) Improvement of the quality and security of the life of the human population who share any elephant habitat and its resources for daily living.
- (vii) Research on aspects of elephant conservation.

(viii) Education and awareness campaign

(ix) Setting up of veterinary units for medical attention to sick elephants in each Elephant Reserve

(x) Training of mahouts and elephant managers

A Tor

Distribution in Odisha

In Odisha elephants are not seen in ten districts, namely Puri, Jagatsinghpur, Kendrapada, Bhadrakh, Koraput, Nabarangpur, Malakangiri, Bargarh, Sonepur and Bolangir. Estimation of elephant population is carried out periodically throughout Odisha. The estimation was carried ou during 5th to 7th May 2002.

Table: Elephant Population in Odisha (May 2002)

SI No	Division	Male	Female	Calf /	Total
The reserve of the control of the co	·			Unknown Sex	
1	Angul	10	7	7	24
2	Athamalik	10	14	13	37
3	Athagad	19	98	39	158
4	Dhenkanal	14	45	22	81
5	Keonjhar	40	49	23	112
6	Satkosia WI	17	43	95	155
7	Balliguda	9	14	9	32
8	Boudh	0	0	0	0
9	Ghumsur(N)	2	4	3	9
10	Ghumsur(S)	2	2	2	6

11	Nayagarh	0	0	0	0
12	Mahanadi WI	4	10	11	25
13	Paralakhemundi	6	19	17	42
14-	Puri	0	0	0	0
15	Phulbani	1	3	2	6
16	Bolangir	0	0	0	0
17	Jaypore	0	0	0	0
18	Kalahandi	19	34	8	61
19	Khariar	0	0	0 .	0
20	Raygada	0	0	0	0
21	Sunabeda WI	0	0	0	0
22	Bamra	45	123	33	201
23	Bonai	15	40	27	82
24	Badrama WI	0	0	0	0
25	Deogarh	2	7	0	9
26	Rairakhole	25	93	47	165
27	Sundargarh	0	0	0	0
28	Sambalpur	20	22	22	64
29	Chandaka Wl	13	30	19	62
30	Similipal	97	283	132	512
	(Figures of Karanjia and Baripada			·	
	Division included)				
	State Total	370	940	531	1841

à Top

Captive elephants

The History of Odisha provides evidences about a rich tradition of maintaining elephants in captivity. There are innumerable elephant sculptures in temples and caves, and the Maharaja of Puri is known as the "Gajapati". Maintaining captive elephants was not possible in princely states after Indian-independence and particularly after the introduction of 'privy purse' where the princely states handed over most of their properties to the Government and maintaining personal collection of elephants was no longer necessary.

The changed scenario reflected on the families of 'Mahouts' who mastered the skill of elephant-maintenance. The mahouts have gradually vanished along with the disappearance of the tradition of keeping elephants.

Captive elephants are now maintained only in some of the 'camps' under State Wildlife Organisation. In Nandankanan the elephants are used for joy rides by visitors. In Similipal, however, the elephants are used by staff moving for habitat or wildlife protection, when the roads get cut off in the rains or where 'elephant power' is required to be deployed.

Table: Captive Elephants in Odisha during 2003

SI.	No.	Place	Male	Female	Total
	1	Nandankanan Biological Park	2 .	8	10
2	2	Similipal Sanctuary	3	2	5
	3	Debrigarh Sanctuary	1	0	1
		Total	6	10	16

▲ Top

Table: Death of Elephant (1990-91 to 2002-03)

SI. No.	Year	Nature of death					
		Poaching	Acciden	tNatura	l Disease	Reason not known	Total
1	1990- 91	11	6	12			29
2	1991- 92	11	2	6			19
3	1992- 93	15	5	16			36
4	1993- 94	13	7	18			38
5	1994- 95	23	5	15			43
6	1995- 96	19	7	17			43
7	1996- 97	14	10	10			34
8	1997- 98	13	5	19			37
9	1998- 99	13	11	4	1	1	30
10	99- 2000	10	6	5	2	1	24
11	2000- 01	11	3	3	1	2	20
12	2001- 02	10	7	2	4	1	24
13	2002- 03	16	11	0	10	3	40

14	2003- 04	9	15 .	1	18	4	47
	TOTAL	188	100	128	36	12	464

A Top

Table: Elephant Depredation

Number of cases of elephant depredation (1995-1996 to 2002-2003) in Odisha along with amount of

<u></u>	<u></u>	Human	Human	Crop	House	Compassionate
SI.No.	Year	kill in	injury in	damage in	12	amount paid in
		Nos.	Nos.	Acre	Nos.	Rupees
1	1995-96	30	1	1091.01	115	1019575
2	1996-97	6	1	0	0	7.00.00
3	1997-98	15	1	1028.35	12	664464
4	1998-99	21	12	467.696	8	608139
5	99-2000	23	5	1999.624	262	1500000
6	2000-01	22	1	3187.69	5	1800000
7	2001-02	64	6	2823.824	1021	3006730
8	2002-03	66	7	4240.188	890	4103600
9	2003-04	12	1	3314.288	242	2451869
	TOTAL	259	35	18152.67	2555	15224377

compassionate payment made in different years:

Meinalini Padh

33 ANNEXURE 2 Series

September - 2013————Odisha Review

Man- Elephant Conflict in Keonjhar District of Odisha: A Study

Bandana Khuntia Prafulla K. Mohanty

Abstract

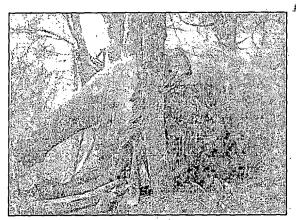
Keonjhar district of Odisha has 4862 hectare of forest coverage with 73 numbers of elephants (2012). It lies between two major elephant corridors namely Similipal and Satkosia. Studies (2008-12) indicated 38 human causalities with 35 number of elephants' death. Paddy was the most and jute was the least affected cash crop of the district. Food scarcity, deforestation, drying of water bodies in summer, attraction of stored mahua flower, encroachment of forest land, urbanization, railways, irrigation project, industries, mining and increase of new human settlements are the major causes of man-elephant conflict in Keonjhar. Fire balls and crackers were the most effective tools to drive away the elephants. However, poaching with gun, bow and arrow, poisoning and electrocution have also been observed. Unless a safe elephant corridor with availability of food and water is ensured, increased anthropogenic activities near the elephant habitat will be expected. This would lead to regular man elephant conflict and ultimately death of elephants. Thus, survival of such a large terrestrial animal in future depends on commitment of and concern of people of Odisha.

- 1. Elephant-human conflict
- Elephant corridor
- 3. India

Introduction

Elephant is the largest terrestrial creature of the nature. The elephant habitats are subjected to human pressure due to monoculture plantation, mining, encroachment, poaching and process of developmental activities utilizing forest resources (Kar and Lahiri, 2002; Talukdar and Barman, 2003). All these adverse conditions have contributed to the man-elephant conflict in many parts of Odisha and Keonjhar district in particular (Sukumar, 1989; Swain and Pattnaik, 2002). Keonjhar is covered with tropical, dry and deciduous forest with varieties of wildlife (Swain,

2004). The average diurnal temperature ranges between 10p C in winter to 40p C in summer. The annual average rainfall is 1400 mm per year with a relative humidity ranging from 50 to 97% (Anonymous, 2012). The population of elephant during 1999 census was 153 which has declined to 73 during 2012 (Anonymous, 2012). During the last five years, 35 elephants and 28 human beings have died due to the conflict between man and elephant, crop raiding, house breaking, destruction of property, poaching and electrocution which were the major causes of death of the elephants (Khuntia, 2010). Unless this is prevented and safe corridors are provided,



Elephant killed for its tusk

then within few years the elephants are expected to extinct (Menon, et.al. 2005). Hence appropriate conservation measures for elephants are suggested.

Materials and methods

The elephant depredation and man elephant interface in Keonjhar district was more pronounced than in other parts in Odisha. The area most affected by elephants were identified from the records of the forest department and such places were visited to access the degree of damage. The types of crop grown, crops most affected and crops that were partially or not affected at all were ascertained. The seasons in which elephants raid the crop field were recorded. Measures adopted by villagers to drive the elephants away and the most effective among these methods were found out. Death of human beings as well as death of elephants due to different reasons were recorded from various records and by the information from the villagers.

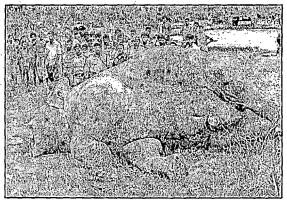
Findings

Poaching and electrocution were the two major causes of elephant death. The population of elephant of Odisha in 2012 census is 1,930 (Table -1) and in comparison to Keonjhar district, it has been observed to decrease gradually year

after year (Table-2). During 2012, it stands at 73 and due to the loss of elephant corridors and deforestation, elephants squeezed into a small area with the shortage of food and water. This had led them into raiding crops and human habitation (Table-3). There was significant increase in the number of attacks and destruction caused due to elephants. Villagers had received Rs.85,00,000 (Rupees eighty five lakhs) towards compensation because of the loss caused due to elephants. To protect themselves, villagers have adopted different ways of poaching (Table-5). Poisoning water sources and electrocution were major causes of elephants' death. Human activities and deforestation (Table-6) have led these animals towards human settlements and away from the forests.

Summary

The major causes of man-elephant conflict have been observed to be due to the change in climate, rain fall and vegetation. The change of climatic behavior had many detrimental effects on the flora and fauna of the forest cover of Keonjhar. Destruction of elephants' habitat, loss of corridor and deforestation have also forced elephant to migrate towards human habitation. Incidence of man-elephant conflict is now on a large canvas because of the changing and



Death of elephant due to poisoning



Crop raid by elephant

expanding pattern in elephants' movement. Elephant herds come across new habitations, paddy fields, expanded network of canals, roads, railways lines and mining extractions in their original habitats and on the course of their migration paths. These situations cause human casualities, damage to houses and crop and also sometimes retaliatory action by the affected people to eliminate the depredating animals.

Suggestions

People who live in and around traditional elephants' habitats for a few generations are accustomed to live with forest plants and animals, including elephants. They adopt various measures to prevent, control and handle situations for several times and various places for controlling losses occurring due to elephants' activities. But none of these, however, is full proof or have an effect which is permanent. Therefore, people experiencing elephant depredation are required resort to more than the one method and change the method periodically if required. Increased anthropogenic activities and depredation incidents have increased many folds during the recent past. Elephants have caused damages to life and property quite seriously. To prevent it, conservation measures need to be adopted. Following means are suggested to protect elephants and keep elephants away from human habitat.

- 1. Villagers should be trained to watch the movement of elephants and exchange their information with the forest department.
- 2. Conservation of water bodies inside their habitat barely desirable.
- 3. Villagers should be advised not to keep mahua brew and country liquor in their house, since the elephants are mainly guided by smell.
- 4. People should cultivate chilli, jute, ginger, potato, oil seeds etc. which are not favoured by elephants and use of long awned rice which is not lure by elephant when they mature recommended by CRRI, Cuttack. Besides, they may use scare away devices like chilled-rope fence, fire site and honey bee boxes on the edge of crop field. Sound emitted from



Death of elephant due to electrocution

bee hives disturb elephants and have been successfully tried in African countries.

- 5. Generally, wild elephants are shy of electric lights. People can protect themselves better under electric light than otherwise. Effective barrier like rubber-wall barrier, trench type barrier and solar powered elephant fencing barriers need to be adopted by the villagers.
- 6. As a result of man-elephant conflict in last 10 years in 1030 villages of Keonjhar district, 2403 number of houses partly destroyed and 757 number of houses were totally broken. On the other hand elephants' herd damaged 6224.01 acre crop.
- 7. In the wake of rising incidents of elephants death due to collisions with train, the Ministry of Environment and Forest (MoEF) decided to electronically tag the animals in high traffic areas to allow forest officials to keep a track of their movement and prevent accidents.
- During last 9 years death of elephants due to electrical accidents have been increased. Guidelines have been given by the Govt. of India from time to time vide letter No- CEI/ 1/28 (wild life)/ 2005-1262 dt. 27.04.2005 of Central Electricals Authority. Letter No-CEI /1/28/2002 dt. 15.03.2002 of Govt. of India, Central Electricity Authority and Do

No- 8/6/2002 Thermal-3 dt. 27.3.2002 of Govt. of India, Ministry of Power to Chairman of all state Electricity Department.

Over ages, elephants' have survived because of people's love and care. The conservation and well being of our 'National heritage animal' declared by the Govt. of India in future also depends on the commitment and concern of people of Odisha and country as a whole.

Acknowledgements

The authors are thankful to PG Department of Utkal University, Vani Vihar, Bhubaneswar, Govt. and Wildlife Department of Keonjhar and to the help rendered by the Forest and Wildlife Department of Odisha for providing necessary information.

Table 1 Elephant population of Odisha

Sl No	Year	Odisha
1	1999	1, 827
2	2002	1, 841
3 .	2007	1, 862
4	2010	1,886
5	2012	1, 930

Source: Wildlife in Odisha, Forest and Environment Department, Govt. of Odisha (2012).

Table 2 Elephant population in Keonjhar district

Sl No	Year	Male	Female	Young	Unknown	Total
1	2012	23	37	13	. 0	73
2	2010	25	31	9	11	76
3	2007	22	26	4	8	60
4	2002	39	51	-13	9	112
5	1999	46	72	20	15	153

Source: Forest and Environment Department, Govt. of Odisha (2012).

September - 2013______

-Odisha Review

Table-3 Level of elephant depredation in villages of Keonjhar district from 2008-12

Year	No of sample village	% of village affected	% of house broken	% of crop damaged	% of plantation damaged	Total value of property (Rs)	Human death	Elephant death
2008	255	38	9	2 .	1	75	7	8
009	308	46	16	4	5	112	11	4
010	256	65	6	4	3	118	7	9
011	310	78	23 .	6	6	265	3	4
2012	450	72	21	7	8	292	10	10
Mean SE	302.33 ±16.35	56.66 ±12.38	13.33 ±4.68	4.33 ±2.14	4.00 ±1.83	153.00 ±12.15	7.60 ±2.11	7.00 ±1.62

Table-4 Death of elephants in the state due to various reasons from 2008-09 to 2012-13

Year	Poaching	Poisoning	Accident		Rail accident	Natural	Disease	Reason unknown
			Deliberate electrocution	Accidental electrocution		· 		
2008-09	5	0	1	9	5	16	5	6
2009-10	5	0	0	9	2	12	13	01
2010-11	9	9	13	5	3	6	20	18
2011-12	4	4	8	5	5	15	10	15
2012-13	2	3	2	2	9	6	10	3 ·
Total	25	16	24	30	24	55	58	52

Source: Forest and Environment Department, Govt. of Odisha (2012)

Table-5 Causes of elephant death in Keonjhar district from 2008-2012

SI No	Causes				Year	
		2008	2009	2010	2011	2012
1.	Poaching	2	1	3	1	2
2.	Accident	2	0	1	1	1
3.	Disease	1	0 -	1 .	0	1
4.	Electrocution	2	1	3	. 1	3
5.	Railway	0	2	0	0	3 ·
6.	Unknown	1	0	1	1 · .	0
	Total	8	4	9	4	10

Source: Forest and Environment Department, Govt. of Odisha (2012).



September - 2013

Table-6 Different human activities in Keonjhar district from 2008 -2012

SI No.	Factors	Area covered (sq.km)	Area covered (%)	
1	Industry	12.66	0.087	
2	Mining	38.58	4.267	
3	Power Transmission	2.15	0.014	
4	Railways	1.02	0.007	
5	Roadways	4.62	1.032	
5	Irrigation	12.36	3.085	
7	River Valley Project	8.15	5.056	
8	Rehabilitation of people	6.65	0.046	
	Total	86.19	13.594	

Source: Economic Survey of Odisha. Planning and Co-ordination Department, Govt. of Odisha (2012).

References:

- 1. Anonymous (2012) Wildlife Census Odisha, Forest and Environment Department. Govt. of Odisha, Bhubaneswar, pp 50-55.
- Anonymous (2012) Economic Survey of Odisha (2012) Planning and Co-ordination Department, Govt. of Odisha, 2011-12, pp. 126 – 140.
- Kar, C.S. and Lahari, D.K. (2002) Project Elephant-Elephant and Human Conflict in Asia (Report on Orissa). Forest Department, Govt of Orissa, January 2002, pp 30-150.
- 4. Khuntia, B. (2010) Human-elephant Interface: A case study. Ph.D. Thesis, Utkal University, Bhubaneswar, Odisha, pp 1-110.
- Menon, V.; Tiwari; S.K., Easa, P.S. and Sukumar, R. (2005) Right of passage: Elephant Corridors of India. Conservation Reference Series 3. Wildlife Trust of India, New Delhi, pp 154-282.
- Snedecor, G.W. and Cochran, W.G. (1980) Statistical methods. 8h Edition. IOWA State University Press, IOWA, USA, pp. 1-42.

- Sukumar, R. (1989) The Asian Elephant Ecology and Management. Cambridge University Press, Cambridge, UK, pp.56 – 172.
- 8. Swain, D. (2004) Asian Elephants: Past, Present and Future. International Book Distributors, Dehra Dun, pp 25-175.
- 9. Swain, D and Patnaik, S.K. (2002) Elephant of Orissa: Conservation issue and management. Indian Forester, 128:145-154.
- Talukdar, B. and Barman, R. (2003) Man-elephant conflict in Assam, India: Is there a solution? Gajah, 22: 30-80.

Bandana Khuntia, Institute of Higher Secondary Education, ITER, Sikha 'O' Anusandhan University, Kalinga Nagar, Bhubaneswar-751003. E-mail: bandanakhuntia38@gmail.com.

Prafulla K. Mohanty, P.G. Department of Zoology, Utkal University, Vani Vihar, Bhubaneswar-751004. E-mail: prafulla.mohanty@yahoo.co.in.

Chili smoke to protect farms from wild animals in Maharashtra

Vijay Pinjarkar, TNN | Aug 29, 2014, 12.50 AM IST



Under the technique, half kg chilies are wrapped in a gunny sack. The material is tied to a stick or pole and burnt after fixing it at the farm boundary. The strong pungent smell of the chilies keeps wild animals away from the farm.

NAGPUR: The state forest department pays about Rs 5 crore annually to farmers as compensation for crop depredation by wild animals. To reduce this burden, the wildlife wing has now decided to promote 'chili smoke', a cost-effective technique pioneered by wildlife vet and elephant expert Dr Rudraditya.

Himachal Pradesh-based Dr Rudraditya concluded his three-month-long campaign in 11 forest circles in the state last week. Talking to TOI, he said his proposal was approved by PCCF (wildlife) Sarjan Bhagat in April. "Since then, I have demonstrated the low cost and affordable technique in 140 vulnerable villages and results are mind-boggling," he said.

Under the technique, half kg chilies are wrapped in a gunny sack. The material is tied to a stick or pole and burnt after fixing it at the farm boundary. The strong pungent smell of the chilies keeps wild animals away from the farm.

"Wild animals have an amazing sense of smell. The chili smoke can travel up to 500-1000 metres," claimed Santosh Narnawre, a farmer from Kiniwalgi in Darwha (Yavatmal).

Namawre said farmers used chili smoke from 6pm till 9pm, the time when wild boars and nilgais are most active. "We use the technique twice a week. It is yielding 100% results," he added.

Bhagat said, "We have received good feedback from farmers on the technique. Its full implementation will be done in the state from wildlife week in October. We are ready with videos and literature. The staff trained by Dr Rudraditya will promote it. We hope to curb damage to crops by animals in a big way."

Dr Rudraditya had first hit upon chili smoke technique in 2003 and implemented it around Kafue National Park in Zambia in Africa where he worked as a wildlife vet under United Nations Euvironment Programme (UNEP). Later, it was also implemented near other African parks where farmers faced problem from elephants.

Dr Rudraditya also popularized the method in Thailand and Nepal where he worked as a consultant between 2008 and 2011. Back in India, he implemented it in elephant states like Odisha, Kerala, Karnataka, Chhattisgarh and West Bengal. In J&K and Himachal, chili smoke was used to scare away sloth bears. "I also used it to solve menace of leopards and elephants in Assam tea gardens," said Dr Rudraditya.

In Marathwada, wild boars damaging crops is a big issue. "Farmers are using this technique there. It is also helping them avoid man-animal conflict,"

The demonstration was also carried out in vulnerable Chaudrapur district where 17 people have died in man-animal conflict this year. A tiger in Pombhurna was shot dead on August 19. When asked, Dr Rudraditya said, "The Kothari range forest officer (RFO) did not allow me to enter the conflict area. I could have tried to solve the problem with my technique. I can connect with the locals very well."

Dr Rudraditya came into elephant conservation after his parents were killed by a herd of elephants in Namphada park in Arunachal Pradesh. He was just 10 years then. He worked on sensitizing villagers in state for free. The department only paid for his travel and board.

Stay updated on the go with Times of India News App. Click here to download it for your device.

Post a comment

FROM AROUND THE WEB

MORE FROM THE TIMES OF INDIA

Recommended By Colombia

From around the web

More from The Times of India

Recommended By Colombia

THE TIMES OF INDIA

Powered by INDIATIMES

About us Privacy policy TOI Mobile Archives Advertise with us Feedback Terms of Use and Grievance Redressal Policy

Other Times Group news sites The Economic Times इक्जोंमिक टाइम्स | छंडोलोमिड टाईम्स Pune Mirror | Bangalore Mirror Ahmedabad Mirror | ItsMyAscent

Education Times | Brand Capital Mumbai Mirror | Times Now Living and entertainment Timescity | iDiva | Entertainment | Zoom Healthmeup | Luxpresso | Gadget Review s | Online Songs

Interest Network

Hot on the Web World | Politics Business | Sports Entertainment New Cars Xiaoni Mobile Motorola Mobile Services

Services
Book print ads | Online shopping | Free SMS | Website design | CRM | Tenders
Matrimonial | Ringtones | Astrology | Jobs | Tech Community | Property | Buy car
Bikes in India | Free Classifieds | Send money to India | Used Cars
Restaurants in Delhi | Movie Show Timings in Mumbal | Remit to India | Buy Mobiles
Listen Songs | Real Estate Developers

40





International Research Journal of Environment Sciences_ Vol. 2(11), 106-110, November (2013) _ ISSN 2319-1414

Int. Res. J. Environment Sci.

Man-Elephant Conflict: Case Study from Angul Forest Division, Odisha, India

Rudra Narayan Pradhan, Pandab Behera and Sandeep Ranjan Mishra Odisha Forest Department (Wildlife), The Regional Chief Conservator of Forests Angul, Odisha, INDIA

Available online at: www.isca.in, www.isca.me
Received 26th August 2013, revised 3rd September 2013, accepted 8th November 2013

Abstract

We investigated the human-elephant conflict in 6 different ranges in Angul forest division Odisha, India. During 2001-02 to 2012-13, a total 36 human killing and 87 human injury cases caused by elephants are record and 37 elephants had died. Damage to agricultural crops by elephant was of varying extents. As a result people have developed antagonistic attitude towards the elephant which adversely affect conservation efforts.

Keywords:

Introduction

The Asian Elephant Elephas maximus (Linn.) were once common all over the tropical south and south-east Asia, from India to Vietnam and Sumatra. Although its general range has remained almost the same, expansion of human habitation, destruction of habitat for agriculture and poaching have resulted in a sharp decline in wild populations and severe habitat fragmentation. Asian elephants are presently confined to 13 Asian range countries of which India holds over 50% of the global population-approximately 24,000-28,000 distributed across 18 States^{2,3}. In recent years, increasing human-elephant conflict has been a major issue for a managing wild elephant populations in India⁴⁻⁸. Eastern Part of India particularly in Orissa elephants were abundant in dense Shorea Robusta (Sal) forests. Orissa has about 57% of the elephant habitat in central India with 1800-2000 elephant spread over 11000 km⁹. Habitat fragmentation is a problem faced by many species all over the world due to expansion in urban settlements and infrastructure developmental activities. As a result many species under threat, some even facing (local) extinction. One of the species facing these problems is the Asian elephant (Elephas maximus). As it requires large areas of natural range it is one of the main species to suffer the consequence of developmental activities¹⁰. The Asian elephant is a high profile and charismatic species with important ecological as well as cultural associations.

Nearly 44% elephant habitat falls within eleven protected areas and three elephant reserves, viz, Mayurbhanj, Mahanadi and Sambalpur have been declared. With two proposed Elephant Reserves Viz, Brahmani-Baitarani and South Orissa Elephant reserve. Conflict between humans and elephants occurs wherever they coexist, especially in the interface between elephant habitat and agricultural land or human settlements¹¹. However, fewer studies have been carried out on human-

elephant conflict at Odisha^{12,13}. Keeping the facts in view, this paper presents an analysis of past conflict records maintained by the Forest Department and Preliminary observations from five year survey.

Study Area: The study area, Angul Forest Division (AFD) (figure 1) is located between latitude 20 17 48 N to 21 31 37N and longitude 84 40 08 E to 85 15 44 E. Total Geographical area 2909.542 sq km and total Forest area 1038.192sqkm which comes 35.68%, 87 RF blocks-511.71 sqkm, 28 PRF-218.54 sq km. Un-demarcated forest 0.542 sq km and 295.953km are in Revenue forest.

Methodology

Field Investigation and site condition monitoring: The field study was conducted between 2009 to 2012 during which the affected villages were visited and migrated elephants were also encountered during this period. Incidents relating to conflict such as crop damage, house damage, human death and injury, elephant death, cause of all such conflicts were observed during field survey.

Interviewing Local People: Local people of the affected villages including victims of conflict, forest staff were interviewed through questionnaires to understand movement pattern of elephant in the area, the way people were affected, their attitudes towards elephant and on different aspects of conflicts.

Official Collection of Information: Data on human-elephant conflict in previous years from 2001-02 to 2008-09 were collected from the local Divisional Forest Officers to make Comparative study on human-elephant conflict in Angul forest division.

____ ISSN 2319-1414

Int. Res. J. Environment Sci

Geographical Area(In sq km)	Total Forest (In Sq km)	RF(In Sq km)	PRF(In sq km)	Un-demarcated forest(In sq km)	Revenue forest(in sq km)
2909.542	1038.192	511.71	218.54	0.542	295.953

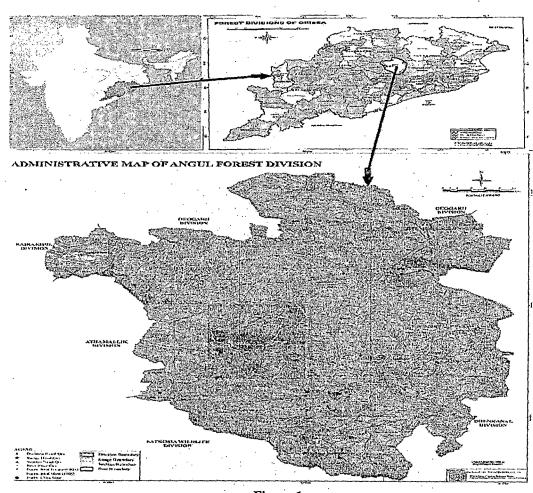


Figure-1
Map showing the location of Angul forest division, Odisha, India

Results and Discussion

Human Death: During 2001-2012 a total of 123 human casualties by elephants were recorded in six ranges of Angul Forest Division which included 87 cases of human injury (71%) and 36 cases of human death (29%). In human death cases, 22 times victims was a man and 14 times a woman where as in human injury cases 58 times the victim was a man and 29 times a woman. An analysis of intensity of conflict over a period of 12 years, showed that the maximum number of human injury in (n=22)2008-09 figure 2. Monthly variation of human injury by elephant is given in figure 3.

The analysis of 12 Years (figure-1) shows that maximum number of human death in 2005-06 and 2008-09. On consideration monthly variation of human death, highest number was observed in June and July (n=6,17% each)

followed by March and August (n=5,14% each) November and December (n=4,11% each), February (n=2,5%), January, May, September and October (n=1,3% each) and April there was nil incident during 2001-2012. Human casualties were comparatively less during April nil, January, May, September and October (n=1,3%) and February (n=2,5%) monthly variation of human death by elephant is given figure 3.

Highest number of incidences of human deaths by elephant attack occurred between 06:00-12:00 hours (n=17) followed by 00:00-06:00 hours (n=9)18:00-24:00 hours (n=7) and 12:00-18:00 hours (n=3). Time variations of human death by elephant is given in figure 4.

House and Crop damage: During the study period 398 nos house damage by elephant and maximum nos of damage in

Int. Res. J. Environment Sci.

(n=125) and total 7297.24 acre of crop damaged by elephant in different seasons during the study period in AFD (table 1).

Elephant Death: Between 2001-02 and 2012-13 a total of 37 elephants had died at Angul Forest Division which includes 11 adult males, 13 adult females, 4 juveniles and 9 calves. The

cause of death were electruction (n=16, 43%) Disease (n=6, 16%), fighting (n=4, 11%) natural and accidental (n=3,8% each) lighting (n=2,5%) and poaching, poisoning and unknown (n=1,3%). During the study period 12 years showed that the maximum 7 number of elephant death in 2011-12, figure-2.

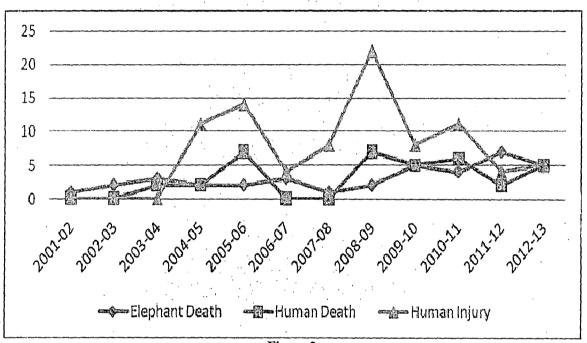


Figure-2 Yearly variation of elephant death, human death and injury by elephant

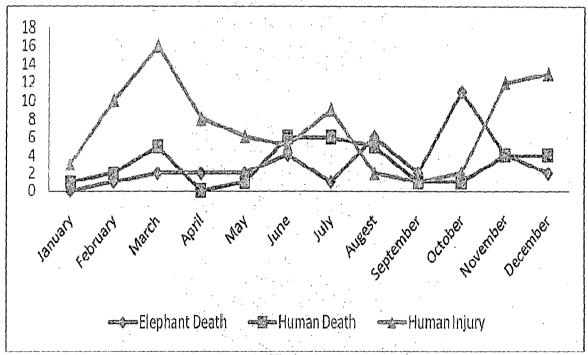
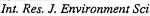


Figure-3 Monthly variation of Elephant death, human death and injury



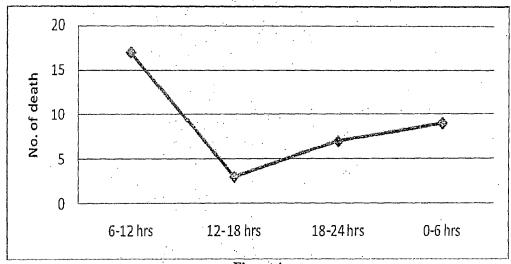


Figure-4
Time variation of human death by elephant

Table-1 Human death and Injury, property damage and elephant death due to HEC at AFD, Odisha

Year	Human Killed by	Human Injured by	House Damage by	Crop Damaged in	Death of
т еаг	Elephant	· Elephant	Elephant	Acre	Elephant
2001-02	00	00	00	00	1
2002-03	00	00	3	00	2
2003-04	00	11	00	00	3
2004-05	4	14	5	00	. 2
2005-06	6	4	2	219	2
2006-07	1 .	8	2	19.24	3
2007-08	00	22	21	437.21	1
2008-09	7	.8	62	1269.63	2
. 2009-10	5	11	60	852.74	5
2010-11	6	4	125	3076.05	4
2011-12	. 2	5	90	1043.80	7
2012-13	5	00	28	379.57	5
Total	36	87	398	7297.24	37

Observation of Elephants while raiding villages: Raiding groups varied from solitary animals to group. The major raiding activity was of paddy. Most HEC incidents were caused by small group. Large scale degradation of forest areas due to increasing human pressure trend of human-elephant conflicts. When the interactions between elephants and human beings become very close undoubtedly there would be a conflict between man and elephant. Elephants cause crop depredation and attacks on human beings which lead to injuries, severe wounds and ultimately to death. Besides this elephants also damage to human properties. Sometimes the human beings became revengeful towards elephants became lured by the tusk of male tusker and cause elephant deaths. These are the reasons behind human-elephant conflict.

Conclusion

Organize proper awareness programmes and establish good communication channels with villagers, particularly frequently

elephant movement area and affected villages, nearer to elephant corridor. Recruit and Train Villagers to handle village level management activities for preventing elephant intrusion. Strengthening the elephant squad and elephant trackers in concerned division and ranges where human elephant conflict is more.

References

- 1. Choudhury A.U., Status and Conservation of the Asian elephants *Elephas Maximus* in North-eastern india, *Mammal Review*, 29(3), 141-175 (1999)
- Menon, A field Guide to Indian Mammal. Dorling Kindersley (India) PVT limited 201PP (2003)
- 3. Sukumar, The Living Elephants: Evolutionary Ecology, Behaviour and Conservation, Oxford University Press, Oxford, UK (2003)

ISSN 2319-1414 Int. Res. J. Environment Sci.

- 4. Sukumar R., Ecology of the Asian elephant in southern India. II. Feeding habits and crop raiding patterns, *Trop. Ecol.*, 6, 33-53 (1990)
- 5. Dey S.C., Depredation by wildlife in the fringe areas of North Bengal forests with special reference to elephant damage, *Indian Forester*, 117(10), 901-907 (1991)
- Johnsingh and Panwar, Elephant Conservation in India-Problems and Prospects. Mammals Conservation in Developing Countries New Approach (p. Wegge.ed) Agriculture University of Norway, Ads, Norway, 35-56 (1992)
- 7. Daniel et al, Ecology of the Asian elephant Final Report, *J.BNHS*, 92, 1-10 (1995)
- 8. Nath and Sukumar, Elephant-Human Conflict in Kodagu, Southern India distribution pattern, People's perception and mitigation methods Asian Elephant Conservation center. Center for ecological science, Indian Institute of Science, Bangalore, India (1998)

- Swain and patnaik, Elephants of Orissa, Conservation Issues and Management Options, *Indian Foresters* 128(2), 145-154 (2000)
- 10. Singh A.R. and Chalisgaonkar R., Restoration of Corridors to Facilitate the movement of wild Asian Elephants in Rajaji-Corbett Elephant Range, India, Project Elephant India (2006)
- 11. Sahu H.K. and S.K. Das, Human-elephant conflict in Mayurbhanj elephant reserve Orissa, India, *Gajah*, 36, 17-20 (2012)
- 12. Swain D., Man and Wild Elephant Conflict in Orissa, 127(10), 1134-1142 (2001)
- 13. Sar C.K. and D.K. Lahiri-Choudhury, Man elephant conflict: The Keonjhar (Orissa) experience, *Journal of Bombay Natural History Society*, 103, 286-293 (2006)

India's elephants are squeezed of living space, stressed by development, and are growing increasingly violent. So are its people.

Well what could better describe the behavior of the herds of elephants that have somehow become accustomed of feasting out the crops of villages, stomping their gardens and damaging their houses! For years people in forest regions of Orissa have existed peacefully with the elephants but things are changing slowly. As the habitats of the pachyderms get devoured by human population on the name of development, the elephants are gradually transgressing into the human dwellings.

The ongoing Rengali Left Bank Canal Irrigation project on the Brahmani river of Orissa is a pointer to the fact. The irrigation project might be aimed towards agricultural prosperity of the state, but for the dwellers of 360 odd villagers in **Dhenkanal** and to the numerous animals who live in the forests nearby, it's a battle of survival! The final stages of work on the canal have exposed the villagers to a bitter man-elephant conflict. Figures at hand are but an adjunct to the fact. Of the 65 human deaths in Orissa from elephant accidents in the last six-seven years ,30-35 cases have been reported from Dhenkanal only.

The Rengali left bank project has destroyed the traditional habitat of elephants passing through the reserve forests of Dhenkanal, Kapilash and Anantpur, in Dhenkanal forest division. Villagers complain that they had lived peacefully with the animals for ever and the animals never attacked their villages, filed or trampled through their courtyards. However this has all become a regular feature now with the corridor that provided a safe exit for the elephants to migrate, being destroyed. **Elephants are migratory animals** andrequire tremendous space. The development of the irrigation project has robbed them of this free space. Traditional paths are now totally cut off due to steep-walled canals on either side of the Brahmani River, creating insurmountable obstacles for elephant migration.

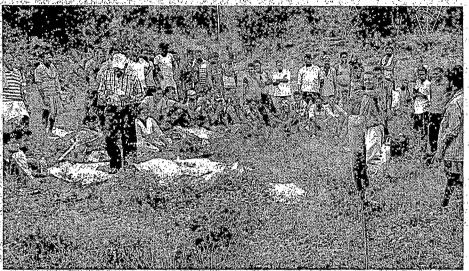
Experts point out that Kapilash was the terminal point of habitat for the entire**elephant population** stretching from Dhenkanal, **Keonjhar**, West and East Singhbhum district of Jharkhand up to the Dalma forests, covering a distance of 430 km. The rich and diverse forests of Dhenkanal offered an ideal transit path for passing elephants, providing them an abundance of food, shelter and water. However, lack of continuity and fragmentation of their habitat by the canal and its distributaries has put the elephant population under severe stress, experts say.

With the elephants transgressing regularly into human dwellings in search of food and damaging the crops, the villagers have slowly stopped cultivation altogether and many have become migrant laborers. The government is slowly

getting up to the problem and has taken active steps for reducing the growing conflict , apart from announcing a compensation of Rs 2 Lakhs for the family of anyone who has been killed by the elephant. The government of Orissa has drawn up a Rs 64 crore multi-pronged strategy to check the growing conflict. An important measure is restoring corridors and fragmented elephant habitats. The forest department has engaged experts to study the land use plan in 14 corridors across the state, and local villagers are being trained and engaged as trackers in elephant squads. Solar-powered fences around cultivated fields are being tested in certain villages.

How far the forest department succeeds in bringing relief to the troubled villagers remains to be seen. But local non-profit organization like the Wildlife Society of Orissa, has begun spreading awareness amongst the villagers. Let's hope all these efforts bear fruits social and we successfully eliminate the stress that we are putting ourselves and the animals in.

Chilly Repellant to Keep Elephant Herds away



Villagers being trained by wildlife expert Dr Rudraditya on Friday | EXPRESS PHOTO

Express News Service

Rourkela: Badly hit with high incidence of elephant depredation, the Rourkela Forest Division is trying its hands on traditional method of low-cost chilly-based elephant repelling techniques to keep the wild animals away.

Himachal Pradesh-based wildlife expert Dr Rudraditya, who has specialised in studying elephant behaviour and holds expertise in driving elephants, has been roped in to educate the vulnerable rural population to reduce the man-animal conflicts.

In his four-day stay, Rudraditya has been holding awareness programmes to arm the villagers with techniques to fight the elephant menace without depending on Government machineries.

Rudraditya said villagers were trained on producing chilly smoke using Mashals (torches). The 'Mashals' to be put up outside the houses during night are capable of generating smoke for above three hours. He also advised the villagers to prepare dung briquettes with chilly powder and keep those in storage areas of foodgrains.

Villagers were trained on producing chilly smoke for above three hours using 'Mashals' (torches) to be put up outside the houses during night

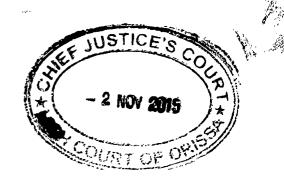
In order to protect standing crops, chilly smoke using torches would be helpful while low-cost chilly-based fencing would also come handy. He said fencing cost would be about ₹12,000 per km. The method involves erection bamboo sticks at every five-metre distance

and hanging jute bags immersed in grease and chilly powder as the elephant are intolerant to pungent are-

Sources said for the past five years, six ranges of Rourkela forest division are under attack from elephants from all directions. As of now, about 57 wild elephants are present in forest areas of Hathibari, Bisra, Dalakudar, Mahipani and Birda, while elephants of adjacent Jharkhand forest continue to be unpredictable. A herd of 10 elephants has become so adamant that it invariably returns to human settlements.

About 15-km stretch of Rourkela city is protected with solar fencing, but the rural areas continue to bear the brunt of elephant menace. This year, at least six human casualties due to elephant attack have been reported so far. Among others, Rourkela DFO Sanjeet Kumar was present.

Moreraline Padh



Chilly Repellant to Keep Elephant Herds away



Villagers being trained by wildlife expert Dr Rudraditya on Friday | EXPRESS PHOTO

Express News Service

Rourkela: Badly hit with high incidence of elephant depredation, the Rourkela Forest Division is trying its hands on traditional method of low-cost chilly-based elephant repelling techniques to keep the wild animals away.

Himachal Pradesh-based wildlife expert Dr Rudraditya, who has specialised in studying elephant behaviour and holds expertise in driving elephants, has been roped in to educate the vulnerable rural population to reduce the man-animal conflicts.

In his four-day stay, Rudraditya has been holding awareness programmes to arm the villagers with techniques to fight the elephant menace without depending on Government machineries.

Rudraditya said villagers were trained on producing chilly smoke using 'Mashals' (torches). The 'Mashals' to be put up outside the houses during night are capable of generating smoke for above three hours. He also advised the villagers to prepare dung briquettes with chilly powder and keep those in storage areas of foodgrains.

Villagers were trained on producing chilly smoke for above three hours using 'Mashals' (torches) to be put up outside the houses during night

In order to protect standing crops, chilly smoke using torches would be helpful while low-cost chilly-based fencing would also come handy. He said fencing cost would be about ₹12,000 per km. The method involves erection bamboo sticks at every five-metre distance

and hanging jute bags immersed in grease and chilly powder as the elephant are intolerant to pungent aro-

Sources said for the past five years, six ranges of Rourkela forest division are under attack from elephants from all directions. As of now, about 57 wild elephants are present in forest areas of Hathibari, Bisra, Dalakudar, Mahipani and Birda, while elephants of adjacent Jharkhand forest continue to be unpredictable. A herd of 10 elephants has become so adamant that it invariably returns to human settlements.

About 15-km stretch of Rourkela city is protected with solar fencing, but the rural areas continue to bear the brunt of elephant menace. This year, at least six human casualties due to elephant attack have been reported so far. Among others, Rourkela DFO Sanjeet Kumar was present.

Tour Ceopy Mouratin Padh

- 2 NOV 2015



BEES VS ELEPHANTS

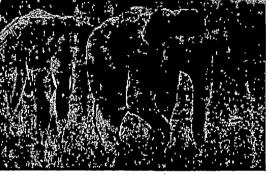
BY ANIL DHIR anildhir2k5@hotmail.com

very child has heard stories that elephants are afraid of mice, but scientists have now discovered that elephants are truly afraid of bees – and that the pachyderms even sound an alarm when they encounter them. They are the largest beasts alive on land today, yet these giants flee when they hear the buzz of a bee swarm. This new discovery can help save elephants, farmers' crops and humans.

Scientists had always suspected that elephants prefer to steer clear of bees. In Kenya, observers noticed that elephants damaged acacia trees with empty or occupied beehives significantly less than trees without hives. In Zimbabwe, researchers saw elephants forging new trails in order to avoid beehives. Even in India, it was observed in many areas inhabited with wild elephants, that they steer clear of beehives. This scientifically established fear is now being used to help protect them.

Man animal conflict breeds intolerance and people, many of whom are already struggling to subsist, grow tired and angry over having to maintain constant vigilance to prevent elephants from destroying an entire year's worth of crops in a single night. Among the many methods used to scare elephants away from crops and human habitations are by trumpeting drums and bursting crackers. Other methods include burning a mix of pungent chillies, tobacco and dung or grass on the edge of the fields.

Burning chillies and tobacco are major irritants for elephants. Their trunks are very sensitive to these smells and if they sense these odours, they avoid the area. In the Tikarpara forests of Odisha, villagers put up strings of used CD's and shine torches on them. The high reflection from the CD surface scares away elephants. Similarly, stacks of harvested crops are protected by fencing them with ropes coated with the chillitobacco paste, she added.



As of 2013, Asia's elephant population has experienced a 90% decline in the past 100 years and a rough calculation suggests that as much as 95 percent of the original habitat has been lost over the same period. The rise in human-elephant conflict has been the result of the rapid rise of the human population in India.

This small elephant population is further fragmented with fewer than 100 individuals living in any one contiguous area. This habitat is also shrinking rapidly and wild elephant populations are presently living in mostly small, isolated patches, unable to socialise as ancient migratory routes are cut off by human settlements.

The increasing trend of elephant human conflict is resulting in rising number of deaths for both and has alarmed conservationists. In Odisha, West Bengal and Jharkhand, the elephant is losing ground with dozens of them falling prey to poaching.

They are poisoned, electrocuted, trapped or simply shot by poachers and affected villagers. Experts consider such confrontations to be the leading cause of elephant deaths in Asia.

A single hungry elephant can wipe out a family's crops overnight. Farmers will huddle by fires all night during the harvest season. When an elephant nears, the farmers spring up with flaming sticks while their children bang on pots and pans. Not all fields can be guarded, and sometimes the elephants aren't frightened off.

Strategically placed beehives serve as low-tech elephant deterrents and reduce conflicts between man and beast that often lead to the pachyderms being killed. When villagers in Odisha were first told of the idea to keep beehives, they disbelieved, as it seems so improbable that such a

large, powerful creature like an elephant could possibly be afraid of tiny bees. Still, the fact is known that that the sting of a bee is absolute agony to humans, and even though the elephant is thick skinned enough to bear the onslaught, when stung in the sensitive areas around the eyes, behind the ears and even up the trunk, it is extremely painful for the elephant too.

Farmers are being trained

to make "bee fences stringing up hives on pol around ten meters apart. A strong wire connecting the poles would cause them to swing when an elephant walks into it, disturbing the bees. The swarm bothers elephants so much that they flee, emitting low rumblings inaudible to the human ear that warn other elephants nearby. According to forest officials, an elephant which suffers bee attack once will not visit that particular region again.

The government is implementing a scheme to provide financial assistance to farmers to buy bees and their hives. Officials feel this is a safe and eco-friendly method and it causes no permanent harm to the elephant. Besides, farmers can also make extra income from the honey. It's actually a win- win situation both for man and heast. A traditional bee box provided by the government is expensive at ₹ 2,500 per box, so farmers have come up with a cheaper alternative. They put up simple earthen pots coated with bees wax on the edges of their fields.

After some time, some were colonised by bees. Once farmers are able to protect their crops, they are not hostile to elephants nor do they indulge in retaliatory attacks.

In fact, farmers do not need protection from raiding herds throughout the year. It is only when the crops are ripening or have been freshly harvested that the elephants pose a threat. In Odisha, the kings of vesteryears were addressed as Gajapatis. There were dynasties named after them, and the present Maharaja of Puri, the principal servitor of Lord Jagannath too is addressed as Gajapati. The thick jungles of Odisha, which used to teem with elephants, are now fast turning into a graveyard for them with nearly 400 jumbos dying in the past five years.

Electrocution, both accidental and intentional has been identified as the major cause of elephant deaths in the state. At least seven elephants were run over by trains while 16 more were killed in various other accidents.

While the government dispels fears of elephants vanishing from Odisha, arguing birth of elephant calves outstripped the number of deaths. Conservationists however spell the doom for the elephant in the state.

The loss of habitat, diversion of forest land, increasing frequency of trains, irrigation projects, rise in electricity connections, changing demographic patterns in and around forests and irrational allocation of land for mining are major threats to elephants. Poaching for ivory too is a major reason for the high casualty rate.

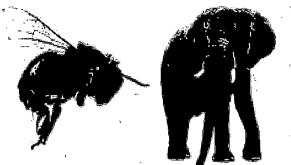
Wildlife activist Biswajit Mohanty says "Odisha's elephant population will be severely threatened as mega bauxite and iron ore mines and metal industries are coming up in the proposed elephant reserve areas."



Disclaimer: The opinions expressed within this article are the personal opinions of the author. The information, facts or opinions appearing in the article do not reflect the views of PNV Ventures Pvt. Ltd. and PNV Ventures Pvt. Ltd. does not assume any responsibility or lightly for the same.

Mainateri Padh

citytales



BEES VS ELEPHANTS

BY ANIL DHIR anildhir2k5@hotmail.com

very child has heard stories that elephants are afraid of mice, but scientists have now discovered that elephants are truly afraid of bees – and that the pachyderms even sound an alarm when they encounter them. They are the largest beasts alive on land today, yet these giants flee when they hear the buzz of a bee swarm. This new discovery can help save elephants, farmers' crops and humans.

Scientists had always suspected that elephants prefer to steer clear of bees. In Kenya, observers noticed that elephants damaged acacia trees with empty or occupied beehives significantly less than trees without hives. In Zimbabwe, researchers saw elephants forging new trails in order to avoid beehives. Even in India, it was observed in many areas inhabited with wild elephants, that they steer clear of beehives. This scientifically established fear is now being used to help protect them.

Man animal conflict breeds intolerance and people, many of whom are already struggling to subsist, grow tired and angry over having to maintain constant vigilance to prevent elephants from destroying an entire year's worth of crops in a single night. Among the many methods used to scare elephants away from crops and human habitations are by trumpeting drums and bursting crackers. Other methods include burning a mix of pungent chillies, tobacco and dung or grass on the edge of the fields.

Burning chillies and tobacco are major irritants for elephants. Their trunks are very sensitive to these smells and if they sense these odours, they avoid the area. In the Tikarpara forests of Odisha, villagers put up strings of used CD's and shine torches on them. The high reflection from the CD surface scares away elephants. Similarly, stacks of harvested crops are protected by fencing them with ropes coated with the chillitobacco paste, she added.



As of 2013, Asia's elephant population has experienced a 90% decline in the past 100 years and a rough calculation suggests that as much as 95 percent of the original habitat has been lost over the same period. The rise in human-elephant conflict has been the result of the rapid rise of the human population in India.

This small elephant population is further fragmented with fewer than 100 individuals living in any one contiguous area. This habitat is also shrinking rapidly and wild elephant populations are presently living in mostly small, isolated patches, unable to socialise as ancient migratory routes are cut off by human settlements.

The increasing trend of elephant human conflict is resulting in rising number of deaths for both and has alarmed conservationists. In Odisha, West Bengal and Jharkhand, the elephant is losing ground with dozens of them falling prey to poaching.

They are poisoned, electrocuted, trapped or simply shot by poachers and affected villagers. Experts consider such confrontations to be the leading cause of elephant deaths in Asia.

A single hungry elephant can wipe out a family's crops overnight. Farmers will huddle by fires all night during the harvest season. When an elephant nears, the farmers spring up with flaming sticks while their children bang on pots and pans. Not all fields can be guarded, and sometimes the elephants aren't frightened off.

Strategically placed beehives serve as low-tech elephant deterrents and reduce conflicts between man and beast that often lead to the pachyderms being killed. When villagers in Odisha were first told of the idea to keep beehives, they disbelieved, as it seems so improbable that such a

large, powerful creature like an elephant could possibly be afraid of tiny bees. Still, the fact is known that that the sting of a bee is absolute agony to humans, and even though the elephant is thick skinned enough to bear the onslaught, when stung in the sensitive areas around the eyes, behind the ears and even up the trunk, it is extremely painful for the elephant too.

Farmers are being trained

to make "bee fences" by stringing up hives on poles around ten meters apart. A strong wire connecting the poles would cause them to swing when an elephant walks into it, disturbing the bees. The swarm bothers elephants so much that they flee, emitting low rumblings inaudible to the human ear that warn other elephants nearby. According to forest officials, an elephant which suffers bee attack once will not visit that particular region again.

The government is implementing a scheme to provide financial assistance to farmers to buy bees and their hives. Officials feel this is a safe and eco-friendly method and it causes no permanent harm to the elephant. Besides, farmers can also make extra income from the honey. It's actually a win- win situation both for man and beast. A traditional bee box provided by the government is expensive at ₹ 2,500 per box, so farmers have come up with a cheaper alternative. They put up simple earthen pots coated with bees wax on the edges of their fields.

After some time, some were colonised by bees. Once farmers are able to protect their crops, they are not hostile to elephants nor do they include in retaliatory attacks.

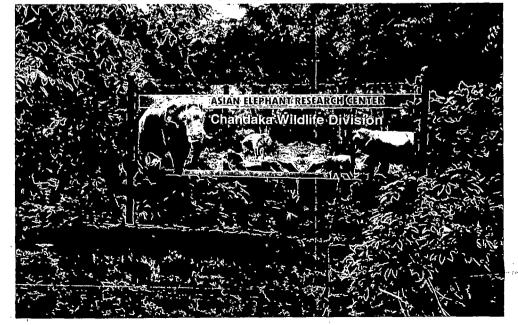
In fact, farmers do not need protection from raiding herds throughout the year. It is only when the crops are ripening or have been freshly harvested that the elephants pose a threat. In Odisha, the kings of yesteryears were addressed as 'Gajapatis'. There were dynasties named after them, and the present Maharaja of Puri, the principal servitor of Lord Jagannath too is addressed as Gajapati. The thick jungles of Odisha, which used to teem with elephants, are now fast turning into a graveyard for them with nearly 400 jumbos dying in the past five years.

Electrocution, both accidental and intentional has been identified as the major cause of elephant deaths in the state. At least seven elephants were run over by trains while 16 more were killed in various other accidents.

While the government dispels fears of elephants vanishing from Odisha, arguing birth of elephant calves outstripped the number of deaths. Conservationists however spell the doom for the elephant in the state.

The loss of habitat, diversion of forest land, increasing frequency of trains, irrigation projects, rise in electricity connections, changing demographic patterns in and around forests and irrational allocation of land for mining are major threats to elephants. Poaching for ivory too is a major reason for the high casualty rate.

Wildlife activist Biswajit Mohanty says "Odisha's elephant population will be severely threatened as mega bauxite and iron ore mines and metal industries are coming up in the proposed elephant reserve areas."



Disclaimer: The opinions expressed within this article are the personal opinions of the author. The information, facts or opinions appearing in the article do not reflect the views of PNV Ventures Pvt. Ltd. and PNV Ventures Pvt. Ltd. does not assume any responsibility or liability for the same.

DAY, APR 10 - APA 23, 2015 | 15

Defeat hair loss!

air loss affects many people today, where a majority of them have their genes to blame. In these instances, it is caused by the thinning of the hair follicle to the point where no hair continues to grow from a particular area. Although this is more common in men, women too face hair loss. Radiance has been performing PRP and meso therapy as a proactive therapeutic option for male and female patients, who experience hair loss. Let's get.familiar with the procedures of PRP, meso and hair transplant.

plant.
PRP (Platelet Rich
Plasma): This is an exciting, non-surgical, therapeutic option for patients who
require stimulation for hair
loss conditions. It has come
to the attention of many
professionals and patients
recently.

recently.
PRP therapy involves taking some of the patient's



own blood and separating the platelet rich plasma from the rest with a centrifuge. This is then combined with an activating compound. After anesthetizing the patient's scalp, the plasma is strategically injected into it. Platelets are excellent for stimulating growth and healing. Some dermatologists use the platelets to halt and reverse the thinning of the hair follicles that

cause hair loss, while others choose to use the therapy in conjunction with hair trans-

plants.

Mesotherapy: This is a medical procedure where very small amounts of medications, which are injected into the mesoderm (middle layer of skin) using micro gauge needles. The procedure includes multiple injections into localized areas, to achieve maximum results with no down time. Overall, the procedure takes 20-30 minutes with minimal discomfort. Using a specialized cocktail, your scalp is essentially given a vitamin boost which can improve the blood circulation in this area.

Hair transplant: Here, the hair is taken from the back of the scalp and are transplanted in the balding region. The permanent nature of transplanted hair renders them to grow throughout life. It may even be performed on children

who have suffered permanent hair loss due to injury or disease.

The transplanted hair can be combed, oiled, washed, cut and styled the way you want. To add to this, it is absolutely safe and has no side effects. Being a day-care procedure, you can go home the same day.

Dr. Satyartha Prakash has been doing such procedures for over

Dr. Satyartha
Prakash has been doing
such procedures for over
a decade. Having treated
thousands of people successfully, he was recently awarded for being a
pioneer in cosmetic and
hair restoration by the
Times group. A member
of All India Hair Restoration Society and the
International Hair Restoration Society, he has
been the official trainer





for Apollo's Medvaristy doctors who are pursing courses in the aesthetic and cosmetic field.



WEIRD FACTS ABOUT HAIR

1. Hair is made up mostly of keratin, the same protein animals' horns, hooves, claws, feathers, and beaks are made of.
2. When wet, a healthy strand of hair can stretch an additional 30% of its original length.

3. Hair grows slightly faster in warm weather, because heat stimulates circulation and encourages hair growth.

4. All hair is dead, with the exception of the hair that's still inside the epidermis of your scalp.

5. Hair contains information about everything that has ever been in your bloodstream, including drugs, and is one of the most commonly used types of forensic evidence.

6. The only thing about you that can't be identified by your hair is your gender - men's hair and women's hair are identical in structure.

WORLD CLASS DIABETES CARE, NOW IN BHUBANESWAR

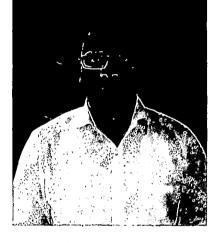
r. Mohan's Diabetes Specialities Centre' is one of the largest Standalone Diabetes hospitals and renowned for its quality Diabetes care of International Standards. Having their recently opened facility in Bhubaneswar, 'Dr. Mohan's Diabetes Specialities Centre' houses all the diabetes specialities under one roof, which include Diabetes Foot clinic, Complete Diabetes unit, Diabetes Education, Diet counseling, a well stocked pharmacy and a modern laboratory.

"Over the years, we have been treating a number of patients who have been traveling down from various parts Orissa and West Bengal to visit us in Chennai for quality Diabetes care and hence, we felt the need of having our centre here in Bhubaneswar, in the benefit of the patients from this part of the country", said Dr. Philips Routray, Consultant Diabetologist at Dr. Mohan's Diabetes Specialities Centre, Bhubaneswar.

"Now, people from across Orissa, Chattisgarh, Kolkata and other places find it easier to access us as it has reduced their traveling to Chennai to visit us for their Diabetes care", says Dr. Philips.

'Dr. Mohan's Diabetes Specialities Centre' boasts of expert Diabetologists and other seasoned specialists who provide the patients with complete diabetes care and awareness about the complications of Diabetes and their preventive methods.

A recent survey for Best Hospitals by THE WEEK-Nielsen across India declared 'Dr. Mohan's Diabetes Specialities Centre' as the Best Stand alone Diabetes Hospital in India.



'Dr. Mohan's Diabetes Specialities Centre', gets this recognition for the 3rd time in a row establishing itself as the best in Diabetes Care in terms of patient's satisfaction as it possess all the Diabetes Specialities under one roof, combined with high competency of experienced doctors, patient care, reputation, infrastructure, innovation and environment.

THE WEEK-Nielsen Best Hospitals Survey 2014 was conducted among specialists and general

practitioners in 15 cities across India during
September, October 2014
covering Ahmedabad,
Bengaluru, Bhopal,
Chandigarh, Chennai,
Coimbatore, Delhi NCR,
Hyderabad, Jaipur,
Kochi, Kolkata, Lucknow,
Mumbai, Pune & Thiruvananthapuram, in terms
of research facilities,
output and staff-training
programmes.

The centre, which is in its Silver Jubilee year, has

over 3 lakh registered patients and a network of 20 branches across the country including a state of the art centre in Bomikhal, Bhubaneswar. The Centre has evolved as the people's first choice for Diabetes care.

"With 66 million people with diabetes and 77.2 million with pre-diabetes, India is home to the second largest number of people with diabetes in the world. We, at DMDSC, aim to provide quality but affordable treatment not only for diabetes but also specialized services for treating common symptoms associated with the condition", explained Dr. Philips Routray, Consultant Diabetologist at the Hospital.

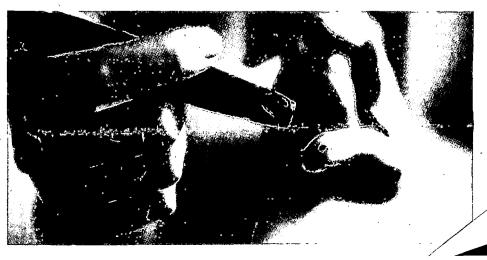
"This indicates the need for lifestyle modifications," Dr. Philips said. "Genetic factors alone can't explain this increased prevalence. Lifestyle factors are a major contributor too," he added.

"We also conduct regular awareness programs and Diabetes check up camps with PSUs and corporates to create increased awareness among their employees, who are into fast paced lifestyle and more prone to Diabetes. About 300 Corporate across the country, including IT companies, Banks, PSUs, Manufacturing companies, Clubs and many other institutions have us in their Medical panel in the interest of their employees and their dependants, to whom we extend privileges during their visit to us."

"Especially in places like Bhubaneswar & Cuttack, many corporates have been showing interest to have us in their panel of hospitals, which shows the awareness about Diabetes among the Corporates and the need for quality Diabetes care to their employees", added Dr. Philips.

It's the good patient care, quality treatments and patient education that has made us the first choice for people living with Diabetes", said Dr. Philips.

'Dr. Mohan's Diabetes Specialities Centre' has also introduced 'online appointment' facility, where patients can fix their appointments at any of the centres by visiting www.drmohans.com.



49

ANNEXURE. 3

Mrinalini Padhi Advocate Office

Piot No.C-1347, Sector-6, CDA, Cuttack-753 014 Res

10/Bhasakosh Lane Cuttack - 753 002 Fax :(0671) 2368031 Phone:(0671)2368534

Mobile: 9338111242

E-mail: mrinalinipadhi@yahoo.com

Date: 15 Sept 2015

To

The Secretary to Govt. of Odisha, Forest & Environment Department, Bhubaneswar.

Sub: Prevention of man-elephant conflict.

Sir,

I am a practicing as an Advocate in the Orissa High Court and was member of State Consumer Disputes Redressal Commission, Odisha, Cuttack. I had occasion to have first hand experience very recently on 8th August, 2015 when I had visited village Gailo in the district of Dhenkanal belonging to my mother-in-law, Justice A.K. Padhi. I found in the night almost 18 elephants strayed in around the village. The entire village was in panic. The elephants roamed around and ate/destroyed all the crops particularly banana, sugarcane, mango trees and large number of paddy fields were destroyed by their movements. The Forester and other staff immediately reached but they were mute spectators as they have no means nor ability to drive away the elephants. It was also indicated by the forest officials if the elephants are seriously disturbed they are likely to cause greater damage and devastation.

Out of fear and frustration many villagers have stopped cultivating and have started going out of the villages as migrant labourers.

That rural farmers are using traditional methods, including burning fires and beating drums, for hundreds of years to chase elephants away. Wildlife managers across India rely upon a series of conventional methods, including disturbance shooting, culling problem elephants, physical barriers and fencing as a means of mitigating human elephant conflict. In addition,



Mrinalini Padhi
Advocate

Office Plot No.C-1347, Sector-6, CDA, Cuttack-753 014 Res 10/Bhasakosh Lane Cuttack - 753 002 Fax:(0671) 2368031 Phone:(0671)2368534 Mobile: 9338111242

E-mail: mrinalinipadhi@yahoo.com

Date:		

there are a number of experimental methods to reduce crop damage utilizing acoustic, olfactory and barrier techniques, which have emerged relatively recently. 'Traditional' deterrents are those that have been devised by rural communities living alongside elephants. Such deterrents are usually composed of low-tech materials that are widely available in rural locations. Rural farmers may use a range of noisemakers, such as beating drums and tins, 'cracking' whips and whistling to chase elephants away. Farmers may also use catapults, or throw rocks, burning sticks and occasionally spears at crop-raiding elephants. This usually involves getting close to the animals, and therefore the level of danger is high.

That since wildlife protection is part and parcel of government duties and the government has an equally binding constitutional obligation to protect its citizens and their property, it seems fairly clear that the elephants can only be protected by restricting their movement so that they do not stray into inhabited areas. This means that:

- (1) Electric fences and/or other barriers need to be placed at government cost around the protected areas where elephants have their natural habitat.
- (2) Fodder plantations and water holes for elephants need to be created within those protected areas so elephants are not forced to range outside those areas due to hunger or thirst.
- (3) In areas where large number of elephants and populations are straying into human habitats, some elephants may be taken into capacities and kept in elephant resorts specially built for this purpose or kept in zoological parks like Nandankanan.

Mrinalini Padhi Advocate

Office Plot No.C-1347, Sector-6, CDA, Cuttack-753 014 Res

10/Bhasakosh Lane Cuttack - 753 002 Fax: (0671) 2368031 Phone:(0671)2368534

Mobile: 9338111242

E-mail: mrinalinipadhi@yahoo.com

	•	
Date:		

Patrolling of forest officials may be intensified in the entry points of reserve forests and necessary preventive measures be taken to stop the entry to human habitats.

In the aforesaid premises, you are requested to take adequate and effective measures to (i) prevent the wild life especially the elephants straying in human habitats by constructing electric fencing and other conventional method of fencing (ii) encourage participation of local villagers in form of voluntary work or otherwise to check the growing conflict (iii) create enough water bodies and crops inside the forest area which will enable to feed the growing number of elephants inside the wild life area and (iv) ensure a regular vigil in the villages adjoining the wild life areas to prevent the wild life from staying into human habitats.

I request your esteemed office to inform me about the specific steps taken by the Government to prevent human elephant conflict in Odisha.

With regards.

Yours sincerely,

Copy to:

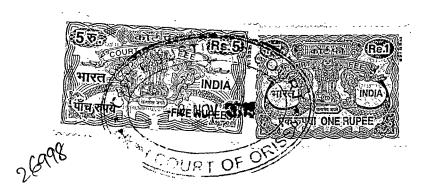
The Principal Chief Conservator of Forests, Odisha, Bhubaneswar / The Chief Wild Life Warden, Odisha, Bhubaneswar for information and necessary action.

(M. Padhi)

Trave CoPy Vieraline Pae Advocada

		THE ADVOCATE CONTRACT, O	DISHA, CUTTACK 、				:	* .
	X 0	SLNO: 195	3367847 DATE :	11/3/2015	CODE		. :	
	146	CASETYPE: WPCPIL	No: 19625	YEAR:	2015			
		PETITONER / APPEL/	ANT: MRINALINI PADHI			•		
1	•	RESPONDENT/OPP	STATE				500	
		PETITION & MEMO	MISC CASE	EXTRA COP	y 🗖 ///////////			ء من
;		COUNTER	T ADDL	C SET:		3 NOV 201		· 1
		REJONDER	CONSOLIDATE			EARNIN		
1 · · · · · · · · · · · · · · · · · · ·				ADDL. STA	NDING COUNSEL	The state of the s		-
		14:4	ERR-2011 167 68 167	vingsing Est	/ 41:21 Por G		,	
R								-
			·					
					,	•		1

•



IN THE HIGH COURT OF ORISSA: CUTTACK (ORIGINAL JURISDICTION CASE)

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

Code No. 219900

In the matter of:

An application under Articles 226 of the Constitution of India,

And

In the matter of:

Public Interest Litigation.

And

In the matter of:

Presented in C

Mrinalini Padhi, Advocate, Aged about 55 years, w/o. Sri Saurjya Kanta Padhi, resident of 10/Bhasakosh Lane, Cuttack-2, Odisha ...

Petitioner

- Versus -

- 1. State of Odisha, represented through the Secretary to Govt., Forest & Environment Department, Odisha Secretariat, Bhubaneswar,
- 2. Principal Chief Conservator of Forests, Odisha, Bhubaneswar.
- 3. Chief Wild Life Warden, Odisha, Bhubaneswar.

Opp. Parties.

(The matter out of which the present writ petition arises was never before this Hon'ble Court in the present form)

Morenalein Pach

W

0	THE ADVOCATE GENERAL, CO	DISHA, CUTTACK		
Olyna	SLNO:	-65475 DATE :	11/23/2015	CODE
-/W/G	CASETYPE: WPC	No: 19625	YEAR:	2015
	PETITONER / APPELA	NT: MR INALINI PADHI		
-	RESPONDENT/OPP	STATE		,
	PETITION & MEMO	MISC CASE	☐ EXTRA COPY	团
:	COLINTER	ADD!	SET: 3	·
	REJONDER	CONSOLIDATEC		
	·		· • • • • • • • • • • • • • • • • • • •	<u>-</u>
	. ;		ADDL. STAND	ING COUNSEL
	. 14 · 4 ·	ERR-2011 48 of 49		VIV Ser D
)			ORISSA HIGH CO	URT
* ₽	,		2 3 NOV 2015	
			CLEARANC	=
	•		DEPUTY REGISTRAR	
•		•	the second secon	

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 40

Branch No: WRIT BRANCH-8

Receipt No: 73595/2015

Date Of Receiving: 23/11/2015

Time: 02:49:08 PM

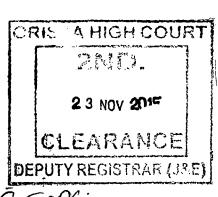
Case No : WP(C) 19625/2015

Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

3- Consolidated Cause Title



In The High (sunt of Opissa Cartalk.

W.P(c) (PIL) 19625 & 2015

Moinaline Padhi --- Petitioner

(Versus)

Stali of Odisha and Oss-

2. Copies of Consolidated Consellette fild himserit in lan above motion case

Contrack

2 23/11/2015

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 40

Branch No: WRIT BRANCH-8

Receipt No: 73595/2015

Date Of Receiving: 23/11/2015

Time: 02:49:50 PM

Case No: WP(C) 19625/2015 Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

3- Consolidated Cause Title

4- REQUISITE FOR OPS --- Postal Fee -Rs.280



In The High Court of Orinsa Cuttern.

W. P.(8) (PIL) NO 19625 \$ 2015

Moimaline Padhi

Stati 7 Odisha and oss.

Written Process along with 4. Cotins
y with publishers with Ambrewases one
Index and 4. See posternetops with Adosnors aftiring portagey BFOF in each for éssur quotoce onchi as por the homble Courts order dated 17.11. 2015

Munaline PalhiPetikasur (inpusson)





IN THE HIGH COURT OF ORISSA : CUTTACK. MISC. CASE NO. 948 of 2015.

(Arising out of W.P.(C)(PIL) No.19625 of 2015)

In the matter of:

An application for amendment of the writ petition under Chapter-VI Rule-27 of the Orissa High Court Rules, 1948.

AND

In the matter of:

Mrinalini Padhi

Petitioner.

- Versus -

State of Odisha and others

Opp. Parties.

To

The Hon'ble Shri D. H. Waghela, B.Com, LL.M., the Chief Justice of the Hon'ble High Court of Orissa and His Lordship's Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the petitioner named above;

MOST RESPECTFULLY SHEWETH:

- 1. That the petitioner has filed the aforesaid writ application in the form of public interest litigation on the issue of man-elephant conflict in the State of Odisha.
- 2. That the detailed facts and circumstances enumerated in the writ application may kindly be considered as a part of this Misc. Case.
- 3. That this Hon'ble Court while hearing the matter on 17.11.2015, has been pleased to grant leave to amend the writ



P. E. MOHANTY NOTARY CUTTACK TOWN



petition and to implead the Electricity Distribution Companies as Opposite parties. The order dated 17.11.2015 is extracted below.

" The petition is admitted and leave is granted to amend the petition so as to join the Electricity Distribution Companies as opposite parties.

Learned Additional Government Advocate appears and waives notice for opp. parties 1 to 3.

If other parties are joined as opponents, notice shall be issued to them by speed post immediately, returnable on 3.12.2015. Requisites shall be filed within seven days.

List this matter on 3.12.2015."

4. That in the interest of justice, the below Schedule mentioned Electricity Distribution Companies may be impleaded as Opposite parties for the just and proper adjudication of the case.

<u>P R A Y E R</u>

Under the facts and circumstances of the case, this Hon'ble Court may graciously be pleased to allow this application and the below Schedule mentioned Electricity Distribution Companies may be impleaded as Opposite parties Nos.4 to 7 in the cause title of the writ petition and further be pleased to pass any other order/orders as may be deemed fit and proper in the interest of justice.

And for this act of kindness, the petitioner shall as in duty bound ever pray.

CUTTACK.

Dt. 23. 11. 2015

By the Petitioner

In Dorcon

P. K. MOHANTY NOTARY CUTTACK TOWN

SCHEDULE

- (1) Southern Electricity Supply Company of Orissa Ltd. (SOUTHCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar -751015, represented through its Chief Executive.
- (2) Western Electricity Supply Company of Orissa Ltd. (WESCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar -751015, represented through its Chief Executive.
- (3) Northern Electricity Supply Company of Orissa Ltd. (NESCO), Plot No. N-1 / 22, I.R.C. Village, Nayapalli, Bhubaneswar -751015, represented through its Chief Executive.
- (4) Central Electricity Supply Utility of Orissa (CESU),
 2nd Floor, IDCO Tower, Janpath, Bhubaneswar-751
 022, represented through its Chief Executive Officer.

AFFIDAVIT

I, Mrinalini Padhi, aged about 55 years, wife of Sri Saurjya Kanta Padhi, resident of 10/Bhasakosh Lane, P.O.: Chandinchwok, P.S.: Lalbag, District: Cuttack, do hereby solemnly affirm and state as follows:-

1. That I am the petitioner in this case.

2. That the facts and submissions stated above are true to the best of my knowledge and belief.

DEPONENT.

CERTIFIED that due to want of cartridge papers, this petition been typed out on thick white papers.

Pelitioners

P.K. Mohanty, Notary, Cuttack lewn



स्पीड पोस्ट द्वारा

Case No. 4 PQ7 (814) 17625/15

पावती

1. पाने वाले का नाम व पता / Name & Address of the Addressee

(49 Source live on flest once f Supply

Company of Oatshooth SUTHEO)

86 में No. 1100 1000

भारत कि हस्ताहार/Signature of Recipient

Relation of Recipient with addressee (Please Tick)

3. प्राप्तकर्ता का प्रेषित से संबंध /

िस्वयं / Seif ि पत्नी / Wife

- परिवार का सर्दस्य (बताए) / Family member (Specify)
- कोई हुद्ध (बताए) / Any other (Specify)

। , वितरण की तिथी / Date of Delivery



By Speed Post

Proof of Delivery



EZ851277470IN

13

To The Saparintendent

High Court of Orissa Cuttack - 753002.

India Post EZBELLEZZÁSÁVÍN COMMER POLLTE-CORRICES -海滨市等等等等的 Prefaid:CourtPUI Wt.289rans, 01/12/2015 10:30

स्पीड पोस्ट द्वारा

Case No. 480 (PIL) 19625/2.

पावती

. 'पाने वाले का नाम व पता / Name & Address of the Addressee

5) Western Electricity

Supply Comband of 02/8/6

RC- What war back Bluban

2. पाने वाले के हस्ताक्षर / Signature of Recipient

By Speed Post

Proof of Delivery



3. प्राप्तकर्ता का प्रेषित से संबंध / Relation of Recipient with addressee (Please Tid

स्वयं / Self पत्नी / Wife

- 1 (44) OSII TITATI
- कोई अर्ट (बताएं) / Any other (Specify)

• परिवार का सदस्य (बताएं) / Family member (Specify)

por Ray

The Suprainstandens
W. P.C. See From
High Court of Orissa

Cuttack - 753002.

4. वित्ररण की तिथी / Date of Delivery

21 2/13

DelveyPosCUTTASKKT559622

शारतीय डाक्

India Post

59 To: ICH CUTTACK HV6 <u>5785:277228</u>IN Devotes Anni PROFOCOLES

Counter No:1,CP-Cood:CR5

Prefaic:CourtPOB

Francisc WZLLASE.S? (731015)

स्पीड पोस्ट द्वारा

Case No. 4 Par (14) 19625/15

1 पाने वाले का नाम व पता / Name & Address of the Addressee

Plot No N-1/22 IRC nilage

RESIDENCE OF ENTRY SIGNATURE OF PERIPPER

2. पनि वाले के हस्ताक्षर / Signature of Recipient

पावती नाम व पता / Name & Address of the Addressee By Speed Post

Proof of Delivery



3. प्राप्तकर्ता का प्रेषित से संबध /

Relation of Recipient with addressee (Please Tick)

ि स्वयं / Self ि पत्नी / Wife

- . .
- कोई 🌉 (बताए) / Any other (Specify)

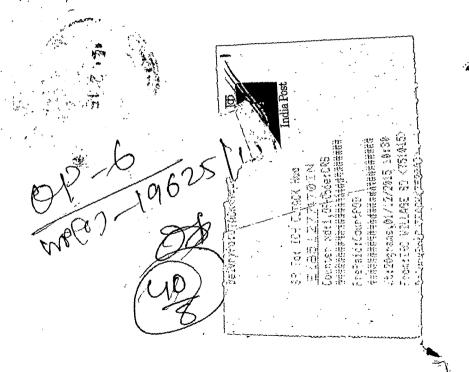
• परिवार का सदस्य (बताए) / Family member (Specify) 🖟

The Superintendent W. P.C.) Seatton

High Court of Orissa Cuttack - 753002.

4. वितृरण की तिथी / Date of Delivery

30-11-15



स्पीड पोस्ट द्वारा

एक No. ४<u> १९७ (११५) 19</u>625/15

, पाने वाले का नाम व पता / Name & Address of the Addressee ^न) Ce क रेळ al & Lucy कर के निर्मा

Linit of Odisha!

2 Flor & Lesing 1De o Paris.

प्रति थाले के इस्ताक्षर / Signature of Recipient

प्राप्तकर्ता का प्रेवित से संवध /

Relation of Recipient with addresses (Please Tick)

□ स्वयं/Self/ □ पत्नी पत्नी

• परिवार को सदस्य (बताएँ)/ Fainly member (Specify).

• कोई अन्य (And) Any other (Specify) है । दिन । इं

वितरण की ति गी / Date of Delivery

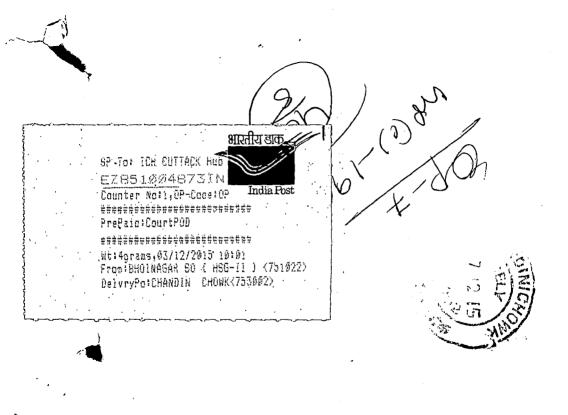
By Speed Post

Proof of Delivery

F7851004873IN

To The Superindended W per Setion High Court of Orissa.

Cuttack - 753002.



COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No.: 40

Branch No.: WRIT BRANCH-8

Receipt No: 78277/2015

Date Of Receiving: 10/12/2015

Time: 02:39:44 PM

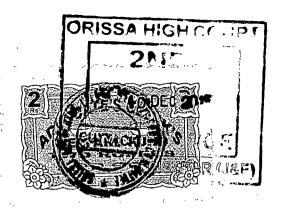
Case No: WP(C) 19625/2015
Received From: Respondent
Filed By: M/S P.K.MOHANTY

Document(s) Filed:

6- Memo Of Appearance

7- Vakalatnama --- Court Fee -Rs.12 (34028/2015)





IN THE HIGH COURT OF ORISSA, CUTTACK

MEMORANDUM

W-P. (c) NO 19625	20/5.
Mrticoralisoni Padhi	Appellant(s)
VERSUS	Petitioner(s)
State of ocisha and others	Respondent(s) Opp. Party(ies)
To	
The Deputry Registrar, High Court of Orissa, Cuttack	g
Sir,	
I have the honour to authorise Sri PRADIPTA KUMAR MO Advocate to plead on behalf of the Piki Mayaik	
the above mentioned case and request that the fact may kind	ly be noted.
	s faithfully
Date 10-12-2015	VOCATE

l agree

Pradipta Kumar Mohanty SENIOR ADVOCATE





34028

VAKALATNAMA

IN THE HIGH COURT OF JUDICATURE ORISSA, CUTTACK

WP (c) (PIL) NO 19625 of 2015

Between

Mrimalini Padhi

Appellant/ Petitioner/ Plaintiff

Versus

State of odisha and other

Respondent / Opp. Party / Defendant

Know an men by mese presents, mat by i	ins vakalamama
prabula charona mitally, at present.	
INVE Authorised Officer, Southern Electron Utd C. CouTHCO UTILITY), Corporate office	city Supply Company of Odisha
Utd (COUTHCO UTILITY), Corporate office	2. Bochampur-4. Dis
Dist. Cranjam - Odithe for P. No- 4	

Appellant / Respondent / Petitioner / Opposite party the aforesaid Revision / Appeal Case do hereby appoint and retain, D. M. Monarda, Sont D. M. Market, Advocate (s), to appear for me / us, in the above case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same, or any decree or order passed therein including all applications for return of documents or receipt of any moneys that may be payable to me / us in the said case and also in applications for review, and in appeals under Orissa High Court order and in applications for leave to appeal to Supreme Court. I / We authorise my / our Advocate (s) to admit any compromise lawfully entered in the said case.

Dated 19-12-2015
Received from the executant (s)

Satisfied that it is duly executed and accepted. Certified that I hold no brief for the other side.

Prafelle Chandre Tropelly
Authorised Officer
SOUTHOO UTILITY
Berhampur(Gm)OdTsha

Advocate

Accepted as above

ADOM

SIGNATURE OF EXECUTANTS

Advocate

Advoate





COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK 'ACKNOWLEDGEMENT SLIP

Seat Ao: 40

Branch No: WRIT BRANCH-8

Receipt No: 78213/2015

Date Of Receiving: 10/12/2015

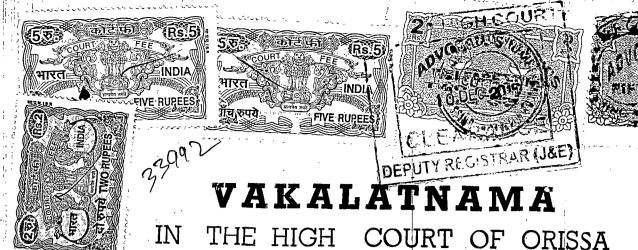
Time: 01:13:27 PM

,

Case No: **WP(C)** 19625/2015 Received From: Respondent Filed By: M/S B.K. NAYAK(1)

Document(s) Filed:

5- Vakalatnama --- Court Fee -Rs.12 (33992/2015)



THE HIGH

In the Court of,

W.P.(C) No. 19625 012002015

Micinaline Padhi	Petitioner Appellant
	Plaintiff; Compla ina nt
Versus	
Star of Odisha & Othe	Opp Party/Respodent
	Defendant Accused
Know all men by these presents that by	this Vakalatnama
C . C -13146. S. D. A	1 0000 01 1 1 7 2 1

1/WeSiti Sushi Kumpt Lopli ofed about 524 pang Ste Sie B. S. Popli at priesent Working of Chief Exempère Officer, CESV as O.P. ND. 7

Complaint/Accused/Opposite party in the aforesaid case suit/appeal do hereby appoint and retain SRI MR.B. K Nayar (1) > Alou

to appear for me/us in the above case, and to conduct and prosecute or defend the same and all proceedings that may be taken in respect of any application connected within the same or any decree or order passed therein including all application for return of documents or receipt of any money that may be payable to me/us in the said case and also in applications for review and in appeals under Orissa High Court order and in applications for leave to appeal to the Supreme Court I/We authorise my/our Advocates to admit any compromise lawfully entered in the said

Dated the 10 1/2 2005

Received from executant (s). Satisfied and accepted, I hold not fief for the other side.

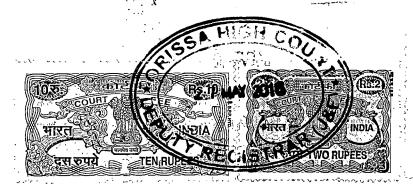
Accepted as above,

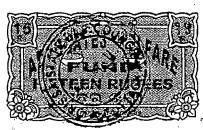
hu Me

Chief Executive Officer Central Electricity Supply Utility of Odisha Bhubaneswar

Accepted as above.

Advocate

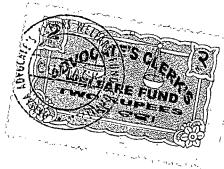




14281

FORIVI OF VAR	KALAINAWA
IN THE HIGH COURT OF	ORISSA, CUTTACK.
Appeal No W. P. C.) PIL	NO-19625 of 2015
Mrimalion Pach	
1/4-	• •
State It odisha asi	of officer ondent / Opp. Party
•	nts, that by this VAKALATNAMA.
IMe Di Saya Kumart Sahoo	
as Acethorised obtricer a	
Sprice sconvoans, balasor	
Appellant/Respondent/Petitioner/Opposite AppealCase do hereby appoint and reta	
Sout- 5-Mohaonto, P.K-No	290K, G-N-DOSh,
A. Das. P.K. Pasasol.	
Advocate(s) to appear for me/us, in the above (or defend) the same and all proceedings application connected with the same, or including all applications for return of documay be payable to me/us in the said case Appeal under Orissa High Court order and Supreme Court, I/We authorise my/our Adlawfully entered in the said case.	that may be taken in respect of any any decree or order passed therein ments or receipt of any moneys that and also in applications for review, in Application for leave to appeal to
Dated the 2.7-5- 2016	Brjaya Kumar Sahoo.
Received from the executant(s) satisfied and accepted as I hold	Authorised Officer NESCO Utility
no brief for the other side.	SIGNATURE OF EXECUTANTS
Advocate	A to the same of t
Advocate Advocate	
Denver Denver	3 A 200 A 2 C

Advocate



FORM OF VAKALATINA IN THE HIGH COURT OF JUDICATURE, ORISSA, CUTTACKE

W.P.Cc)/PIL/ Na.19628 of 2015 Between

Morchaline Parthi

-Versus-

Appellant/Petitioner

State of Odly	ha 2011,	Respondent/Opp.Party
Know all men by these I/We Praganta ku Pradhan aged of Authorized of	presents, that by this Vakala Max Proofhan, 3, Us out 59 yrs, pro- Pfcter WESCO Utto	itnama 10. Late Kasta Charcer sently working of the Lity, Head Quarter (0. P. NO. 5)
	ALB ZT	
Appellant/Respondent/Petitio by appoint and retain Sri	ner/Opposite Party in the af	oresaid Revision/Appeal Case do here
ANINDYA KUI	YISHRA, A.K. SA	1 h00
the same and all proceedings same, or any decree or order preceipt of any moneys that me review, appeals under Oriss	that may be taken in respect passed therein including all a ay be payable to me/us in the a High Court Order and in	to conduct and prosecute (or defend) of any application connected with the applications for return of documents or e said case and also in applications for applications for leave to appeal to it any compromise lawfully entered in
Dated the $2/3/16$	30.53	EIEZEEN KRADE.
Received from the executant of as I hold no brief for the other	•	SET OF SE
Advocate		2 to Rondhar
Accepted as above	ORISSAFIC	Pranante Rumer Prodhan COMERCO Utility
Advocate Asserted as above	108: Signal Thouses And Thouses Signal Thou	CHOTE FOR THE COUNTY OF THE CO
Accepted as above Advocate	(20) 1455 GEN (GEN)	TWO HOPE'S

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 40

Branch No: WRIT BRANCH-8

Receipt No: 16265/2016 Date Of Rec

Date Of Receiving: 03/03/2016

Time: 02:52:55 PM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S ANINDYA KUMAR MISHRA

Document(s) Filed:

8- Vakalatnama --- Court Fee -Rs.12 (6746/2016)

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 40

Branch No: WRIT BRANCH-8

Receipt No: 34293/2016 Date Of Receiving: 27/05/2016 Time: 11:48:07 AM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S D.N. MOHAPATRA

Document(s) Filed:

9- Vakalatnama --- Court Fee -Rs.12 (14281/2016)

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH)

Receipt No: 49387/2022

Date Of Receiving: 01/08/2022

Time: 03:45:09 PM

1000

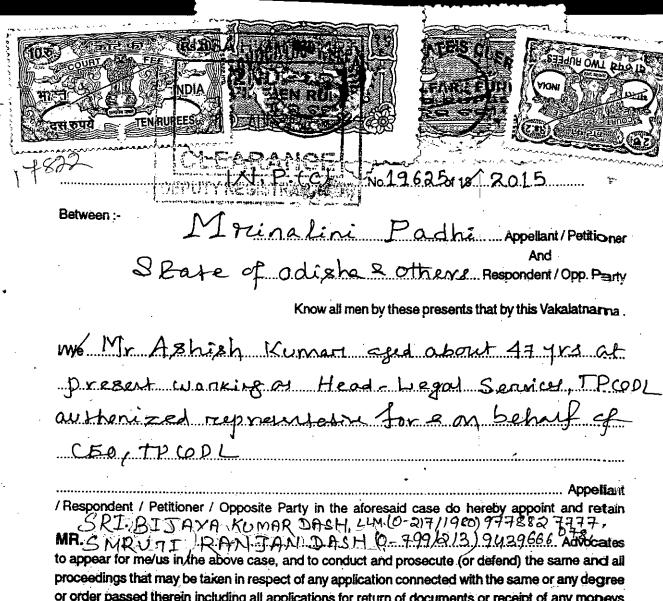
11 416

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S BIJAYA KUMAR DASH

Document(s) Filed:

10- Vakalatnama --- Court Fee -Rs.12 (17822/2022)



or order passed therein including all applications for return of documents or receipt of any moneys that may be payable to me/us in the said case and also in applications in appeals, under Orissa High Court order and in applications for leave to Sup thorise my/our advocates to admit any compromise lawfully entered in the sail

(lemeda_

Dated 01. 08 10 2022

Received from the Executants

Satisfied that it is duly executed and accepted, Certified that I hold no brief for the other side.

Biyaya Kumar Dark

Accepted as above.

(.R.1) est

Advocate

Advocate

SIGNATURE OF EXECUTANT(S)

Head-Legal Services TPCODL, Head Office Bhubaneswar



COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH)

Receipt No: 4044/2023

Date Of Receiving: 13/01/2023

Time: 02:53:54 PM

Case No: WP(C) 19625/2015

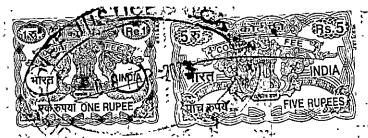
Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

11- Note Of Submission





IN THE HIGH COURT OF ORISSA: CUTTACK.

I. A. NO. _______OF 2023

[Arising out of W.P.(C)(PIL) No. 19625 of 2015]

In the matter of:

An application for amendment of the cause title of the writ petition, under Chapter-VI Rule-27 of the Orissa High Court Rules, 1948.

AND

In the matter of:

Mrinalini Padhi

PETITIONER.

-VERSUS-

State of Odisha and others ... OPP.PARTIES.

To

The Hon'ble Chief Justice of the Hon'ble High Court of Orissa and His Lordship's Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the Petitioner named above;

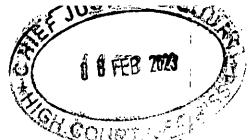
MOST RESPECTFULLY SHEWETH:-

- 1. That the petitioner has filed the aforesaid Public Interest Litigation with a prayer inter alia:
 - "(i) to review all non-forest activities and land user in the areas adjoining designated forest having elephant habitat and corridor and take

Ruj

PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd. No- ON-04/1995

Mounalini Paeth



appropriate action in that regard in case there is any violation of law;

- take adequate and effective measures to prevent the wild life especially the elephants straying in human habitats by constructing electric fencing and other conventional method of fencing;"
- 2. That the detailed facts and circumstances stated in the writ petition may kindly be considered as a part of this application.
- 3. That it is pertinent to mention here that in this case, the DISCOMs i.e. SOUTHCO, WESCO, NESCO & CESU which were electricity distribution companies of Odisha had been impleaded as opposite party nos.4 to 7, but in the meantime in Odisha, Tata Power has taken over the management of electricity distribution companies of Odisha from 1.6.2020 in four zones namely, TPSODL (for Southern Odisha), TPWODL (for Western Odisha), TPNODL (for Northern Odisha) and TPCODL (for Central Odisha). Thus, it is required to implead the present entities for proper adjudication of the case.
- 4. That in view of the above, it would be expedient in the interest of justice to implead the following entities as per the Schedule given hereunder as opposite party nos.4 to 7 in place of SOUTHCO, WESCO, NESCO & CESU by way of amendment of the cause title.

PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd. No- ON-04/1995



PRAYER

It is, therefore, prayed that this Hon'ble Court may graciously be pleased to allow this application and pass an order to implead the following entities as per the Schedule given hereunder as opposite party nos.4 to 7 in place of SOUTHCO, WESCO, NESCO & CESU by way of amendment of the cause title.

And for this act of kindness, the petitioner shall as in duty bound ever pray.

CUTTACK.

Dt. 6.2-23

Mounaline Padh

By the petitioner

SCHEDULE

- (1) Tata Power Southern Odisha Distribution Limited (TPSODL), At: Court Peta, P.O./P.S.: Berhampur, District: Ganjan.
- (2) Tata Power Western Odisha Distribution
 Limited (TPWODL), At: Besides Burla Police
 Station, Burla, District: Sambalpur, represented
 through the Chief Executive.
- (3) Tata Power Northern Odisha Distribution Limited (TPNODL), At: Januganj, Remuna Golei, District: Balasore-756019, represented through the Chief Executive;
- (4) Tata Power Central Odisha Distribution Limited (TPCODL), 2nd Floor, IDCO Tower, Janpath, Bhubaneswar-751022.

PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd. No- ON-04/1995



AFFIDAVIT

I, Mrinalini Padhi, aged about 62 years, W/o. Saurjya Kanta Padhi, resident of 10/Bhasakosh Lane, Cuttack-2, Odisha, Odisha, and practicing as an Advocate, Orissa High Court, Cuttack, do hereby solemnly affirm and state as follows:

- 1. That I am the petitioner in this case.
- 2. That the facts stated above are true to my knowledge and belief.

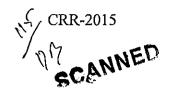
Deponent

Certified that due to want of C. papers, plain papers have been used.



me by Marified by Bolow a' Cuttack Town Dated 6602/2023

P.A. Mehanty, History, Cultack Tolyn Regg. No-ON-04/1995



K

OFFICE OF THE ADVOCATE GENERAL, ODISHA

SLNO: 356947	Date: 08-Feb-23	TIME: 1:01 PM
CASETYPE: WPC PIL	No: 19625	YEAR: 2015.
PETITONER / APPELANT:	MRINALINI PADHI	al Salaa
RESPONDENT / OPP PARTY:	STATE	0 9 FEB 2023
PETITION & MEMO	MISC CASE	CLEARANCE
COUNTER	ADDL	DEPUTY REGISTRAR (J&E)
REJONDER	CONSOLIDATED	
		DL. STANDING 'UNSEL
← CRR-2011 10097 of 100	097	7 2 X V V 2



COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 19677/2023

Date Of Receiving: 15/03/2023

Time: 04:26:02 PM

Case No: WP(C) 19625/2015

Received From: Petitioner

Filed By:-ADVOCATE FOR THE PETITIONER

Document(s) Filed:

13- Dusti Notice

Dasti

PM THE HIGH COURT OF BRISSA CONTENCES

W.P.() No- 19625 OF 2018

Mirnalini Padhe

Mirnalini Padhe

2

State ut odisha y ux - 012-partia,

WEWP

Worten provies along with copy of with copy of with copy pertain, sunnexure y Two 24 are Ried herewith In the abortonestion care for 2584 of notice to the opp. No 1 to 4 by Dasti

Dete-15.3.2023

Moundini Padhi He petitionen

SCANNED

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 19678/2023

Date Of Receiving: 15/03/2023

Time: 04:27:17 PM

Case No: WP(C) 19625/2015
Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

14- REQUISITE FOR OPS --- Postal Fee -Rs.300

THE HIGH COURT OF ORISSA, CUTTACK W. P. (1) NO. 19625 OF SOUTE OF SOUTH SOUTH

~ S

State of odisha y un. - - opp. Paratiel

WEWP

Posted requestes reled along
with copy or the word petition, Annexure
y pro IA for Stay are Aled herewith
In the above noted cese, Issue notice to
the opp party No - 1 to 4 by Registered Post
with AD RI 300/-

Date-15.3. 2023

Mindim Padhi
De 8
He Petitioner.

SCANNED By Da	
[O.H.C152] Notice in Admission &	I.A. mother 5700
IN THE HIGH COUR	TOFORISSA A NAR 2023
(Civil Appellate Ju	risdiction)
1912 . 1912 . 1912	of 20
F.A. N	0 1737/23 REGISTA
(Civil Appellate June 1962) Miraline Padhe	
Versus	
Itale or odeska y wa	Opposite Portuin
	ഗ് Opposite Partyi ഭൂ
In the matter of an application by the above named	
nornalini padhé	
Tour Toda Power Central o Limited (TP(ODL), 2nd	Petitioner
Limited (TD(ODL) and	Dom ano Thison
Jarpoth, Shewares	Local Local
J , , , , , , , , , , , , , , , , , , ,	~ (op. 7)
Take notice that an application, a copy	ତୁୟଙ୍କୁ ଏଡଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଅଛି ଯେ, ଉଲ୍ଲିଖ୍ଡ
whereof is annexed herewith, has been made to	ଦରଖାସ୍ତକାରୀ ଏହି ଅଦାଲତରେ ଯେଉଁ ଦରଖାସ୍ତ କରିଅଛନ୍ତି,
this Court by the above named petitioner and	ତହିଁର ନକଲ ଏଥ୍ସଙ୍ଗେ ସାମିଲ ଅଛି ।
you are hereby directed to show cause on	ତୃତ୍ୟେ <i>୧୦.୦</i> ୪. ୨ <i>୦୨୩</i> ରେ କାରଣ ଦର୍ଶାଇବ,
10.04.2023 why the application	କାହିଁକି ସେହି ଦରଖାସ୍ତ ମଞ୍ଜୁର ନ ହେବ କିୟା ମହାମାନ୍ୟ
should not be granted or such other order be passed as this Hon'ble Court may deem fit.	ଅଦାଲତ ଯେପରି ଉପଯୁକ୍ତ ବିବେଚନା କରଡି ସେହିପରି ହୁକୁମ
	ନ ହେବ ।
This Can stands adjacerned	to Df. 20.04.2023
This Care stands codjourned Received copy of HP	
en	
High Court	By order of the Court
The 16th March	M. 8-3-2013
The 16 17 arch 20.23	Superintendent
OGP-MP-PTS-U4 (H.C.) 20-50,000-7-12-2015	223

Received copy of and another Donto on op-4- et-1/9/23

Karanasa Karanasa and the first of the second of the first

54* RR - 54 भारतीय डाक भारतीय डाक विभाग DEPARTMENT OF POSTS, INDIA प्रप्ति स्वीकृति / Acknowledgement India Par रजिस्ट्री-पत्र द्विपार्सल प्राप्त हुआ Received Registered Letter / Parcel / क्रमींक / No. तारीख / Dated का / of * बीमें का मूल्य रुपर्यों में 🗥 * Insured of Rupees Toda Power amballor बितरण डॉकेंघर की तारीख - महिरा Date Stamp of office of delivery हिस्ताक्षर और नाम /Signature and Name M.1(C)-19622/2112 डाक सेवार्थ On Postal Serv.€e प्रेषक डाकघर की नाम-मोहर Name-stamp of office of posting

SCANNED laste Itish count St onsse SU WP(C) 19625/2015 Patritioner Morrahmi Pashi State Stodach L_ op. Ponts Keisned Copy of onlin Brief with counter and Add. Attodant. cuff Annepur. 1/24/23

Sign In

Register









You are here Home>> Track Consignment

Track Consignment

- * Indicates a required field.
 - * Consignment Number RO106522657IN

Quick help

Track Nore

Article Type	Delivery Location	• •	Delivery Confirmed Or
	• • • • • • • • • • • • • • • • • • • •	•	• • • •
Registered Letter	Medical College S.O (Ganjam)		23/03/2023 17:01:40

Event Details For: RO106522657IN

Current Status: Item Delivery Confirmed

Date	Time	Office	Event
23/03/2023	17:01:40	Medical College S.O (Ganjam)	Item Delivery Confirmed
23/03/2023	16:44:33	Medical College S.O (Ganjam) (Beat Number:4)	Item Delivered [To: tp (Addressee)]
23/03/2023	10:45:28	Medical College S.O (Ganjam)	Out for Delivery
23/03/2023	09:09:21	Medical College S.O (Ganjam)	Item Received
22/03/2023	12:21:30	Berhampur RMS L1R	Item Dispatched
22/03/2023	12:10:44	Berhampur RMS L1R	Item Bagged
22/03/2023	10:40:26	Berhampur RMS L1R	Item Received
21/03/2023	21:12:27	, Cuttack CRC L1R	Item Dispatched
21/03/2023	20:55:42	Cuttack CRC L1R	Item Bagged
21/03/2023	19:50:52	Cuttack CRC L1R	Item Received

Home
About Us
Firms
Recruitments
Holidays
Feedback
Right To Information

Tenders India

Sign In Register



FΔ

2

हिन्दी



Q



G2.





You are here Home>> Track Consignment

Track Consignment

Quick help

- * Indicates a required field.
 - * Consignment Number

RO106522643IN

Track More

Article Type	Delivery Location	Delivery Confirmed On
Registered Letter	Burla S.O	24/03/2023 10:15:25

Event Details For: RO106522643IN

Current Status: Item Delivery Confirmed

Date	Time	Office	Event
24/03/2023	10:15:25	Burla S.O	Item Delivery Confirmed
23/03/2023	19:50:46	Burla S.O (Beat Number:2)	Item Delivered [To: CO (Addressee)]
23/03/2023	11:34:49	Burla S.O	Out for Delivery
23/03/2023	11:03:32	Burla S.O	Item Received
23/03/2023	09:24:06	Sambalpur RMS L2R	Item Dispatched
23/03/2023	09:02:58	Sambalpur RMS L2R	Item Bagged
23/03/2023	08:02:00	Sambalpur RMS L2R	Item Received
21/03/2023	20:55:23	Cuttack CRC L1R	Item Dispatched
21/03/2023	20:40:26	Cuttack CRC L1R	Item Bagged
21/03/2023	19:50:52	Cuttack CRC L1R	Item Received

Home
About Us
Forms
Recruitments
Holidays
Feedback

Right To Information

Tenders India





















You are here Home>> Track Consignment

Track Consignment

Quick help

- * Indicates a required field.
 - * Consignment Number

RO106522630IN

Track More

Article Type	Delivery Location	Delivery Confirmed On	, , , , , , , , , , , , , , , , , , , ,
Registered Letter	Januganj B.O	22/03/2023 17:47:46	

Event Details For: RO106522630IN

Current Status: Item Delivery Confirmed

Date	Time	Office	Event	
22/03/2023	17:47:46	Januganj B.O	Item Delivery Confirmed	
22/03/2023	11:49:50	Remuna S.O	Dispatched to BO	
22/03/2023	10:51:00	Remuna S.O	Item Received	
22/03/2023	04:57:55	Balasore RMS L2R	Item Dispatched	
22/03/2023	04:36:53	Balasore RMS L2R	Item Bagged	
22/03/2023	02:17:26	Balasore RMS L2R	Item Received	
21/03/2023	21:29:04	Cuttack CRC L1R	Item Dispatched	
21/03/2023	20:24:21	Cuttack CRC L1R	Item Bagged	
21/03/2023	19:50:52	Cuttack CRC L1R	Item Received	

Home About Us Forms Recruitments Holidays Feedback Right To Information

Tenders India Related sites





हिन्दी











You are here Home>> Track Consignment

Track Consignment

Quick help

- * Indicates a required field.
 - * Consignment Number

RO106522626IN

Track More

Article Type	Delivery Location	Delivery Confirmed On
Registered Letter	Bhoinagar S.O	24/03/2023 16:01:17

Event Details For: RO106522626IN

Current Status: Item Delivery Confirmed

Date	Time	Office	Event
24/03/2023	16:01:17	Bhoinagar S.O	Item Delivery Confirmed
24/03/2023	14:42:47	Bhoinagar S.O (Beat Number:6)	Item Delivered [To: H MOHAPATRA (Article Receipt Room)]
24/03/2023	10:32:30	Bhoinagar S.O	Out for Delivery
24/03/2023	10:14:05	Bhoinagar S.O	Item Received
24/03/2023	03:24:12	Bhubaneswar RMS L1U	Item Dispatched
23/03/2023	13:25:19	Bhubaneswar CRC L1R	Item Dispatched
23/03/2023	13:10:46	Bhubaneswar CRC L1R	Item Bagged
23/03/2023	06:45:56	Bhubaneswar CRC L1R	Item Received
22/03/2023	13:13:23	Bhubaneswar RMS L1U	Item Dispatched
21/03/2023	20:21:57	Cuttack CRC L1R	Item Dispatched
21/03/2023	20:18:13	Cuttack CRC L1R	Item Bagged
21/03/2023	19:50:52	Cuttack CRC L1R	Item Received

Home
About Us
Forms
Recruitments
Holidays
Feedback



COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 36133/2023

Date Of Receiving: 03/05/2023

Time: 01:45:15 PM

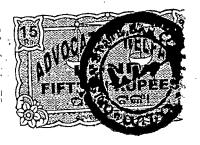
Case No: WP(C) 19625/2015

Received From: Respondent (4)

Filed By: M/S BIJAYA KUMAR DASH

Document(s) Filed:

16- Vakalatnama --- Court Fee -Rs.12 (11047/2023)







IN THE HIGH COURT OF JUDICATURE ORISSA

19625

of 20 15

Mrinalini Padhi Between

Rlaintiff / Petitioner Appellant/ Gomplainant

-Versus-

State of odisha.

Defendant/ Opp. Party Respondent/ Accused

Know all men by these presents, that by this Vakalatnama

I / We

ARVIND SINGH TRSODL COPNO.4)

WORKING AS CEO

Plaintiff/ Defendant/ Appellant / Respondent / Petitioner / Opposite Party in the aforesaid Suit/

Revision/Appeal/ Case do hereby appoint and retain, SRI. BIJATA KUMAR DASH, LL.M. (0-217/1980), M-977827777), SMRVI RANJAN DASH (0-19/2013) (9439666078), RAJA BHUSAN DASH (0-733/2016) (198788918), ROHIT KUMAR NAYAK. (0-644/201) (1933193)

Advocate (s), to appear for me/us, in the above case and conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same, or any decree or order passed therein including all applications for return of documents or receipt of any money that may be payable to me / us in said case and also in application for review, appeals under Orissa High Court order and in application for leave to appeal to Supreme Court. I / We authorize my / our advocate (s) to admit any compromise lawfully entered in the said case.

Dated the

Received from the Executants (s)

Satisfied and accepted as I hold

No brief for the other side

Advocate Bijaya Krimar Dash.

Schepted as above Roman Jash

Advocate. Rayldyan ML

Chief Executive Officer TPSODL, Berhampur

0P. NO 1-4



SCANNED

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 60954/2023

Date Of Receiving: 19/07/2023

Time: 01:28:01 PM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S LALIT KUMAR MAHARANA

Document(s) Filed:

20- Vakalatnama --- Court Fee -Rs 12 (16773/2023)

STANTS ASSOCIATION RESTAMP

VAKALATNAMA

N THE HIGH COURT OF ORISSA, CUTTACK V.P. (C)No. 19625 OF 2015 ORISSA HIGH COURT

MRINALINI PADHI

Applicant/Petitioner(S) 19 1111 2024

-Versus-

STATE OF CDKHN 4 OTHER, Respondent/Opp. Party In WOE

ATTY SEGRET VAR

Know all men by these presents that by this Vakalatnama.

I/We

SOUTHERN ODISHA DISTRIBUTION LIMITED its Chief Everutive Officer, Amit Kumar Gara Forest Colony, Brahmapur, Odishe

Appellant/ Respondent/ Petitioner/Opposite party the afore said Revision, Appeal case do here by appoint and retain LAUT KUMAR MAHARAMA ADV. 0-631/2016, M-35049 14 9%, e-1 all-Kumaharah ang gnail-com.

Advocate(s) to appear for me/us in the above case and to conduct and Projecute(or defend) the same and all proceedings that may be taken in respect of any application connected with the sum or any decree or order passed therein including all applications for return of documents or receipt of any money that may be payable to me/us in the said case and also in the applications for review in appeals under Orissa High Court Order I/We authorize my/our Advocate (s) to admit any compromise lawfully entered in the said case.

Dated the 14/7/2023 Received from the executant (s) satisfied and accepted as I hold no brief for the other side.

Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

SIGNATURE OF EXECUTANT(5)

I have no objection if any kar his cyppear Buller Buller



COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 60948/2023

Date Of Receiving: 19/07/2023.

Time: 01:24:35 PM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S LALIT KUMAR MAHARANA

Document(s) Filed:

17- Vakalatnama --- Court Fee -Rs.12 (16767/2023)

FORM OF VAKALATNAMA

IN THE HIGH COURT OF JUDICATURE, ORISSA

w.P.(1) Case 19625

of 20 15

Between

Mornalini Padhi

State of Odshe and -Versus-



Know all men by these presents, that by this Vakalatnama I/We Subootha kumar Mahalik aged about 56 ms 8/0. Late Botahnulhua Mahalik, pr 8 the Choef Legal, TPWODL

Appellant/Respondent/Petitioner/Opposite Party in the aforesaid Revision/Appeal Case do retain

here by appoint
Sri LALIT KUMAR MAHARANA, Advocate 0-681/2016
M-7504914996 e-lalitkumaharana agmail.com.

Advocate (s), to appear for me/us, in the above case an 1100. the same and all proceedings that may be taken in resr the same, or any decree or order passed therein inc documents or receipt of any moneys that may be payab. applications for review, appeals under Orissa High Co. to appeal to Supreme Court, I/We at

lawfully entered in the said case.

19/07/2023 Dated the

Received from the executant (s) satisf as I hold no brief for the other side.

Accepted as above

Advocate

Accepted as above

Advocate



SIGNATURE OF EXECUTANTS

SCANNED &

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 60951/2023

Date Of Receiving: 19/07/2023

Time: 01:26:57 PM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S LALIT MAHARANA

<u>Document(s) Filed</u>:

19- Vakalatnama --- Court Fee -Rs.12 (16770/2023)

FORM OF VAKALATNAM

₹10	Je0 0		6	. 07-
	COUR			TION
LEGA	JSTAN FÀR			
	~==	JP a	1	

	WELLARE STRIVIP
IN THE HIGH COURT OF ORISSA, CUTTACK.	* THY RUPZES *
Appeal No. W. P. (c) No. 196252015 of 200	RISSA-HIGH COULT
Pe vision BETWEEN	(687)
Mècenaline Padhi. Applicant	Petitione 1
Vrs	Opp. Party
Know all men be these presents, that by this VAKAL	ATNAMA.
IWe Bhaskan Sankan, Son of Lake Arup KA	
agrel about Is years, chief Executive	
TP Northern odisha Batábution Umited	
Appellant/Respondent/Petitioner/Opposite Party in the aloresaid AppealCase do hereby appoint and retain	Revision/
Appearcase do nereby appoint and retain	
1 11 10 1 10 10 10 10 10 10 10 10 10 10	191Uga 6

lalitkumcharona@arnailocern.

Advocate(s) to appear for me/us, in the above case and to conduct and prosec (or defend) the same and all proceedings that may be taken in respect of a application connected with the same, or any decree or order passed there including all applications for return of documents or receipt of any moneys the may be payable to me/us in the said case and also in applications for reviet Appeal under Orissa High Court order and in Application for leave to appeal Supreme Court, I/We authorise my/our A admit any compromis

lawfully entered in the said case.

Dated the 9/07 20 2

Received from the executant(s) satisfied and accepted as I hold no brief for the other side.

SIGNATURE OF EXECUTANTS

Chief Executive Officer. TPNODL, Balasore

Advocate

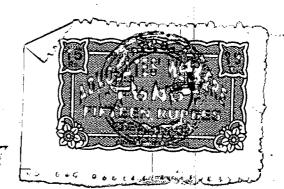
₩dvocate

Advocate

Accepted rs above

Advocate

/.dvocate



SCANNED

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 60949/2023

Date Of Receiving: 19/07/2023

Time: 01:25:45 PM

Case No: WP(C) 19625/2015 Received From: Respondent

Filed By: M/S LALIT KUMAR MAHARANA

Document(s) Filed:

18- Vakalatnama --- Court Fee -Rs.12 (16768/2023)

VAKALATNAMA

IN THE HIGH COURT OF ORISSA, CUTTACK LEGAL ASSISTANTS ASSOCIATION

W.P. (C)No. 19625 OF

HIGH COURT OF ORISSA **WELFARE STAMP**

MRINALINI PADHI

Applicant/Petitioner(S)

-Versus-

STATE OF OBISHA 2 OTHER Respondent/ Opp. Party (ies

Know all men by these presents that by this Vakalatnama.

ORISSA I

I/We

CENTRAL ODISHA DISPRIBUTION LIMITED represented through Harish Kunde, aged about 42 years, 40/de

Appellant/ Respondent/ Petitioner/Opposite party the afore said Revision, Appeal case do here by appoint and retain LALIT KUMAR MAHARANA, 0-631/2016, M-2504914936
e-lalikumaharanaegmail: com

Advocate(s) to appear for me/us in the above case and to conduct and Prosecute(or defend) the same and all proceedings that may be taken in respect of any application connected with the sum or any decree or order passed therein including all applications for return of documents or receipt of any money that may be payable to me/us in the said case and also in the applications for review in appeals under Orissa High Court Order I/We authorize my/our

Advocate (s) to admit any compromise lawfully entered in the said case.

Dated the 19/07/2023.

Received from the executant (s) satisfied and accepted as I hold no brief for the other side.

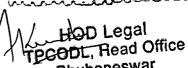
Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate

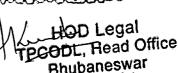


SIGNATURE OF EXECUTANT(S)

Accepted as above

I have no objeden if any Consul Jush Will appear

8/7/2023





SCANNED COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH

(DIVISION BENCH-2)

Receipt No: 73079/2023

Date Of Receiving: 16/08/2023

Time: 04:19:25 PM

Case No: WP(C) 19625/2015

Received From: Respondent (5)

Filed By: ADVOCATE FOR THE RESPONDENT

Document(s) Filed:

21- AFFIDAVIT --- Court Fee -Rs.3 (19778/2023)

22- RECEIPT (GOVT)

OFFICE OF THE ADVOCATE GENERAL, ODISHA

SLNO: 448371	Date: 16-Aug-23 TIME: 16:10
CASETYPE: WPC	No: 19625 YEAR: 2015
PETITONER / APPELANT:	MRINALINI PADHI
RESPONDENT / OPP PARTY:	STATE
PETITION & MEMO	IA EXTRA COPY
COUNTER	ADDL SET:
REJOINDER	CONSOLIDATED
MISC. COPY	ADDL. STANDING COUNSEL
CRR-2011 10297 of	
	PROPERTY OF THE PROPERTY OF TH

IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) No.19625 of 2015

Mrinalini Padhi

... Petitioner

-Versus-

State of Odisha & Others

... Opp. Parties

INDEX

Sl.No.	Description	Page	
1	Affidavit By TPWODL,	1-6	
	O.P.No.5	,	
2	Annexure-A/5	7	
	Copy of the Minutes of	7-16	
	Meeting dated 15.05.2023.	!	
3	Annexure-B/5	17 - 66	
	Copy of the Minutes of		
il.	Meeting dated 27.06.2023.		

Place

Date 08/08/2028

ADVOCATE

For the O.P.No.5





IN THE HIGH COURT OF ORISSA, CUTTACK

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

In the matter of:

Mrinalini Padhi

...Petitioner

-Versus-

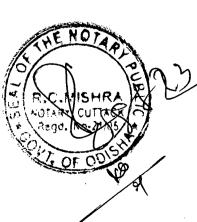
State of Odisha and Ors ... Opp. Parties

AFFIDAVIT FILED ON BEHALF OF

TP WESTERN ODISHA DISTRIBUTION LIMITED ('TPWODL'), THE O.P.NO.5

I, Subodha Kumar Mahalik, aged about 56 years, S/o. Late Batakrushna Mahalik, presently working as the Chief Legal, TPWODL, At/P.O./P.S.Burla, Dist.Sambalpur, Pin.768017, do, hereby solemnly affirm and states as follows:

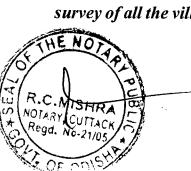
- 1. That I am working as Chief Legal in TP Western Odisha Distribution Limited and being authorised and competent to swear this affidavit on behalf of TPWODL, the O.P.No.5.
- 2. That it is humbly submitted here that on 24/04/2023, TPWODL received the Notice in I.A No. 1737 of 2023 arising out of W.P.(C) No. 19625 of 2015 for substituting the present entities of DISCOMS. The said I.A. is pending. Pursuant thereto, TPWODL entered appearance through Ld. Counsel for the very first time in terms of the direction of this Hon'ble Court.



1 6 AUG 2023

3. That it is humbly submitted here that vide the Order dated 09/05/2023, this Hon'ble Court had made certain observations relating to the deaths of elephants due to electrocution in Odisha. Furthermore, a direction was issued that the CEOs of the four DISCOMS would convene a meeting and the Chairperson of JTF would also participate in the said meeting and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing the electric fences wherever found with the solar fences as suggested by SNEHA. The observations made in Order dated 09/05/2023 are quoted below appreciation of this Hon'ble Court.

"16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week from today in which the Chairperson of the JTF will also participate and chalk out a time bound plan for completing the survey of all the villages of their respective zones



Chief Legal,

which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used."

4. That it is respectfully submitted here that in terms of the aforesaid order, a meeting was held 15/05/2023 at 4pm to finalise the Action Plan of Elephant Protection. The said meeting was held in the presence of the CEOs of all four DISCOMS including TPWODL, the Chief Conservator of Forests, Odisha, Conservator of Forests (Wildlife), Odisha, Head, Corporate Sustainability, Tata Power, Lead Associate-Biodiversity, Tata Power, Executive Director, SNEHA - NGO, Project Consultant/Advisor, SNEHA - NGO. The said meeting was aimed at

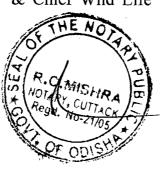
sold and orbit

combating the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. The participants therein focused on the collaboration efforts between the DISCOMS and Forest Officials to tackle the problem effectively and an overall comprehensive action plan was discussed. The DISCOM CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities.

Copy of the Minutes of Meeting dated 15/05/2023 is annexed herewith as **ANNEXURE** - **A/5.**

5. That it is humbly submitted here that subsequent to the aforesaid meeting, another review meeting was convened for strengthening of electrical infrastructure in elephant movement areas It was held under the Chairmanship of Additional Chief Secretary, Odisha. The directions passed by this Hon'ble Court has been taken note of in such meeting and after a detailed deliberation, certain decisions were taken which has put task on the Electrical Inspector, who is appointed by the State Government, Forest Authorities, Principal Chief Conservator of Forest (Wild Life) [PCCF (WL)] & Chief Wild Life Warden [CWLW], District

y b



Forest Officer [DFOs], DISCOMS. The Engineer In Chief (Elect.) was directed to consult experts such as IIT, Bhubaneswar and Central Electricity Authority [CEA] and notify the Standard for Solar Fencing at the earliest. In this regard, PCCF (WL) & CWLW stated that Department of Forest Environment & Climate Change has notified a scheme titled as 'Jana Surakhya Gaja Raksha' to reduce man animal conflict by promoting erection of solar fencing community/individuals on Public Private Partnership [PPP] mode. DFO & Electrical Engineer [E.E.] of DISCOMs to jointly take steps in terms of the scheme to achieve its goal.

Copy of the Minutes of Meeting dated 27/06/2023 is annexed herewith as **ANNEXURE** - **B/5.**

6. That it is respectfully submitted here that the present Deponent being conscious of the gravity of the issues involved in the present proceeding, has been taking prompt steps to tackle the situation and as a matter of fact, has been diligently participating in all the meetings and deliberations both with the state authorities as well as internal bodies, department to ensure that

studio any m

V X



proper and appropriate steps are taken so as to avoid such mishap vis a vis elephants death.

- 7. That the aforesaid developments has taken place pursuant the Order dated 09/05/2023 and the minutes of those meetings have been brought on record for better appreciation of this Hon'ble Court.
- 8. That the present Deponent craves leave of this Hon'ble Court to make further submission and file further affidavits in the interest of justice and effective adjudication by this Hon'ble Court.
- 9. That the facts stated above are true to the best of my knowledge and belief.

Identify By

Latit Kle Maharan

Colodlauw solety.

Deponent Chief Legal,

Advocate

Cuttack

Date: 08/08/23

CERTIFICATE

Due to non-availability of cartridge paper, the affidavit

is typed in thick white paper Oath by the Deponent at Curtack and Curtack and



Minutes of the meeting held on 15.05.2023 at 4:00 PM to finalize the Action Plan Elephant Protection.

The List of participants is at Annexure-I.

The participants recognized the urgent need to combat the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. They emphasized the importance of collaborative efforts between the Discoms and forest officials to tackle this problem effectively. An overall comprehensive action plan was discussed.

1) The Discom CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities. These initiatives included:

24x7 Control Room

TPCODL monitors elephant movement 24x7 in their Power System Control Cente. Information through a WhatsApp group wherein the patrolling group consisting of forest officials & DISCOM officials share the need of immediate tripping of feeders based on elephant movement. Record of all these trippings & incidence in recorded in the control room.

Creating a Safe Infrastructure

- Installing interposing poles to elevate the height of the electrical network.
- Replacing bare conductors with insulated ones.
- Fencing distribution substations to prevent elephant intrusion.
- Implementing deterrent measures, such as spikes on poles.
- Barricading open transformers

Technology Intervention

Installing animal intrusion detection and repellent system

Awareness creation

- Conducting Chaupadi meetings and use of Surakhya Sachetan Rath, a mobile van with digital display, to create awareness and sensitize locals on ill effects of animal poaching.
- 2) Joint Patrolling and Vigilance: The CEOs and CCF highlighted successful joint patrolling efforts by Discoms and forest officials to combat power theft, poaching, and identify vulnerable areas. A systematic plan is prepared with RCCF in Dhenkenal is as elaborated below:

RCCF & Superintending engineer:

Once in a month

DFOs &Executive Engineers:

Once in a month

ACFs& SDOs:

Twice in a month

Rangers & Section Managers:

Thrice in a month

This collaborative approach aims to deter miscreants and locate illegal tapping spots, hooking areas, low-lying networks, substations without adequate fencing, etc. Format for capturing the above details was discussed & it was observed that the patrolling team captures the hooking activities if any & also the need of fencing. Similar approach to be adopted in other areas if not done so far.

Court has shared the following views / steps to be taken by the DISCOMS

1.0 To interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past.

SI NO	DATE	DISCOM	DIVISION	SECTION	Location
1	11.04.2023	TPWODL	Jharsuguda	Kusumi	Lachhada, Sundergarh District (Bonai DFO)
2	11.04.2023	TPWODL	Sonepur	Mahadevpali	Near Silijhuri Village,Binika, Sonepur (Subarnapur) District
3	19.03.2023	TPNODL	Joda	Jurudi Section, Joda Sub Division	Jadipada near Basantpur
4	13.03.2023	TPSODL	BNED Bhanjanagar	Bhanjanagar Sub Division-I/ ESO-II Electrical Section	Paddy field near Gambarigochha village, PS- Bhanjanagar, Dist-Ganjam

- 2.0 Persuade the villagers to go in for 6 V Solar fencing & offer it as a viable alternative to deter animals & elephants
- 3.0 Identify instances of illegal hooking to power the farmers fencing & discontinue this practice
- 4.0 The court to be informed the No. of 6 V Solar fencing erected

- 9-

During the meeting following action plans were discussed in addition to the existing above listed actions carried out by DISCOMS

- 1.0 Intelligence Gathering System: It was proposed to explore setting up of a centralized toll free number for reporting illegal tapping, poaching, and related information. A reward and recognition scheme incentivize public participation shall also be included.
- 2.0 Guidelines on Solar Fencing: Solar Fencing was identified as a probable deterrent to elephants to enter human population area. CCF committed to circulate comprehensive guidelines on solar fencing to ensure consistent standards across the region. Suitable funding mechanism shall be explored with inputs from Energy dept. and Odisha govt. to facilitate villagers for installation of solar fencing.
- 3.0 Initiatives proposed by Sneha-NGO: Sneha-NGO shared its proposal for adoption of the following key measures. the above proposal is being taken up with TATA Power for approval of the proposal
 - a) Support to establish an Early Warning System through Construction/ creation of the Warning systems.
 - b) Handholding support to Grama Panchayats.
 - c) District-level Orientation on HAC
 - d) Awareness and Sensitization Programs to -
 - Self Help Groups
 - Children- Anganwadi, LPS, HPS, Middle and High School
 - e) Training for the Rapid Response team and Front-line staff of the Forest Department
 - f) Facilitating Elephant protection measures: (Trenches, Solar Fencing under MGNREGA etc.)
 - g) Adoption of MoEFCC guidelines on Compensation

The above activities as per the proposal are listed in detail as follows

a) Support to establish an Early Warning System through Elephant collaring/ Construction/ creation of the Warning systems. Surveillance Camera traps: The camera traps will be implemented in conflict hotspots and high electrical tripping areas to monitor illegal power thieving and to monitor the elephant movement.

- ii. Proximity sensors and hooters: This is a technological system to detect and deter wild animals. This will help in protecting the crop from wild boar and other wild animals further it may also help in reducing the power tapping in remote villages. In the first phase, 50 Units can be installed in vulnerable areas in one range.
- iii. SMS/Voice call service: Bulk SMS service will be initiated to send out text messages about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages. For sending the SMS, a 2 km radius was chosen based on our long-term research because of the high likelihood (> 80%) that elephants would move within that distance over a 24- hour period.
- iv. Bulk Voice call service: it will be initiated to send out a voice call about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages.
- v. GSM Led Display boards: These boards will be placed in highly conflict-prone villages. These digital boards are handled remotely from a base station, this is one of the successful mitigating measures in other states. The board content will be elephant movement information, showing conflict awareness video display.

b) District-level Orientation on HEC

One-day orientation will be conducted at the district level for the district officers from different line department heads and TPCODL staff about the project activities and implementation plans. This will help the district officers to understand the project and provide continued support and collaboration for effective of the project and to ensure the sustainability of the initiatives.

c) Handholding support to Grama Panchayats

Effective handholding support will be provided through project field staff to the Grama Panchayaths to make detailed Grama Panchayath Development Plans to address issues of the Community. The Gram Panchayat Development Plan (GPDP) should be comprehensive and based on a participatory process involving the Community, particularly Gram Sabha, and will be in convergence with schemes of all related Central Ministries / Line Departments related to 29 subjects listed in the Eleventh Schedule of the Constitution. This would include economic development, infrastructure development and other aspects of human development i.e., education, health, drinking water supply, etc., besides access to credit. The GPDP is a Community-led development — Through dialogue, support

communities to develop and implement priority challenges and opportunities. Systems strengthening - Analyze and seek to strengthen formal and informal systems that build resilience Inclusive targeting - Support the poorest households by responding to their specific needs, enhancing their ability to access resources and services to pursue pathways out of poverty

d) Awareness and Sensitization Programs to – Self-Help Groups, Children– Anganwadi, LPS, HPS, Middle and High School

It is well established that wildlife causes tangible losses, for instance, damaging the crops, but killing the wildlife will certainly lead to several folds of non-tangible losses though it may give some temporary respite. These awareness and sensitization programs are structured to drive this point home to different fractions of the Community. These programs are developed in a manner to enhance the understanding of the issue — its genesis, impacts, strategies to reduce conflict, and mutual co-existence. The content will differ from stakeholder to stakeholder. Also, WASH (Water, Sanitation and Hygiene) component will be added as part of the awareness campaign. These programs will be done at schools, community halls and if required some hired halls based on the requirement.

e) Training for Rapid Response team and Front-line staff of the Forest Department

The training and awareness programs are structured to drive this point home to different fractions of the Community and Department. These programs are developed in a manner to enhance the understanding of the issue and knowledge-sharing programs, – its genesis, impacts, strategies to reduce conflict, mutual co-existence and work closely with the Community. The content will differ from stakeholder to stakeholder. The proposed training plan is for all ranges.

- t) Formation and strengthening of Community PRT: "Gajasathis" Primary Response Team will be formed at all village levels by involving, GP members, Local doctors, Nurses, Police, Forest department staff, PDO etc. This is to engage all the local representatives in the mitigation process.
- g) School/ Anganwadi centres wall painting: The children will be the best change agents to bring positive behaviour to their parents. Therefore, At least 100 schools / Anganwadi centres will be made with wall writing with awareness activities on HEC messages to create awareness among children.
- h) Facilitating Elephant protection measures and other barriers: (Trenches, Solar Fencing under MGNREGA)

By creating suitable trenches as select places, in long term they can serve two purposes, viz., preventing the animals a) from the forest to outside and also b) animals from villages into forests. In short term, they can help the Community to gain employment through MGNREGA funds.

Sneha will help and support only in identifying the vulnerable areas along with the joint survey of the local forest department for trenching and designing the barriers. Implementation of barriers or excavation will be done by the concern range or based on their sponsors.

Knowledge sharing:

Participation/Conducting national and international level seminars/workshop/conference- Bringing National and international level experts in the field and conducting a conference or seminar to share their knowledge.

Methodology:

In consultation with the Wildlife Department of the Odisha Government, the human-elephant conflict hot spots will be identified and the following process will be followed:

The project would recruit a team of young villagers as part of the Government scheme called "Gajasahthis" with some basic skills in understanding modern concepts of communication and who show some compassion towards people and wildlife. They would undergo basic training to understand what happens when elephants raid an area. They would be updated to modern methods of communication and using a smartphone. Once they have understood the basic methods that would be followed in the field to gather information, they would start work.

They would also be trained in using an app to collect data using PS. Hence whatever data they collect would be geo-tagged and would be very help full to mapping the issue. One person from each village in the hotspot area would be taken.

For reducing Human Deaths and Damage from elephants:

- a) Deploy early warning systems: The project team would visit the identified villages which are prone to raiding by elephants. They would do a number of transit around the village marking any signs of elephant movement. These would be marked on the app producing a map of elephant movement around the village. They would also mark, and record damage done by elephants. Mark earlier conflict locations where elephants had died or humans. This would give us a detailed map of how elephants are using the area.
- b) In the meantime, we would have developed a land use map around the village using Sentinel 2 images and the terrain of the surrounding area. Together the Geographical information system would give us a rough scheme of how elephants are moving in the area. Data from the Forest Department Anti-depredation staff would also be added to the system.
- c) Once we understand the movement of elephants around the target village, we would deploy an early warning system, which would raise an alarm at the village when elephants approach the village. This can be upgraded to send SMS to the local people who have registered their numbers, informing them that elephants were there in a location and are moving towards a known location.

d) When the Government erects electric fences/ trenches, our teams would help the farmer to understand how they protect them from elephants intruding into their farms and activate them to participate in maintaining the same. One of the responsibilities would be to work with the Community to build their own latrine to avoid going for open defecation early morning before sunrise and after sunset which is the most vulnerable time.

Community Education to Mitigate HEC:

- a) The 1500 Volunteers would mingle with the people helping them with any major issue they meet daily. This would result in them understanding HEC better and also would get information on people who could be trapping wildlife for gain.
- b) Usually, wild pigs are a major problem compared to elephants as they damage crops more extensively. However, as elephants are more visible walking through a crop field the damage due to their passage easily attributable. Some farmers lay a trap for wild pigs by putting a wire roughly one foot above ground using insulated wooden stakes. The power supply to this setup is from the home mains electricity and is not allowed as per norms. Social pressure would be created via education in schools and through Gajasathis. Alternate 6V Solar or DC fence set-up education will be provided as these will merely repel the wildlife or set off an alarm instead of creating causality. Also, the team would help farmers to try and overcome the raiding by wild pigs by bringing to notice of the Government resulting in the Forest department or agriculture department coming forward to put up a fence to protect the farmers.
- c) The teams would be given the necessary skill and equipment to help the farmer maintain any fence which exists at present
- d) While patrolling the farms they would also map all the electric posts and the connection to wells and houses. This would be mapped onto the map and we can ensure that there are no low-hanging live wires in the path of elephants. This output would be helpful for the Tata Company which would allow them to plan their network more efficiently.
 - 4.0 Affidavit and Court Compliance: The discoms will submit a detailed affidavit outlining their initiatives and actions, complying with court orders. Individual reports will provide specific insights from each discom.
 - 5.0 Discoms shared with CCF that Saturation Survey has been carried out for further elephant movement areas in coordination with the forest dept. officials. Requisitions of approx. Rs 875 Crores have been prepared and are under consideration for the various areas.

TPCODL has placed requisition for release of funds of Rs 783.49 Cr for taking up works under vulnerable locations of Elephant Corridor & Movement Area based on the joint survey done with Forest Dept. The Cost breakup of estimate placed is as follows:

_≰ S No	Area ,	Value (Rs Cr)
1	Angul	200.76
2	Athamalik	98.71
3	Satkosia	5.47
4	Dhenkanal	290.72
5	Deogarh	12.18
6	Athagarh	44.93
7	Cuttack	5.49
8	Khurda / WL	88.58
9	Chandaka	20.31
10	Nayagarh	16.35
Total		783.49

In TPWODL area, the joint verification has been completed. Signing of reports by stakeholders is complete except in Sambalpur. Post completion of the signing, we will be submitting the DPR will be submitted Dept. of Energy, Govt. of Odisha for approval and corresponding fund allocation.

S. No.	Package	Value (Rs Cr)
1	Golamunda	. 0.41
2	Kalampur	5.65
3	Jaipatna	1.15
4	Junagarh No.: II	3.99
5	Narla	0.52
6	Biswanathpur	2.28
7	M. Rampur	1.70
8	Chhatiguda	0.20
9	Tureikela	9.22
10	Saintala	2.21
11	Belpada	6.85
12	Patnagarh No.: II	2.53
13	Dhama	0.51
14	Kuchinda No.: I	1.92
15	Kuchinda No.: Il	2.27
16	Bamra	2.99
17	Jamankira	2.66
18	Kusumi	2.01
19	Hatibari	1.08

S. No.	Package	Value (Rs Cr)
20	Padiabahal	0.65
21	Laida	0.27
22	Paramanpur	0.27
23	Rengali	0.28 ;
24	Laikera	0.53
25	Rairakhol	1.09
. 26	Bagdihi	2.12
27	Naktideul	2.33
Total		57.72

In TPNODL area, new Proposals for Rs 33.56 Cr for 363 Nos. of locations have been received from the concerned DFOs. The same has been submitted to Dept. of Energy, Govt. of Odisha.

∵ S No ∷	Area	-Value (Rs Cr)
1	Bhanjanagar	29.13
2	Phulbani	2.27
3	Berhampur	2.16
Total		33.56

6.0 The next meeting shall be held on 15th Jun'23 to discuss the progress and way forward.

(Toce Copy AHecked)

9 | Page

Annexure-I: List of Participants

- 1. Mr. Shenbagam Manthiram, CEO, TPCODL
- 2. Mr. Arvind Singh, CEO, TPSODL
- 3. Mr. Gajanan Kale, CEO, TPWODL
- 4. Mr. Manoj V Nair, Chief Conservator of Forests, Odisha
- 5. Mr. Bikash Ranjan Dash, Conservator of Forests (Wildlife), OdishaN.
- 6. Ms. Vaishnavi Prabhakan, Head Corporate Sustainability, Tata Power
- 7. Ms. Pratiksha Naik, Lead Associate Biodiversity, Tata Power
- 8. Mr. Ramasamy Krishnan, Executive Director, SNEHA-NGO
- 9. Mr. N. Mohanraj, Project Consultant / Advisor, SNEHA-NGO
- 10. Mr. Shrenik Jain, TPNODL



GOVERNMENT OF ODISHA ENERGY DEPARTMENT

ENERGY DEPARTMENT
No. 73/8 /En., dt. /3 /07 /2023
ENG-DISCOM-OLA-0002-2021
From
Smt Lipsa Das, OAS (SAG),
Additional Secretary to Government.
To
The PCCF (Wild life) & CWLW, Bhubaneswar/
EIC (Elecy.)-cum-PCEI & SDA, Odisha, Bhubaneswar /
Managing Director, GRIDCO, Bhubaneswar/
CEOs, TPCODL/TPNODL/TPWODL/TPSODL.
Sub: Proceedings of the review meeting held on 27.06.2023 at 3.00 PM under the chairmanship of the Additional Chief Secretary, Energy Department regarding strengthening of electrical infrastructure in elephant movement areas.
Sir,
In inviting a reference to the subject cited above, I am directed to send
herewith the Proceedings of the review meeting on strengthening of electrical
infrastructure in elephant movement areas held on 27.06.2023 at 3.00 PM under
the chairmanship of Additional Chief Secretary, Energy Department for kind
information & necessary action at your end.
Yours faithfully,
dons 13.07 2023
Additional Secretary to Government.
Memo No. 7.3/9 Dated /3/07/2023
Copy forwarded to PS to the Additional Chief Secretary, Energy
Department for kind information of Additional Chief Secretary.
Additional Secretary to Government. Memo No. 7320 Dated 13/07/3013 Additional Secretary to Government. RES. C.C.
Memo No. 7320 Dated 13/07/2023
Copy forwarded to Additional Secretary to Government, 12 to CC
Department/ FA-cum-Additional Secretary to Government, Energy Department

CCF (Wlid Life) & Chairman, JTF, Bhubaneswar for information and necessary

action.

Additional Secretary to Government.

Proceedings of the review meeting on Strengthening of electrical Infrastructure in elephant movement areas held under the Chairmanship of Additional Chief Secretary, Odisha on 27.06.2023 at 3.00 PM through VC.

The list of participants is at Annexure-I.

Additional Chief Secretary, Energy Department welcomed the participants and requested the CEOs of DISCOMs to present the status of utilisation of funds released by Energy Department for strengthening of electrical infrastructure in elephant movement areas. He expressed concern that the no. of elephants electrocuted during the year 2022 has seen a sharp rise (24 Vs 7 in 2021) in spite of investment of lots of funds by the Government to strengthen the infrastructure in elephant movement areas.

The CEOs of the DISCOMs presented the progress made under this scheme. Detailed deliberation held and decisions taken are as follows.

- DISCOMs have placed work orders in respect of Rs.517 Crore for infrastructure strengthening works in the movement areas of elephants identified by PCCF (WL) & CWLW against Rs. 571.6 Crore released under phase-IV. Regarding the physical progress, it was apprised by the DISCOMs that, 50238 HT Interposing poles have been installed, 970.1 CkM of HT bare line has been converted to XLPE insulated cables. 18290 LT interposing poles have been installed & 1056 CkM of LT bare conductor converted to AB cable.
- It was observed that progress of works in TPWODL and TPSODL is rather slow. Therefore both the CEOs were instructed to expedite the pending works in order to complete the same by September 2023. CEO TPNODL appraised that some of the estimates within the original scope were on higher side. Hence there is saving of fund. CEO, TPCODL also stated that there is saving of fund due to reversal of 6% overhead charges as advised by ACS (Energy).
- PCCF (WL) & CWLW expressed concern over increase in numbers of the elephants electrocuted due to coming in contact with charged 11kV and LT lines. He stated that DISCOMs are not maintaining the mandatory ground clearance & safety norms are being flouted. Near

Keonjhar town, 2 no. of elephants got electrocuted after coming in contact with live LT Lines. In another instance at Bhanjanagar circle (in Boudh District) in TPSODL area, an elephant got electrocuted due to 3.7 meter ground clearance of 11 kV line from ridge of agricultural land against statutory requirement of 4.6 meter. He stated that Forest Department shall be constrained to initiate criminal proceedings against concerned DISCOM officials for not having taken enough steps to prevent death of elephants due to electrocution in the State.

• PCCF (WL) & CWLW further highlighted about the Interim Order passed by Hon'ble High Court on 09.05.2023 in WP(C) No.14706 of 2022 and related WP(C)s. The Hon'ble High Court has taken a considered view that despite having a comprehensive action plan made available to DISCOMs, not enough steps have been taken by them to prevent death of elephants due to electrocution. DISCOMs have been directed to identify illegal hooking and stop the practice forth with and also sensitize the villagers against this practice. Further steps shall be taken by DISCOMs to persuade the villagers to go for 6V Solar Fencing as a viable alternative. PCCF (WL) & CWLW further mentioned that DISCOMs have not yet filed counter replies in the above WP(C)s. (Order dated 09.05.2023 of Hon'ble High Court is annexed)

After a detailed deliberation, the following decisions were taken.

- On each occurrence of elephant electrocution, the concerned Electrical Inspector shall either suo motu or on receipt of requisition from Forest authorities shall cause an immediate inquiry and send a factual report to PCCF (WL) & CWLW, DFO concerned as well as to the DISCOMs.
- Electrical Inspector shall conduct routine inspection of the unsafe & vulnerable points/spots in the network of the DISCOMs including the electrical installations of private industries in elephant movement areas and point out for immediate rectification to be done by the concerned DISCOMs.

- On the request of PCCF (WL) & CWLW, CEOs were advised to share the division/ district wise works executed in each DISCOM for necessary information of concerned DFOs.
- EIC (Elect.) was directed to consult IIT, Bhubaneswar & CEA and notify the Standard for solar fencing at the earliest. In this regard PCCF (WL) & CWLW stated that Department of FE & CC has notified a scheme titled "Jana Surakhya Gaja Raksha" to reduce man-animal conflict by promoting erection of solar fencing by community/individuals on PPP mode. (The Scheme details is annexed). DFO & EE of DISCOMs to jointly take steps for implementation of the scheme.
- PCCF (WL) & CWLW was requested to explore funding support from CAMPA to take up the system strengthening works identified now.
- DISCOMs shall ensure that adequate ground clearance is maintained and insulation of electrical installations is as per CEA standard.
- DISCOMs shall file counter reply in all the High Court cases immediately and share copies of the affidavits with EIC (Electricity) and PCCF (WL) & CWLW.

The meeting ended with vote of thanks to the Chairman and other participants. \sqcap

Additional Chief Secretary

Energy Department

Annexure-I.

- Additional Chief Secretary, Energy Department
- PCCF (WL) & CWLW
- EIC (Electricity)-cum-PCEI & SDA, Odisha
- Additional Secretary, Energy Department
- FA-cum-Additional Secretary, Energy Department
- CCF (Wildlife) & Chairman JTF
- MD, GRIDCO
- CEO, TPCODL
- CEO, TPWODL
- CEO, TPNODL
- CEO, TPSODL
- Other Officials of DISCOMs.



STATE WILDLIFE HEADQUARTERS, ODISHA

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE) & CHIEF WILDLIFE WARDEN, ODISHA FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA

Memo No. 10802 /10WL-CC-410/2020 dated 23 /11/2022

To

All Divisional Forest Officers (T) & (WL)

Sub:- Implementation of scheme titled "Jana Surakhya Gaja Rakshya" to reduce man-animal conflict by promoting erection of solar fencing by community / individual on PPP mode.

Ref:- This office memo No.890 dated 29.01.2021.

Please refer to the guidelines for implementation of the scheme "Jana Surakshya Gaja Rakshya" along with required formats for documentation process already communicated vide this office memo No.10006 dated 04.11.2022 together with copy of the Request for Proposal (RFP) floated by OREDA also communicated vide this office memo No.10641 dated 22.11.2022. You must have started the process for selection of project villages / proposals. Please do expedite the same for consideration at this end for release of funds

However, for your ready reference, a check list of process for inviting applications and processing of proposals under the said scheme to be followed is done and enclosed herewith.

Encl:- As above.

Conservator of Forests (Wildlife)

Copy along with enclosure forwarded to all Regional Chief Conservator of Forests for information and necessary action in continuation to this office memo No.891 dated 29.01.2021, 10007 dated 04.11.2022 & 10642 dated 22.11.2022.

Conservator of Forests (Wildlife)

P.T.O

Memo 10 900 dated 29/1/2025 Copy along with enclosure forwarded to the Chief Executive, OREDA, Bhubaneswar for information and necessary action with reference to his letter No.2848 dated 31.10.2022.

Conservator of Forests (Wildlife)

Copy along with enclosure forwarded to the Additional Chief Secretary, Forest, Environment and Climate Change Department, Odisha, Odisha, Bhubaneswar for favour of kind information and necessary action.

Conservator of Forests (Wildlife)

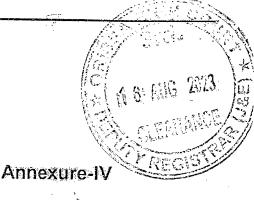
CHECKLIST FOR PROCESSING PROPOSALS UNDER "JANA SURAKSHYA GAJA RAKSHYA"

- 1. DFOs will receive the applications in plain paper duly accompanied with village resolution through the Sarapanch concerned and will send the same to Range Officer concerned for conducting meeting at village level for finalization of site and extent. (Refer para 2.5 of the Guidelines)
- 2. The said application on receipt from Range officer after verification will be placed before the Selection Committee at Division level as per Para 2.2 of the guidelines already communicated vide Memo No. 10006 dated 04.11.2022 (DFOs have already been authorised to convene the Selection Committee vide the said Memo).
- 3. The Selection Committee shall shortlist a set of applications including type of fencing to be done and authorize the DFO to issue Letter of Intent (LoI) to the applicants. The high conflict areas and areas with cash crop will be covered on priority. (Refer Para 2.1 of the Guidelines).
- 4. The DFO will submit the list of approved applications in order of priority/ merit as would be decided by the Selection Committee for consideration by the State Wildlife Headquarters depending on funds availability. (Refer para 2.2 of the Guidelines)
- 5. On receipt of communication from the Headquarters, the DFO will advice the applicants as cleared by Headquarters, to complete the residual process such as deposit of community contribution which will be kept in a separate account to be opened by DFO for the purpose as per Para 2.1 of the Guidelines. Other pre-requisites like formation of Village Fence Protection Committee (existing VSS, EDC of any other CBO may be considered) as per Para 2.1 of the Guidelines are to be ensured beforehand.
- 6. On fulfilment of all pre-requisites including NOC from DISCOMs (Annexure2 of MoU), DFO will enter into a MoU (Annexure-IV of this office Memo No. 10006 dated 04.11.2022) with the beneficiary specifying roles and responsibilities as per the Para 2.1 of the Guidelines. (Copy of draft MoU enclosed).
- 7. DFO should share the list of finalized villages with empanelled vendors and the one consenting to execute the work shall be selected for the purpose. DFO shall issue LoI in LoI Form 3 (Para 1.8 read with Para 7.3.3 of RFP) for solar fence (copy of form for LoI enclosed) to said empanelled selected vendor and the latter on receipt of LoI shall

complete all formalities as mentioned in LoI and provide all the critical documents as listed in Para 1.8 of RFP including performance security [3% of the project cost in the form of Bank Guarantee in LoI Form 4 mentioned in Para 7.3.3 of RFP should be submitted by the said vendor in the prescribed format (copy enclosed) with expiry date / period of six months from time of issue of LoI and claim date / period of twelve months from the said expiry date]. (refer para 2.1.8 and LoI Form 4 at para 7.3.4 of RFP) The confirmation of the said Bank Guarantee be obtained beforehand from the issuing Bank branch.

- 8. Upon completion of all the formalities mentioned in the LoI by the empanelled vendor, the DFO shall approve the DPR (copy enclosed) and issue Work Order (copy enclosed) to the vendor within a period of 30 days. (Refer para 1.8.3 of RFP and para 2.3 of the Guidelines)
- 9. All tests and inspections shall be made at the Project site. The authorized representative of OREDA and DFO shall inspect, supervise and test during implementation of the project and issue commissioning report and joint commissioning certificate in the prescribed format (copy enclosed). (Refer para 3.2.2 of RFP)
- 10. DFO will execute Comprehensive Maintenance Contract (CMC) with the vendor for a period of 5 years in the prescribed Form 5 at Para 7.3.5 of RFP (copy of Form enclosed).
- 11. Beneficiary shall extend all support to the vendor during installation of solar fencing project as well as during comprehensive maintenance contract period as per the MoU signed with the DFO.
- 12. Timeline for different stages of developing the project has been mentioned at Para 3.4 of the RFP.
- N.B. In case of any ambiguity/ contradictions, the provisions as prescribed in the Guidelines/ RFP shall prevail.

Conservator of Forests
Ofothe PCCF (WL) & CWLW
Odishe, Bhubang Tree



MEMORANDUM OF UNDERSTANDING BETWEEN THE [NAME OF THE BENEFICIARY] AND [NAME OF DEO OFFICE] FOR IMPLEMETATION OF SOLAR FENCE SYSYTEM

This Memorandum of Understanding (MoU) is made, on this day of	2021,
between the [name of the beneficiary], a [occupation of beneficiary] (hereinafter	referred to as
"Beneficiary"), and [DFO Office], (hereinafter referred to as "DFO").	

WHEREAS Beneficiary who is desire to install solar fence system at [type of land] at [location and address of land] under [name of the scheme of solar fence system] scheme of Government of Odisha.

and

WHEREAS DFO is approving agency for solar fence system for Beneficiary under the [name of the scheme of solar fence system] scheme of Government of Odisha.

Each of the "Beneficiary", and the "DFO" may, individually be referred to as the "Party", and collectively referred to as "Parties".

This Memorandum of Undertaking is based upon the following facts:

- A Beneficiary has applied for solar fence system ("Proposed Project"), for consideration and approval by DFO under the [name of the scheme of solar fence system] scheme of Government of Odisha.
- B. DFO, being the implementing agency for [name of the scheme of solar fence system] scheme of Government of Odisha, has scrutinized application for the Proposed Project submitted the Beneficiary and found qualified.
- C. Beneficiary and DFO agreed to implement the Proposed Project at [location of the Proposed Project] which is in possession of Beneficiary.
- D. Beneficiary will incur expenses in implementation of the Proposed Project as specified under [name of the scheme of solar fence system] scheme of Government of Odisha and assist with possible actions to implement the Proposed Project.
- E. The Parties wish to establish a responsibility of the Beneficiary and DFO under the Proposed Project, as provided herein.

NOW THEREFORE, the parties agree as follows:

- 1. Beneficiary agrees to implement the Proposed Project as per the term and condition of the [name of the scheme of solar fence system] scheme of Government of Odisha
- DFO has found an application for the Proposed Project submitted by the Beneficiary as qualified as per the terms and conditions of the [name of the scheme of solar fence system] scheme of Government of Odisha.
- 3. Post-approval by DFO, the Beneficiary agrees to implement the Proposed Project and for its maintenance 5 years from date commission by the EPC Contractor engaged DFO and pay its share as per the [name of the scheme of solar fence system] scheme of Government of Odisha
- 4. DFO has agreed to hand over the Proposed Project post-implementation to the Beneficiary upon completing handover formalities decided by DFO.
- 5. Upon implementation of the Proposed Project, the Beneficiary shall be responsible
 - a. Operation of the Proposed Project as the instruction provided by the EPC contractor
 - b. To ensure the safety of wild animals and not to misuse the Proposed Project for any illegal matters.
 - c. Protect fence system of Proposed Project from any damage due to natural or manmade conditions in Proposed Project area.
 - d. In case of any damage to the fence system of the Proposed Project, due to natural or man-made conditions, shall be responsible for repair and maintenance of fence system at its cost through EPC contractor of local contract as feasible.
- 6. DFO shall be held responsible for any accident due to the Proposed Project and shall be free to take appropriate action in case of any illegal or misuse of the Proposed Project identified by DFO, and also removing the Proposed Project from Site without any financial compensation to the Beneficlary.
- 7. Beneficiary shall seek approval for the Proposed Project from Village Fence Protection Committee constituted by DFO in the format provided in Annexure 1 and abide by the terms and conditions of approval.
- 8. Beneficiary shall also seek No Objection Certification (NOC) from Distribution Utility for implementation of the Proposed Project in the format provided in Annexure 2 and abide by the terms and conditions of NOC.
- 9. Beneficiary shall also seek NOC from Neighbor (applicable in case if Beneficiary is

				ementation of solar fence sole terms and conditions of NC		ormat provided in		
	Beneficiary shall seek approval and NOC as per Clause 7, 8 and 10 of this MOU submit to the EPC contractor.							
•	Any controve arbitration s & Environme	hall cor	nply v	he parties hereto shall be so with and be governed by of Odisha.	ubmitted to arb the principle	itration and such s of the Forest		
12. All notices herein required shall by registered mail, postage prep						n person or sent		
	Name Address		·	[Name of Beneficiary]				
	Name			[Name of DFO Office]				
	Address			[Name of Di O Office]				
	Address .		•		<u> </u>	*. •		
first wri	NESS WHER tten above. Vo. 1 – [Name			es hereto have duly executed	this MoU as of	the day and year		
Name		:		**		· .		
Design	ation	:						
Signatu		;				1 ·		
Party N	lo. 2 – [Name	of DFC	Offic	e]				
Name o	f DFO Office	:	**********					
Design	ation	:		kalana ka				
Signatu	ıre	:	p.,					
Seal		:	*************************************					
Witnes	s 1:							
Name		:	A					
Signatu	ırė	*	Marks him manage					

Witness 2: Name Signature

Annexure 1: Approval from Village Fence Protection Committee

To, [Name of Beneficiary] [Address]

Subject: Approval for implementation of solar fence system

Dear Sir/Madam.

We the undersigned approve the implementation of the solar fence project for [Name of the Beneficiary] under the [name of the scheme of solar fence system] scheme of Government of Odisha at the below address provided he/she shall sign the Memorandum of Undertaking with the Forest Department.

[Address of land]
[Village and District]
[District]

[Name of the Beneficiary] shall ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.

[Signature]
[Name of the authorised signatory]
[Name of VFPC]
[Address]

Annexure 2: NOC from Distribution Utility

NOC for commissioning of solar fence project

To, [Name of Beneficiary]. [Address]

Subject: NOC for implementation of solar fence system at [project site address]

To Whom So It May Concern

Dear Sir/Madam,

This is with reference to your request letter on the above subject. You have applied for the solar fence system at the below-mentioned address:

[Name of the Beneficiary] [Address of land] [Village and District] [District]

We issue no objection certificate for the implementation of solar fence system at the address mentioned above subject to the following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- 2. We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature]
[Name of the authorised signatory]
[Name of DISCOM]
[Name of Local DISCOM office]
[Address]

- 32.

Annexure 3: NOC from Neighbour Landowners

NOC for commissioning of solar fence project

To Whom So It May Concern

[Name of Beneficiary] have applied for the solar fence system at below mentioned address

[Name of the Beneficiary] [Address of land] [Village and District] [District]

I/We don't have any objection to implementation of solar fence system at above address subjected to following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- 2. I/We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature] [Name of the Neighbor] [Address]

7.3.3. LOI Form 3 (Letter of Intent for Project)

Letter of Intent for Solar Fence Project

(To be submitted on the letterhead of DFO, Forest & Environment Department)

Letter of Intent no.: [insert Letter of Intent no.] dated [DD MMM YYYY]

From

[Divisional Forest Officer] [Address of Divisional Forest Office]

To

[Bidder name] [Address]

Sub: Letter of Intent for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years for following projects.

SI. No.	Description of project	Type of Fence and pole	Estimated Length of Fence	Price in INR per KM	Total solar fencing Cost (INR)	Approved cost of project specific activities (INR)	Total Cost (INR)
1	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR (insert)	INR [insert]	INR (insert)	INR [insert]
2	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR [insert]
3	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR (insert)	INR [insert]	INR [insert]	INR (insert)
4	[Solar fencing project description]	(insert type of solar fence) and (type of pole)	[insert length of solar fence]	INR [insert]	INR (insert)	INR [insert]	INR (insert)
5	[Solar fericing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR [insert]

Note:

 Above rate shall Include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period

RFP No 3695 Dated 02 12 2021

Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structure, civil work for erecting fence poles and supporting structures etc.

Above rate shall not include one-time cost of project specific civil work and clearing vegetation activitie each project. Estimated one-time cost of project specific civil work and clearing vegetation activities for each project shall be quoted separately in DPR and it will be approved by DFO.

4. Tax (GST) rates shall be as per the actuals at the time of invoicing as per the prevailing tax rules in India.

You are requested to submit the following critical documents within a maximum period of thirty (30) Days from the date of issue of this Letter of Intent, without any fail, else your Bid shall be liable for rejection.

A company	and the section of th
SI, No	Critical documents
1.	Acceptance to the Letter of Intent by signing the copy of the Letter of Intent along with an official seal, date, and submission to DFO, Forest & Environment Department
	seal data and a letter of intent by signing the copy of the Letter of Intent along with a seal data
2.	seal, date, and submission to DFO, Forest & Environment Department Submission of Performance Security and a 170 comment Department
	Submission of Performance Security as per ITB Clause 1.8.2
3.	Submission of DPR Part 1 for each project which
	Submission of DPR Part 1 for each project which include design and drawing, site survey report, estimated cost and the finalized location of the solar fence project etc.
4.	Submission of a Detailed Workplan in line with the Project Timelines mentioned in the SOW Clause 3.4.1 for the implementation of Project.
	3.4.1 for the analysis of the project Timelines mentioned with a second
5.	3.4.1 for the implementation of Project.
y.	Olligie line diagram of the Decision
6.	Valid Test Certificates along with datashoots of all E
	Valid Test Certificates along with datasheets of all Equipment used in the Project, as per Bid Form 6 Section 7 (Annexure).
7.	Contact information of various OEMs of all Equipment used in the Project
	Sill of removing or various OEMs of all Equipment used in the Project
`	Bill of materials along with spares
)	Contact information of various OEMs of all Equipment used in the Project
	e and the Project

Place: [insert place]

[sign here] Signature

Name of Authorized Signatory of [Name of DFO]: [insert name]

Designation: [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

Date: [DD MMM YYYY]

Place: [insert place]

(sign here) Signature

Name of Authorized Signatory: [Insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

7.3.4. LOI Form 4 (Performance Security)

Performance Security (in the form of a Bank Guarantee)

(To be submitted on a non-judicial stamp paper of appropriate value as per The Indian Stamp Act, 1899 relevant to the place of execution. The stamp paper shall be purchased in the name of the issuing bank only.)

Bank Guarantee (BG) no.: [insert BG no.]

Date: [DD MMM YYYY]

To

[Divisional Forest Officer], [Name of District] [Address of Divisional Forest Office]

WHEREAS M/s. [insert name of the Successful Bidder] having its registered office at [insert address] (hereinafter called "the Successful Bidder") has been selected as Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis with reference to Letter of Intent (LOI) no. [insert LOI no.] dated [DD MMM YYYY].

AND WHEREAS it has been stipulated in the said Bidding Document that the Successful Bidder shall furnish [name of Divisional Forest Office], Forest & Environment Department with a Bank Guarantee from a nationalized or scheduled commercial bank for the sum specified therein, as Performance Security for compliance with its obligations in accordance with the Bidding Document, the Letter of Intent and the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department.

AND WHEREAS we have agreed to give the Successful Bidder such a Performance Security in the form of this Bank Guarantee. NOW THEREFORE we hereby affirm that we are the guarantors and responsible to Forest & Environment Department on behalf of the Successful Bidder for an amount up to a total of INR [Amount of the Bank Guarantee in words] ([Indian Rupees in figures]) only and we undertake to pay [name of Divisional Forest Office], Forest & Environment Department upon [name of Divisional Forest Office], Forest & Environment Department's first written demand declaring the Successful Bidder to be in default under the various provisions of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department and without cavil or argument, any sum or sums within the limits of the amount of Bank Guarantee, as aforesaid, without [name of Divisional Forest Office], Forest & Environment Department's need to prove or to show grounds or reasons for the demand or the sum specified therein. We hereby waive the necessity of your demanding of the said demand from the Successful Bidder before presenting us with the demand

We further agree that no change or addition to or other modification of the terms of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department to be performed thereunder or any of the contract documents which may be made between you and the Successful Bidder shall in any way release us from any liability under this Bank Guarantee and we hereby waive notice of any such change, addition or modification.

This Bank Guarantee shall not be affected in any manner by reason of merger, amalgamation, restructuring or any other change in the constitution of the issuing bank.

This Bank Guarantee shall be a primary obligation of the issuing bank and accordingly [name of Divisional Forest Office], Forest & Environment Department shall not be obliged before enforcing this Bank Guarantee to take any action in any court or arbitral proceedings against the Successful Bidder, to make any claim against or any demand on the Successful Bidder or to give any notice to the Successful Bidder or to enforce any security held by [name of Divisional Forest Office], Forest & Environment Department or to exercise, levy or enforce any distress diligence or other processes against the Successful Bidder

This Bank Guarantee shall be interpreted in accordance with the laws of India and the courts at [Bhubaneswar, Odisha] shall have exclusive jurisdiction.

RFP No. 3695 Dated 02:12:2021

This Bank Guarantee shall be effective only when the Bank Guarantee is issued to the account holder ["name of DFO"] in the bank and branch [bank name and branch address where DFO holds account] having the account no. [bank account] IFSC code [IFSC code of bank branch].

Notwithstanding anything contained herein above our liability under this guarantee is restricted to INR [insert] (Indian Rupees [in words]) only and it shall remain with an expiry date up to [DD MMM YYYY, [insert] months from the original last date of submission of Bid] with a claim date up to [DD MMM YYYY, 12 months from the date of expiry] and shall be extended from time to time for such period, as may be desired by M/s. [insert the Successful Bidder name] whose behalf this guarantee has been given.

Our branch at [Name and address of the branch] is liable to pay the guaranteed amount depending on the filing of the claim and any part thereof under this Bank Guarantee only and only if you serve upon us at our [Name and address of the branch] branch a written claim or demand and received by us at our [Name and address of the branch] branch, otherwise the bank shall be discharged of all liabilities under this guarantee thereafter.

In witness whereof the Bank, through its authorized officer, has set its hand and stamp on [DD MMM YYYY] at [insert location of signing].

(Signature of the authorized officer of the Bank)
Name and designation of the officer
Seal, name and address of the Bank and address of the Branch
Power of attorney no.:
WITNESSES

Signature: Name: Address:

Signature: Name: Address:

Note:

- This Bank Guarantee format is prepared in line with the Annexure-II of Finance Department Office Memorandum 4939 dated 13 Feb 2012, Govt of Odisha [Ref Para 22(i1].
- 2. Please ensure that each page of the Bank Guarantee is duly signed by the authorized signatory of the issuing bank and stamp of the issuing bank is affixed thereon.
- Please ensure whether the last page is signed with full particulars including two witnesses under the seal of Bank as required in the prescribed format.
- 4. Please ensure that the date, purpose of purchase of stamp paper and name of the purchaser are indicated on the back of the stamp paper under the signature of the stamp vendor. The date of purchase of stamp paper shall be not later than the date of execution of the Bank Guarantee.
- In case of any overwriting, cutting, etc. on the Bank Guarantee have been properly authenticated under signature and seal of the authorized office of the issuing bank.

Project Reference No.: XXXXXXXX

Date

Solar Fence Project at [Name of Village and District]

Detailed Project Report

DPR submitted to

DPR Part I submitted by

DPR Part I submitted by

Detail Project Report for Solar Fence Project

Details of Beneficiary Name of the Beneficiary			
Father's/Husband's Name	•	· · · · · · · · · · · · · · · · · · ·	
Village	:		· ! !
G.P.	:	are an exercise to the control of th	
Block			. ! !
District	•		;
Details of the Project Site			!
Village	•		<u> </u>
G.P.			· · · · · · · · · · · · · · · · · · ·
Block	: :	Non-control and a second a second and a second a second and a second a second and a second and a second and a	
Longitude and Latitude	:		· · · · · · · · · · · · · · · · · · ·
Land Mark			<u> </u>
Project Boundaries			1
East			!
West	: .		
North:			!
South	: .		ļ
Details of Solar Fence			. [
Type of Fence			· · · · · · · · · · · · · · · · · · ·
Total Length of Solar Fence	(Meters):		,

Cost Estimate:

S/N	Major Item	Estimated Cost(INR)
1	DPR Part 1: Ground clearance, levelling and allied Civil works (if any) (incl. applicable taxes)	
2	DPR Part 2: Supply, erection commissioning and 5 years' maintenance of solar fence (incl. all material transportation, labour etc. and all applicable taxes).	
·	Total Cost	

Signature of beneficiary		*		* .		
Date:		·				
Verified and Recommended	d for a	oproval				:
Name of the Ranger Officer	:					!
Name of the Forest Range	•	<u> </u>			· 	
Signature	:					<u> </u>
Date	:			<u> </u>	<u></u>	
Approved	,					
Name of the DFO	;	والمعادسيني	ing the first tell constants	TITOTOTOTOTOTOTOTOTOTOTOTOTOTOTOTOTOTOT	مأومان المعرب	इससम्बद्धाः प्रकारकार्त्तृते सार्थाः ४.८०० — २१४,१४४७
Name of the Forest Division	:			and the contract of the contra		A CONTRACTOR OF THE PERSON OF
Signature	:			a an agas da la mainte en en d'al-	·	Eding of the second
Date	i .		1 : = " di counting a a franchi			

Table of Contents

1	DPR Part 1: Details of site preparation	
	1.1 Description of project site (Details to be filled up by the empanelled vendor)	
	1.2 Cost estimate:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	1.3 Timeline for completion of Site Preparation:	······································
2	DPR Part 2: Details of erection of Solar Fence project	نن ع
	2.1 Summary of solar fence Solar fence project	o
	2.2 Scope of Work for solar fence project	6
	2.3 Detailed Cost Estimate:	6
	2.4 Timeline for implementation of solar fence projects.	6
Anr	rexure I: Land Record for Project Site from Local Government	яя
Ann	nexure II Layout of project site	q:
Ann	exure III: BOQ for Civil Work and Cleaning of Vegetation	10
Ann	exure IV: BOQ for Solar Fence Project	. 11.
Ann	exure V: Single line diagram of solar fence project	12

A 6 AUG 2023 A CLEARANCE REGISTRE

1 DPR Part 1: Details of site preparation

1.1 Description of project site (Details to be filled up by the empanelled vendor)

Status of the project site on the day of assessment (Tick appropriate box)

- a. Type of land:
 - o Plain
 - o Undulated
 - o Low lying
 - o Water logged
 - o Marshy
- b. Type of soil:
 - o Soft
 - o Hard
 - o Rocky
 - o Stoney
- c. Presence of vegetation:
 - Sparse
 - Thick vegetation
 - o Shrubs
 - o Trees
 - o Grass
- d. Other obstacle for erecting fence (if any):
- e. Pre- fence erection treatment needed (if any):
- f. Description of the treatment:

Copy of land record issued by local government is provided in Annexure I

Layout of project site is provided in Annexure II

1,2 Cost estimate:

Sr. No.	Item	Quantity	Unit	Cost /unit	Total cost (INR)
			-		4
Carifornia American de America America April			-		
	-				
				-	

			T		
					· · · · · · · · · · · · · · · · · · ·
nganggangan mahinda in bedaman		Grand Total			

(Rupees	
POO	
BOQ of civil work and cleaning of vegetations is prov	ed in Annouse in
	co. m. Writtexate III

Prepared by	Checked by Approved t
Empanelled Vendor	Range Officer DFO

1.3 Timeline for completion of Site Preparation:

St No.	Parameter	Estimated		Weel	ly plan	
1	Activity 1	Days (Nos.)	W1	W2	W3	
2	Activity 2			ļ		
3	Activity 3					
4	Activity 4					
	Total					

2 DPR Part 2: Details of erection of Solar Fence project

2.1 Summary of solar fence Solar fence project

Sr No.	Particulars	Details to be filled up by the contractor
1.	Total area of land in possession in Acres	
2	Land periphery in km	
3.	Name of (a) village (b) GP (c) Block (d) District	
4	Type of Solar Fence	
5	Length of Solar Fence	The state of the s

2.2 Scope of Work for solar fence project

As per RFP for Section 3 on Scope of work under Request for Proposal (RFP) for the empanelment of Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis and subsequent amendments published by Odisha Renewable Energy Development Agency.

[Ref. No. of RFP and Date of Publication]

2.3 Detailed Cost Estimate:

	Sr. No.	Item	Description	Quantity	Unit .	Cost /unit	Total cost (INR)
	1	Electrical system (solar					
		module, energizer,					
4	*	battery and wiring etc.)					
	2	Fence system					
ſ	3	Tools					
ſ	4	Installation and					
		commissioning					
	5	CMC for 5 year				-	
	6	Applicable taxes					· · · · · · · · · · · · · · · · · · ·
		Grand Total			!		

BOQ for Solar Fence Project is provided in Annexure IV.

Single line diagram of Solar Fence Project is provided in Annexure V.

Prepared by	Checked by	Approved by
Empanelled Vendor	Range Officer	DFO

2.4 Timeline for implementation of solar fence projects

Sr	Parameter	Estimated		Weekl	y plan	
No.		Days (Nos.)	W1	W2	W3	

1	Activity 1					
2	Activity 2		 	 		
3	Activity 3					
4	Activity 4					
5	Activity 5		 	 		
	Activity 6		<u> </u>			
7	Activity 7		 	ļ		
8	Activity 8	7				
	Total	***		 		
			<u> </u>			

Annexure I: Land Record for Project Site from Local Government

Annexure II: Layout of project site

Annexure III: BOQ for Civil Work and Cleaning of Vegetation

Sr No.	Parameter		Unit	Unit Rate	Quantity	Estimated Cost
Α	Civil Work	a and a second part of the second to the se		<u> </u>		
1	x			,		
2.	,					
3.	•••					
4.	; · · · · · · · · · · · · · · · · · · ·	,				The state of the s
5.		200				
₿	Clearing of V	egetation				
6.	• • •	-				
7.	- 1 :					***************************************
8.						
9.	***					
10.						
С	Manpower co)st				
11.						
12.					ı	
13.	4 4 4					
D	Machinery re	nt			į	
14.						
15.						
16.					. i	
E	Applicable tax	es				
	Total				i	

Annexure IV: BOQ for Solar Fence Project

Srl		Unit	Unit Rate	Quantity	Estimate Fig.
Α	Electrical system			GCALLILEY	Estimated Cos
1.	Solar PV module	No.		***************************************	
2.	Module mounting structure with pole	No.			tine to the second seco
3.	Energizer	No.			
4.	Battery	No.			
5.	Fence alarm	No.	1		
6.	Hooter	No.			3
7.	Lightning arrestor	No.			
8.	Mounting box	No.			-
9.	Gables				
		Meters			
В	Fence System				
1.	Gate				
2.	HT wire	Sqr mtr			
3.	Cerner/ end posts	Meters			
4.	Support post	No.			
5.	Intermediate post	No.			***************************************
6.	Support Poles Bolts	No.			
7.	Corner Poles Bolts	No.			
8.	Corner Poles/End Insulators	No.			
9.	Intermediate Poles Insulators	No.			
10.	Corner Pole Hooks	No.			
11.	Wire Tighteners	No.			
12.	Joint clamps	No.			
13.	Cable	Meters			
13.	Earth Kits (Galvanizing)	No.	ACCUMANTAL AND ACCUMANTA AND ACCUMANTAL AND ACCUMAN		
C	Tools	 			
1.	Digital Multimeter	No.	a feat and a second		
2.	Xenon Flash Tube	No.			The state of the s
3.	Neon tester	No.			
4.	Tool kit				
		No.			
D	Installation and				
	commissioning				
	Transportation cost	LOT			
2.	Civil works	LOT		9ata	
	Installation and	LUI			
	commissioning	LOT			
	CMC for 5 years				
	Applicable taxes				
	Total cost				

Annexure V: Single line diagram of solar fence project

Work Order Format for Solar Fence Project

(On the letterhead of DFO, Forest & Environment Department)

Work Order: [insert Work Order No.] dated [DD MMM YYYY] .

From

[Divisional Forest Officer]
[Address of Divisional Forest Office]

To

[Successful Bidder name] [Address]

Sub: Work Order for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years at [Name of district] in Odisha

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]
- 4. Letter of Intentino .: [insert Letter of Intent no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years and completed all the formalities mentioned in Letter of Intent mentioned in Sr. No. 4 above. We are happy to issue this work order for following solar fence projects subject terms and conditions of RFP mentioned in Sr. No. 2.

SI. No	Description of project	Type of Fence and pole	Estimated Length in	Price in INR per km	Approved cost as per DPR Part 1 (INR)	Approved cost as per DPR Part 1 incl. Tax (INR)
1	[Solar fencing project description]	[insert type of soler tence] and [type of pole]	[insert terrigit: of solar [ence]	INR [insert]	INR (insert)	INR (insert)
2	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert lengths of solar fence]	INR (insert)	INR (Insert)	INR (insert)
3	[Sotar fonding project description]	[insert type of solar fence] and [type of pole]	[insert tength of solar tenge]	INR (insert)	INR [insert]	INR [insed]
4	(Solar fension	Impact type of	(13.54 of the	INR [· · ·]	INR [লয়না]	INR [mark]

_	2	
	\smile	

) -	1	(A)
æ		project description]	solar fence] and [type of pole]	of solar fence)		.:	# 1 6 AUG 2023
	5	[Solar fencing project description]	(insert type of solar fence) and [type of pole]	(insert length of solar fence)	INR (insett)	INR [mseld]	CLEAR NOE 2
	Not	^					

Note:

- 1. Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar-fence with 2% each Year of CMC Period
- 2. Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.

Terms and Conditions of Work Order

- 1. [Name of the Successful Bidder] shall commission Solar Fence Project mentioned above as per the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 2. [Name of the Successful Bidder] shall abides by all the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. [Name of the Successful Bidder] shall sign CMC agreement as per provided format and the terms and conditions specified in REP no. [insert REP no.] dated [DD MMM YYYY]

Payment:

- 1. All invoices with respect to this work orders issued shall be submitted to [Name of DFO Office], Forest & Environment Department.
- 4. Payment terms shall be as per Section 6 of Special Terms of Contract of RFP no. [insert RFP no. | dated | DD MMM YYYY]

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory of [Name of DFO]; [insert

Designation: [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

7.5.4. Appendix Form 4 (Commissioning Report).

The Commissioning Report shall essentially capture the health of the Project at the time of Commissioning along with the various observations which will be captured in accordance with the Applicable Law and Prudent Utility Practices prevailing in Odisha and any general practices followed in the solar industry. The Commissioning Committee will prepare the Commissioning Report. In addition, DFO, Forest & Environment Department will provide the compliance report as per CRC procedures and this shall be referred along with the Commissioning Report for the issuance of Joint Commissioning Certificate.

The sample Commissioning Report is represented below:

Commissioning Report-Solar fence

Date: [DD MMM YYYY]

RFP no.: [insert RFP no.] dated [DD MMM YYYY]

Reference:

1. NIT no. [insert] dated [DD MMM YYYY]

2. RFP no, [insert] dated [DD MMM YYYY]

3. Empanelment Order no: [insert] dated [DD MMM YYYY]

4. Work Order no. [insert] dated [DD MMM YYYY]

5. Any other correspondence, if any:

This Commissioning Report is prepared for the Bidder [insert name of Bidder] for the Project named as [insert]developed at [insert] village of [insert] block at [insert] district of Odisha.

The Project details are given below:

SI. No.	Items	Details	
1.	Name of the Beneficiary		
2.	Address		
3.	Details of the Project		
8.	Total size of solar PV Module (Wp)		
b.	Total Battery size (Vah or kWh)		
C.	Nos. of charge control units		
d.	Nos. of energizers		· · · · · · · · · · · · · · · · · · ·
е.	Length of fencing		
4.	CMC manual	(Yes/No)	
5.	Dos & Don'ts in the form of a booklet	(Yes/No)	,
6.	On/Off Test on solar fencing		,
7.	Visual Inspection		' .

The above solar fencing system was commissioned as per applicable guidelines suggest that the performance of the said solar fencing system is satisfactory.

Place: [insert place]

OREDA

(sign here)

Signature

Name of Authorized Representative of [name of Divisional Forest

Office], Forest & Environment Department: [insert-name]

Designation: [insert designation]

Iname of Divisional Forest Office], Forest & Environment Department

Seal

REP No. 3695 Dated 02.12,2021

.

STORES OF STATES

Place: [insert place]

[sign here]
Signature
Name of Authorized Representative of OREDA: [insert name]
Designation: [insert designation]
Odisha Renewable Energy Development Agency (OREDA)
Seal:

Place: [insert place]

[sign here]
Signature
Name of Authorized Representative of VFPC: [insert name]
Designation: [insert designation]
Village Fence Protection Committee
[Name of Village] [Village Code]

7.5.5. Appendix Form 5 (Joint Commissioning Certificate)

Joint Commissioning Certificate of Solar Fence

(To be issued by DFO, Forest & Environment Department on the letterhead)

TO WHOMSOEVER IT MAY CONCERN

Ref. no.: [insert]

Date: [DD MMM YYYY]

To

[Successful Bidder's name] [Address] (Email id) [Mobile no:]

Reference:

NIT no. [insert] dated [DD MMM YYYY]

RFP no. [insert] dated [DD MMM YYYY]

Empanelment Order no. [insert] dated [DD MMM.YYYY]

Work Order no. [insert] dated [DD MMM YYYY]

5. Any other correspondence, if any

This is to certify that [Name of the Successful Bidder] having its registered office at [address] has successfully commissioned the Project at [insert village name] village, [insert district name] District in Odisha.

[insert the Project details]

The Joint Commissioning Certificate is issued on the basis of the following documents enclosed:

- 1. Commissioning Report as submitted by Commissioning Committee
- 2. Installation report as uploaded on CRC created using the ReSolve Mobile App only

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of [name of Divisional Forest

Office), Forest & Environment Department: [insert name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Seal:

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of OREDA; [insert name]

Designation: [insert designation]

Odisha Renewable Energy Development Agency (OREDA)

Seal:

Place: [insert place]

RFP No. 3695 Dated: 02.12.2021

[sign here]

Signature
Name of Authorized Representative of VFPC: [insert name]
Designation [insert designation]
Village Fence Protection Committee
[Name of Village] [Village Code]



RFP No. 3695 Dated: 02.12.2021

ORÉDA

7.3.5. LOI Form 5 (Sample format for CMC)

Sample format for Comprehensive Maintenance Contract (CMC)

CMC ref no: [insert]
Date: [DD MMM YYYY]

Sub: CMC for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis.

Ref:

- 1. NIT no. [insert] dated [DD MMM YYYY]
- 2. RFP no. [insert] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert] dated [DD MMM YYYY]
- 4. Work Order no. [insert] dated [DD MMM YYYY]

The Comprehensive Maintenance Contract (CMC) is signed jointly between the two (2) Parties on this [insert] day of [insert] month in the year [insert] at Bhubaneswar, Odisha and shall come into force from the date of its signing.

CMC for maintenance of Project consisting of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha supplied and installed by M/s [insert the name of the Successful Bidder] for a CMC Period of five (5) years from the date of Commissioning of the Project.

This CMC is executed between [name of Divisional Forest Office]. Forest & Environment Department having office at [address of DFO], herein after called as the First Party and M/s [insert the name of the Successful Bidder] having registered office at [insert address of the Successful Bidder] herein after called as Second Party, for the maintenance of the Project for a period of five (5) years from the date of Commissioning of the Project, as per the details provided herein:

Project	Location details	Remarks
(insert)	(insert)	[insert]

The Second Party will maintain the Project as per the terms and conditions mentioned here under:

- 1. It has been envisaged in the Work Order under Article [insert] that the Project shall be warranted against any manufacturing defect and bad workmanship during the CMC Period of five (5) years from the date of Commissioning of the Project. As these Projects have been Commissioned after issuance of a Commissioning Certificate. Hence, the Second Party is fully responsible for their trouble-free maintenance and the Second Party is liable to rectify/ remove any defect noticed within the aforesaid CMC Period, free of cost.
- The Second Party will impart training to at least two (2) designated persons, each from the [name of Divisional Forest Office], Forest & Environment Department and Beneficiary be able to provide first aid repair service for the solar fencing systems.
- The CMC includes repair/ replacement of all spares, consumable and all the Equipment including but not limited to solar photovoltaic module, energizer, battery, fence wire, fence poles, balance of systems, etc. during the CMC Period.
- 4. The Second Party shall establish a central office at Bhubaneswar, Odisha, and also establish local offices at the concerned Project location so as to deliver uninterrupted and sustainable Comprehensive Maintenance during the CMC Period duly headed by a Service Engineer.
- 5. The Second Party shall undertake corrective maintenance upon registration of complaint by consumer at CRC-OREDA. After attending to the defect, the Second Party shall upload the required documents at ReSolve mobile application for successful closure of the complaints. The Second Party shall ensure rectification of defects and restore functionality within seven (7) Days of lodging the complaints.
- 6. The Second Party shall undertake scheduled maintenance work as per the prescribed format attached in Annexure Clause 7.5.7 and upload the required details and documents in the ReSolve mobile application strictly according to the given schedule.

RFP No 3695 Dated 02 12,2021

- The Second Party shall apprise the First Party about the requirements and supply of spares during warranty as well as CMC Period.
- 8. Annual report from CRC-OREDA shall be considered as token of verification of maintenance done and release of annual payment of CMC in arrears upon completion of each year of CMC Period (if any).
- 9. It will be the liberty of the First Party to crosscheck the systems maintained by the Second Party. Random verification of the maintenance may be carried out by the First Party wherever necessary.
- 10. The Second Party may continue to maintain the gadgets after expiry of the CMC Period of five (5) years from the date of Commissioning of the Project, provided the Department First Party desires.
- 11. For adjudication of any dispute between the two (2) Parties arising on execution of this CMC, the matter shall first be brought to the notice of [hame of Divisional Forest Office], Forest & Environment Department.
- 12. In case there will be no amicable settlement of the issues; the matter can be referred to the court of law having jurisdiction at Bhubaneswar, Bhubaneswar only.

For and on behalf of Iname of Divisional Forest Office], Forest & Environment Department (First Party),

Place: [insert place]

[sign here]: '

Signature

Name of Authorized Signatory of Iname of Divisional Forest Office]

Forest & Environment Department: [insert name]

Designation: [insert designation]

Iname of Divisional Forest Office], Forest & Environment Department

Seal: (insert seal of the Bidder)

For and on behalf of M/s

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory: [insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name

Seal: [insert seal of the Bidder]

True Copy Attested

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14706 of 2022 **AND** W.P. (C) Nos.9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 OF 2023

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

Petitioner

Gita Rout

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

W.P.(C) No.9056 of 201. Balagopal Mishra and another

Petitioners

Mrinalini Padhi

Mohanty, Advocate Petitioner

In person

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

Petitioner

Mr. Gautam Misra, Senior Advocate assisted by Mr. A Dash, Advocate

स्टिएंडा-लाते.

State of Odisha and others

Dr. Manoj V. Nair, Principal Chief Conservator of Forests (WL) &

Opposite Parties

Chief Wildlife Warden, Bhubaneswar,

Mr. Debakanta Mohanty, Additional Government Advocate & Mr. Ishwar Mohanty, Additional Standing Counsel, Mr. Bijaya Kumar Dash, Advocate FOR O.P. No.7-TPCODL, Mr. Akhaya Biswal, Advocate for Intervener

(in I.A. No.3126 of 2023)

Advocate (in I.A. No.640 of 2023) and

Mr. J. K. Panda, Additional Superintendent of Police

-W.P.(C) No.14057 of 2023 State of Odisha and others

Petitioners

Mr. Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another **Opposite** Parties

Mr. Sankar Prasad Pani, Advocate

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

ORDER 09.05.2023

15.

- 1. The Vakalatnama filed by Mr. Bijaya Kumar Dash, learned counsel for Opposite Party No. 7-TPCODL is taken on record.
- 2. Pursuant to the order passed by this Court on 13th March 2023, two affidavits have been filed. The first dated 17th April, 2023 is by the Chairperson-cum-Convenor, Joint Task Force (JTF), Dr. Manoj V. Nair providing information as regards compensation paid in respect of human losses, human injuries, animal losses, house damage and crop damage. It is stated that in the past six months, there have been 21,093 cases of crop loss on account of attacks by elephants. Dr. Nair, who appears in virtual mode, informs the Court that sum of Rs.7.22 crores has been paid on this score. The Court has also been shown a copy of the Notification dated 3rd May, 2023 issued under Rule 45-KK of the Wildlife (Protection) (Odisha) Amendment Rules, 2023 enhancing the amounts of compassionate payment in all of the above categories. For the instance, the ex gratia for human loss has been increased from Rs. 4 to Rs. 6 lakhs. According to Dr. Nair, there is a 40 days turnaround time for payment of compensation.

3. It appears that on 5th April 2023, there was a meeting held by the Chairperson of the JTF with the DISCOMs where inter alia a discussion was held on the mitigation measures that have to be put in place for avoiding deaths of elephants due to electrocution. The series of steps to be taken with the DISCOMs, pursuant to the Comprehensive Action Plans (CAP), include "barricading the open transformers; fixing of interposing poles of both HI and LT lines; conversion of LT bare conductor to AB cable, change of vacuum electric breaker, maintenance of primary substation, sensitization of feeders & periodical checklist of feeder, fittings of spikes in the electric poles, establishment of elephant control from etc."

- 4. The minutes also refers to a study undertaken by SNEHA (Support for Network and Extension Help Agency) having experience in working on human-elephant conflict issues in Kamataka. SNEHA was engaged by the DISCOMS to undertake a study in two districts i.e. Dhenkanal and Angul. Mr. Bijaya Kumar Dash leained counsel appearing for the DISCOMS has handed over a copy of the reported submitted by SNEHA to TA DA Power Limited. Mumbai where interalia one suggestion given is for use of alternate 6V Solar or DC fence set-up which will "repel the wildlife or set off an alarm instead of creating causality."
- 5. The Interveners in I.A. No.3126 of 2023 has also asked for similar measures to be deployed in the villages of those Applicants after undertaking a ground survey.
- 6. Mr. Shenhagam, who is the CEO of TPCODL, is present on line, and explains that Elephant Control Rooms have been set up by the

1 6 AUG 2023

DISCOMs since 2020 and that on advance information of elephant movement being received from the Forest Department they are able to take corrective action.

- 7. However, the Courtais of the view that steps would have to be taken by the DISCOMs to interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past. The DISCOMs would do well to persuade the villagers to go in for 6V Solar fencing and offer it as a viable alternative even while disconnecting the illegally hooked electricity connections which are powering the ad hoc electric fences put up by the villagers to prevent attacks by wild animals of either humans or crops.
- 8. Dr. Nairplaced before the Court the statistics of elephant deaths and human deaths in the past two months. On 9th March 2023, an adult male elephant was electrocuted in Keonjhai and on 13th March, 2023 another male was electrocuted in Gumsar in Ganjam District. On 11th April 2023, one adult female elephant and an adult male elephant were electrocuted in Bonai and Subarnapur respectively. Apart from the four electrocution deaths, there have been in the last two months, 14 more deaths of elephants—2 due to disease, 2 due to natural causes, 1 due to infighting and 1 due to a train accident. Of 18 elephants that have died, there have been 11 adults and 7 very young calves. Dr. Nair adds that the reasons for the death of these 7 very young calves are still being analyzed.
- 9. During this period, 20 persons have lost their lives due to attacks by elephants. Dr. Nair further adds that these deaths have occurred in

areas not necessarily in or around the 14 elephant corridors in Odisha that were earlier identified by identified by the Asian Nature Conservation Foundation (ANCF). It is informed that due to passage of time only 4 such corridors are considered active and one among them has been notified as a Conservation Reserve pursuant to a judgment by the Supreme Court of India in *Binay Kumar Dalei v. State of Odisha* (decision dated 2nd March, 2022 in Civil Appeal Nos.1627-1628 of 2022).

10. At this juncture, it must be noted here that the Wildlife Society of Odisha (Elephant Corridors) [WSO] had approached the National Green Tribunal (NGT) with a petition being O.A. No.129 of 2016 questioning the inordinate delay on part of the State of Odisha in notifying the Elephant Corridors under Section 3 of the Environment (Protection) Act, 1986 (EP Act) read with Rule 6 of the Environment (Protection) Rules, 1986. It must be further noted here that in the said application, the NGT appears to have passed a 'final order' on 17th August, 2021 directing the State of Odisha to notify the 14 Elephant Corridors as earlier identified by the ANCF within a period of two months. This led to the State of Orissa filing a Review Petition pointing out that there is a petition, W.P.(C) No.275 of 2015, on this issue which is pending before the Supreme Court. Further, it was pointed out that the report of the ANCF suggests that "most of the corridors have no functional existence and most of the corridors are also not ecological feasible." Accordingly, a review was sought by the State of Odisha of the order dated 17th August, 2021 of the NGT. Even while the said review petition was pending, Execution Application No.3/2022/EZ appears to have been filed by WSO

pressing for execution of the order dated 17th August, 2021 in which the NGT passed an order on 6th April 2023, granting the State one month's time 'and no more' to notify the elephant corridors. By this time, in the hearing of the execution application, it was brought to the notice of the NGT by the State of Odisha that this Court was seized of one of the present petitions i.e. W.P.(C) PIL No.14706 of 2022 on the same issue. Against the said order dated 6th April 2023, the State of Odisha has filed W.P.(C) No.14057 of 2023 in which this Court passed an order on 4th May, 2023 staying the further proceedings before the NGT.

I. A. No.6983 of 2023 a rising out of W.P. (C) No.14057 of 2023

- 11. WSO has filed this I.A. seeking vacation of the aforesaid stay order dated 4th May, 2023. Notice Notice is accepted by the learned Additional Government Advocate for the State, who undertakes to file a reply thereto within four weeks, rejoinder thereto be filed on or before the next date. The Vakalatnama filed by Sri Pani is taken on record.
- 12. Dr. Nair has explained two major problems coming in the way of notifying elephant corridors. The first being there is no legal provision in the Wildlife Protection Act, 1986 (WP Act), which enables the making of such notification. The second is that the EP Act only talks of eco sensitive zones, which does not fully answer the need for a comprehensive provision for this purpose.
- 13. Mr. Pani, learned counsel appearing for WSO sought to counter the submission by referring to Section 3(2) (v) of the EP Act, which empowers the Central Government to take 'measures to protect and

improve environment' and in that process, notify restriction of areas "in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards." In the considered view of the Court, Section 3(2)(v) of the EP Act operates in a very narrow sphere as it does not contemplate loss of human lives, crops and vegetation etc. as a result of movement of wild animals including elephants and it is doubtful therefore if the measures taken under the above provision to answer the problem brought about as a result of elephant-human conflict.

- 14. In any event, it does appear that identifying elephant corridors precisely is a complex task as pointed out by the ANCF and which was also voiced today during the course of hearing by Dr. Nair. It is significant that many of the deaths that this Court has noted in the present order or in the earlier orders of elephants and humans have occurred in areas not strictly in an around the elephant corridors earlier identified.
- 15. Consequently, at this stage, the Court does not consider it advisable to vacate the order passed by it on 4th May, 2023 in W.P.(C) No.14057 of 2023 and would consider that question after response is received to the application filed today by the WSO.

16 In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week

from today in which the Ghairperson of the VIF will also participate and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

17. It is absolutely essential for the DISCOMs to immediately identify falls such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put appain the villages and discontinue the practice forthwith Sensitization meeting with the villagers by the officials of DISCOMS required to be undertaken in coordination with the Forest officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used.

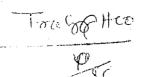
18. The second affidavit has been filed by Shri J. K. Panda, Additional S.P. and a member location of the ITF where the details of the 6 ongoing criminal cases that having been registered in Athagarh, Similipal, Gumsur and Dhenkanal Divisions have been set out. The Court is assured by Mr. Panda that all possible steps have been taken to carry each of the criminal cases to the logical end by completing investigation, filing charge-sheet, arresting the persons accused and ensuring that the case progresses. A further affidavit updating the

status of these criminal cases be filed before the next date.

I. A. No.640 of 2023 and I.A. No.3126 of 2023 arising out of W.P.(C) No.14706 of 2022

19. The Intervener in I.A. No.640 of 2023 has prayed for processing of all compensation claims for the loss of human lives and crop loss by the State Government and for all such claims to be settled in a time bound manner. Notice was issued in the said I.A. on 13th March, 2023 and no replies have yet been filed. Meanwhile, an additional affidavit has been filed by the Intervener on 5th May 2023, copy of which has already been served on learned Additional Government Advocate for the State. Let a copy thereof be served on learned counsel for the Petitioners as well other counsel appearing today. Replics to both the I.As. i.e. I.A. No.640 of 2023 and I.A. No.3126 of 2023 be filed by the State within four weeks and rejoinder thereto, if any, be filed before the next date.

20. Dr. Nair informs the Courf that on 17th April, 2023, a High Power Committee (HPC) has been constituted with the Principal Secretary. (Energy) being one of the Members and all the DISCOMs being the special invitees. He informs the court that the HPC would meet very soon. Apart from inviting the DISCOMs, the Court directs that the representatives of the Applicants in I.A. No.640 of 2023 and I.A. No.3126 of 2023 also be invited to present their issues before the said Committee. The HPC will also invite SNEHA apart from Dr. Sukumar to participate in virtual mode at its meeting. The minutes of the meeting of the HPC be placed before the Court along with an affidavit before the next date.



SCANNED

COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 99708/2023

Date Of Receiving: 20/10/2023

Time: 01:26:52 PM

Case No: WP(C) 19625/2015

Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

27- Note Of Submission

IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) NO.19625 OF 2015

In the matter of:

Mrinalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

INDEX

Sl.No.	PARTICULARS	PAGE No.
1.	AFFIDAVT ON BEHALF	4-0
	OF TPSODL	1-10
2.	ANNEXURE – A/1	7-16
	Copy of the Minutes of Me	,
	15/05/2023	
3.	ANNEXURE – B/1	17-66
	Copy of the Minutes of Me	eting dated
	27/06/2023	

Date

Cuttack

Advocate

By the Opp. Party through



IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) No. 19625 OF 2015

In the matter of:

Mrunalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

AFFIDAVIT ON BEHALF OF TP SOUTHERN ODISHA DISTRIBUTION LIMITED ('TPSODL')

I, Amit Kumar Garg, aged about 56 years, S/o Sh. Basheshwar Dayal Garg, working as CEO at TP Southern Odisha Distribution Limited ("herein after referred to as "TPSODL") do hereby solemnly affirm and state as follows:

- 1. That I am working as CEO at TP Southern Odisha Distribution Limited and being authorised, competent to swear this affidavit on behalf of TPSODL
- 2. That it is humbly submitted here that on receiving the Notice in I.A No. 1737 of 2023 arising out of W.P.(C) No. 19625 of 2015 for substituting the present entities of DISCOMS and pursuant thereto, TPSODL entered appearance through Ld.

Counsel in terms of the direction of this Hon'ble Court, whereas the said I.A. is still pending.

3. That it is humbly submitted here that vide the Order dated 09/05/2023, this Hon'ble Court had made certain observations relating to the deaths of elephants due to electrocution in Odisha. Furthermore, a direction was issued that the CEOs of the four DISCOMS would convene a meeting and the Chairperson of JTF would also participate in the said meeting and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing the electric fences wherever found with the solar fences as suggested by SNEHA. The observations made in Order dated 09/05/2023 are quoted below appreciation of this Hon'ble Court.

"16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week from today in which the Chairperson of the JTF will also participate and

chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used."

4. That it is respectfully submitted here that in terms of the aforesaid order, a meeting was held 15/05/2023 at 4pm to finalise the Action Plan of Elephant Protection. The said meeting was held in the presence of the CEOs of all four DISCOMS including TPSODL, the Chief Conservator of Forests, Odisha, Conservator **Forests** (Wildlife), Odisha, Head. Corporate Sustainability, Tata Power, Lead Associate-Biodiversity, Tata Power, Executive Director,

2/

SNEHA - NGO, Project Consultant/Advisor, SNEHA - NGO. The said meeting was aimed at combating the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. The participants therein focused on the collaboration efforts between the DISCOMS and Forest Officials to tackle the problem effectively and an overall comprehensive action plan was discussed. The DISCOM CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities.

Copy of the Minutes of Meeting dated 15/05/2023 is annexed herewith as **ANNEXURE** - **A/4**.

5. That it is humbly submitted here that subsequent to the aforesaid meeting, another review meeting was convened for strengthening of electrical infrastructure in elephant movement areas It was held under the Chairmanship of Additional Chief Secretary, Odisha. The directions passed by this Hon'ble Court has been taken note of in such meeting and after a detailed deliberation, certain decisions were taken which has put task on the Electrical Inspector, who is appointed by the State Government, Forest Authorities, Principal Chief



Conservator of Forest (Wild Life) [PCCF (WL)] & Chief Wild Life Warden [CWLW], District Forest Officer [DFOs], DISCOMS. The Engineer In Chief (Elect.) was directed to consult experts such as IIT, Bhubaneswar and Central Electricity Authority [CEA] and notify the Standard for Solar Fencing at the earliest. In this regard, PCCF (WL) & CWLW stated that Department of Forest Environment & Climate Change has notified a scheme titled as 'Jana Surakhya Gaja Raksha' to reduce man animal conflict by promoting of solar fencing erection by community/individuals on Public Private Partnership [PPP] mode. DFO & Electrical Engineer [E.E.] of DISCOMs to jointly take steps in terms of the scheme to achieve its goal.

Copy of the Minutes of Meeting dated 27/06/2023 is annexed herewith as **ANNEXURE** - B/4.

6. That it is respectfully submitted here that the present Deponent being conscious of the gravity of the issues involved in the present proceeding, has been taking prompt steps to tackle the situation and as a matter of fact, has been diligently participating in all the meetings and deliberations both with the state authorities as

3/6

well as internal bodies, department to ensure that proper and appropriate steps are taken so as to avoid such mishap vis a vis elephants death.

- 7. That the aforesaid developments have taken place pursuant the Order dated 09/05/2023 and the minutes of those meetings have been brought on record for better appreciation of this Hon'ble Court.
- 8. That the present Deponent crave leave of this Hon'ble Court to make further submission and file further affidavits in the interest of justice and effective adjudication by this Hon'ble Court.

9. That the facts stated above are true to the best of my knowledge and belief.

Identify By

Advocate Maharar

Cuttack

Date: 21/8/2023

Amit Kumar Garg Chief Executiv Officer

nepter bution Limited

Bis Lynn

CERTIFICATE

Due to non-availability of cartridge paper, the affidavit is typed in thick white paper.

T- All

Minutes of the meeting held on 15.05.2023 at 4:00 PM to finalize the Action Plan of Elephant Protection.

The List of participants is at Annexure-I.

The participants recognized the urgent need to combat the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. They emphasized the importance of collaborative efforts between the Discoms and forest officials to tackle this problem effectively. An overall comprehensive action plan was discussed.

1) The Discom CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities. These initiatives included:

24x7 Control Room

TPCODL monitors elephant movement 24x7 in their Power System Control Cente. Information through a WhatsApp group wherein the patrolling group consisting of forest officials & DISCOM officials share the need of immediate tripping of feeders based on elephant movement. Record of all these trippings & incidence in recorded in the control room.

Creating a Safe Infrastructure

- Installing interposing poles to elevate the height of the electrical network.
- Replacing bare conductors with insulated ones.
- Fencing distribution substations to prevent elephant intrusion.
- Implementing deterrent measures, such as spikes on poles.
- Barricading open transformers

Technology Intervention

Installing animal intrusion detection and repellent system

Awareness creation

- Conducting Chaupadi meetings and use of Surakhya Sachetan Rath, a mobile van with digital display, to create awareness and sensitize locals on ill effects of animal poaching.
- 2) Joint Patrolling and Vigilance: The CEOs and CCF highlighted successful joint patrolling efforts by Discoms and forest officials to combat power theft, poaching, and identify vulnerable areas. A systematic plan is prepared with RCCF in Dhenkenal is as elaborated below:

RCCF & Superintending engineer:

Once in a month

DFOs &Executive Engineers:

Once in a month

ACFs& SDOs:

Twice in a month

* Rangers & Section Managers:

Thrice in a month

This collaborative approach aims to deter miscreants and locate illegal tapping spots, hooking areas, low-lying networks, substations without adequate fencing, etc. Format for capturing the above details was discussed & it was observed that the patrolling team captures the hooking activities if any & also the need of fencing. Similar approach to be adopted in other areas if not done so far.

Court has shared the following views / steps to be taken by the DISCOMS

1.0 To interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past.

NO NO	DATE	: (DISCOMI)	DIVISION	SECTION	Location Coult
1	11.04.2023	TPWODL	Jharsuguda	Kusumi	Lachhada, Sundergarh District (Bonai DFO)
2	11.04.2023	TPWODŁ	Sonepur	Mahadevpali	Near Silijhuri Village,Binika, Sonepur (Subarnapur) District
3	19.03.2023	TPNODL	Joda	Jurudi Section, Joda Sub Division	Jadipada near Basantpur
4	13.03.2023	TPSODL	BNED Bhanjanagar	Bhanjanagar Sub Division-I/ ESO-II Electrical Section	Paddy field near Gambarigochha village, PS- Bhanjanagar, Dist-Ganjam

- 2.0 Persuade the villagers to go in for 6 V Solar fencing & offer it as a viable alternative to deter animals & elephants
- 3.0 Identify instances of illegal hooking to power the farmers fencing & discontinue this practice
- 4.0 The court to be informed the No. of 6 V Solar fencing erected

the meeting following action plans were discussed in addition to the existing above listed actions carried out by DISCOMS

- 1.0 Intelligence Gathering System: It was proposed to explore setting up of a centralized toll free number for reporting illegal tapping, poaching, and related information. A reward and recognition scheme incentivize public participation shall also be included.
- 2.0 Guidelines on Solar Fencing: Solar Fencing was identified as a probable deterrent to elephants to enter human population area. CCF committed to circulate comprehensive guidelines on solar fencing to ensure consistent standards across the region. Suitable funding mechanism shall be explored with inputs from Energy dept. and Odisha govt. to facilitate villagers for installation of solar fencing.
- 3.0 Initiatives proposed by Sneha-NGO: Sneha-NGO shared its proposal for adoption of the following key measures: the above proposal is being taken up with TATA Power for approval of the proposal
 - a) Support to establish an Early Warning System through Construction/ creation of the Warning systems.
 - b) Handholding support to Grama Panchayats.
 - c) District-level Orientation on HAC
 - d) Awareness and Sensitization Programs to -
 - Self Help Groups
 - Children
 Anganwadi, LPS, HPS, Middle and High School
 - e) Training for the Rapid Response team and Front line staff of the Forest Department
 - f) Facilitating Elephant protection measures: (Trenches, Solar Fencing under MGNREGA etc.)
 - g) Adoption of MoEFCC guidelines on Compensation

The above activities as per the proposal are listed in detail as follows

Support to establish an Early Warning System through Elephant collaring/ Construction/ greation of the Warning systems.

- i. Surveillance Camera traps: The camera traps will be implemented in conflict hotspots and high electrical tripping areas to monitor illegal power thieving and to monitor the elephant movement.
- ii. Proximity sensors and hooters: This is a technological system to detect and deter wild animals. This will help in protecting the crop from wild boar and other wild animals further it may also help in reducing the power tapping in remote villages. In the first phase, 50 Units can be installed in vulnerable areas in one range.
- iii. SMS/Voice call service: Bulk SMS service will be initiated to send out text messages about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages. For sending the SMS, a 2 km radius was chosen based on our long-term research because of the high likelihood (> 80%) that elephants would move within that distance over a 24- hour period.
- iv. Bulk Voice call service: it will be initiated to send out a voice call about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages.
- v. GSM Led Display boards: These boards will be placed in highly conflict-prone villages. These digital boards are handled remotely from a base station, this is one of the successful mitigating measures in other states. The board content will be elephant movement information, showing conflict awareness video display.

b) District-level Orientation on HEC

One-day orientation will be conducted at the district level for the district officers from different line department heads and TPCODL staff about the project activities and implementation plans. This will help the district officers to understand the project and provide continued support and collaboration for effective of the project and to ensure the sustainability of the initiatives.

c) Handholding support to Grama Panchayats

Effective handholding support will be provided through project field staff to the Grama Panchayaths to make detailed Grama Panchayath Development Plans to address issues of the Community. The Gram Panchayat Development Plan (GPDP) should be comprehensive and based on a participatory process involving the Community, particularly Gram Sabha, and will be in convergence with schemes of all related Central Ministries / Line Departments related to 29 subjects listed in the Eleventh Schedule of the Constitution. This would include economic development, infrastructure development and other aspects of human development i.e., education, health, drinking water supply, etc., besides access to credit. The GPDP is a Community-led development — Through dialogue, support

communities to develop and implement priority challenges and opportunities. Systems strengthening - Analyze and seek to strengthen formal and informal systems that build resilience Inclusive targeting - Support the poorest households by responding to their specific needs, enhancing their ability to access resources and services to pursue pathways out of poverty

d) Awareness and Sensitization Programs to – Self-Help Groups, Children – Anganwadi, LPS, HPS, Middle and High School

It is well established that wildlife causes tangible losses, for instance, damaging the crops, but killing the wildlife will certainly lead to several folds of non-tangible losses though it may give some temporary respite. These awareness and sensitization programs are structured to drive this point home to different fractions of the Community. These programs are developed in a manner to enhance the understanding of the issue – its genesis, impacts, strategies to reduce conflict, and mutual co-existence. The content will differ from stakeholder to stakeholder. Also, WASH (Water, Sanitation and Hygiene) component will be added as part of the awareness campaign. These programs will be done at schools, community halls and if required some hired halls based on the requirement.

e) Training for Rapid Response team and Front-line staff of the Forest Department

The training and awareness programs are structured to drive this point home to different fractions of the Community and Department. These programs are developed in a manner to enhance the understanding of the issue and knowledge-sharing programs, – its genesis, impacts, strategies to reduce conflict, mutual co-existence and work closely with the Community. The content will differ from stakeholder to stakeholder. The proposed training plan is for all ranges.

- t) Formation and strengthening of Community PRT: "Gajasathis" Primary Response Team will be formed at all village levels by involving, GP members, Local doctors, Nurses, Police, Forest department staff, PDO etc. This is to engage all the local representatives in the mitigation process.
- g) School/ Anganwadi centres wall painting: The children will be the best change agents to bring positive behaviour to their parents. Therefore, At least 100 schools / Anganwadi centres will be made with wall writing with awareness activities on HEC messages to create awareness among children.
- h) Facilitating Elephant protection measures and other barriers: (Trenches, Solar Fencing under MGNREGA)

By creating suitable trenches as select places, in long term they can serve two purposes, viz., preventing the animals a) from the forest to outside and also b) animals from villages into forests. In short term, they can help the Community to gain employment through MGNREGA funds.

Sneha will help and support only in identifying the vulnerable areas along with the joint survey of the local forest department for trenching and designing the barriers. Implementation of barriers or excavation will be done by the concern range or based on their sponsors.

Knowledge sharing:

Participation/Conducting national and international level seminars/workshop/conference- Bringing National and international level experts in the field and conducting a conference or seminar to share their knowledge.

Methodology:

In consultation with the Wildlife Department of the Odisha Government, the human-elephant conflict hot spots will be identified and the following process will be followed:

The project would recruit a team of young villagers as part of the Government scheme called "Gajasahthis" with some basic skills in understanding modern concepts of communication and who show some compassion towards people and wildlife. They would undergo basic training to understand what happens when elephants raid an area. They would be updated to modern methods of communication and using a smartphone. Once they have understood the basic methods that would be followed in the field to gather information, they would start work.

They would also be trained in using an app to collect data using PS. Hence whatever data they collect would be geo-tagged and would be very help full to mapping the issue. One person from each village in the hotspot area would be taken.

For reducing Human Deaths and Damage from elephants:

- a) Deploy early warning systems: The project team would visit the identified villages which are prone to raiding by elephants. They would do a number of transit around the village marking any signs of elephant movement. These would be marked on the app producing a map of elephant movement around the village. They would also mark, and record damage done by elephants. Mark earlier conflict locations where elephants had died or humans. This would give us a detailed map of how elephants are using the area.
- b) In the meantime, we would have developed a land use map around the village using Sentinel 2 images and the terrain of the surrounding area. Together the Geographical information system would give us a rough scheme of how elephants are moving in the area. Data from the Forest Department Anti-depredation staff would also be added to the system.
- c) Once we understand the movement of elephants around the target village, we would deploy an early warning system, which would raise an alarm at the village when elephants approach the village. This can be upgraded to send SMS to the local people who have registered their numbers, informing them that elephants were there in a location and are moving towards a known location.

When the Government erects electric fences/ trenches, our teams would help the farmer to understand how they protect them from elephants intruding into their farms and activate them to participate in maintaining the same. One of the responsibilities would be to work with the Community to build their own latrine to avoid going for open defecation early morning before sunrise and after sunset which is the most vulnerable time.

Community Education to Mitigate HEC:

- The 1500 Volunteers would mingle with the people helping them with any major issue they meet daily. This would result in them understanding HEC better and also would get information on people who could be trapping wildlife for gain.
- Usually, wild pigs are a major problem compared to elephants as they damage crops more extensively. However, as elephants are more visible walking through a crop field the damage due to their passage easily attributable. Some farmers lay a trap for wild pigs by putting a wire roughly one foot above ground using insulated wooden stakes. The power supply to this setup is from the home mains electricity and is not allowed as per norms. Social pressure would be created via education in schools and through Gajasathis. Alternate 6V Solar or DC fence set-up education will be provided as these will merely repel the wildlife or set off an alarm instead of creating causality. Also, the team would help farmers to try and overcome the raiding by wild pigs by bringing to notice of the Government resulting in the Forest department or agriculture department coming forward to put up a fence to protect the farmers.
- The teams would be given the necessary skill and equipment to help the farmer maintain any fence which exists at present
- While patrolling the farms they would also map all the electric posts and the connection to wells and houses. This would be mapped onto the map and we can ensure that there are no low-hanging live wires in the path of elephants. This output would be helpful for the Tata Company which would allow them to plan their network more efficiently.
 - 4.0 Affidavit and Court Compliance: The discoms will submit a detailed affidavit outlining their initiatives and actions, complying with court orders. Individual reports will provide specific insights from each discom.
 - 5.0 Discoms shared with CCF that Saturation Survey has been carried out for further elephant movement areas in coordination with the forest dept. officials. Requisitions of approx. Rs 875 Crores have been prepared and are under consideration for the various areas.

- 14.

TPCODL has placed requisition for release of funds of Rs 783.49 Cr for taking up works under velocities placed locations of Elephant Corridor & Movement Area based on the joint survey done with Forest Dept. The Cost breakup of estimate placed is as follows:

. SNo ₹	Areav Arra	Value (RS Gr)
1	Angul	200 .76
2	Athamalik	98.71
3	Satkosia	5.47
4	Dhenkanal	290.72
5	Deogarh ·	12.18
6	Athagarh	44.93
7	Cuttack	5.49
. 8	Khurda / WL	88. 58
9	Chandaka	20.31
10	Nayagarh	16.35
Total		783.49

In TRAILIMA area, the joint verification has been completed. Signing of reports by stakeholders is complete except in Sambalpur. Post completion of the signing, we will be submitting the DPR will be submitted Dept. of Energy, Govt. of Odisha for approval and corresponding fund allocation.

S: No:	2Package 4	Value (Rs Cr)
1	Golamunda	. 0.41
2	Kalampur	5.65
3	Jaipatna	1.15
4	Junagarh No.: II	3.99
5	Narla	0.52
6 .	Biswanathpur	2.28
7	M. Rampur	1.70
8	Chhatiguda	0 .20
9	Tureikela	9.22
10	Saintala	2.21
11	Belpada	6.85
12	Patnagarh No.: II	2.53
13	Dhama	0.51
14	Kuchinda No.: I	1.92
15	Kuchinda No.: II	2.27
16	Bamra	2.99
17	Jamankira	2.66
18	Kusumi	2.01
19	Hatibari	1.08

S.No. 2-	sz z MiPáckáge	-Value (Rs.cr)
20	Padiabahal	0.65
21	Laida	0.27
22	Paramanpur	0.27
23	Rengali	0.28
24	Laikera	0.53
25	Rairakhol	1.09
26	Bagdihi	2.12
27	Naktideul	2.33
Total		57.72

In TPNODL area, new Proposals for Rs 33.56 Cr for 363 Nos. of locations have been received from the concerned DFOs. The same has been submitted to Dept. of Energy, Govt. of Odisha.

SWOTO	Area Metant	avalue (RSC))s
1	Bhanjanagar	29.13
2	Phulbani	2.27
3	Berhampur	2.16
Total		33.56

6.0 The next areeting shall be held on 15th Jun'23 to discuss the progress and way forward.

(Truce Copy Much d)

Armenure-1: List of Participants

- 1. Mr. Shenbagam Manthiram, CEO, TPCODL
- 2. Mr. Arvind Singh, CEO, TPSODE
- 3. Mr. Gajanan Kale, CEO, TPWODE
- 4. Mr. Manoj V Nair, Chief Conservator of Forests, Odisha
- 5. Mr. Bikash Ranjan Dash, Conservator of Forests (Wildlife), OdishaN.
- 6. Ms. Vaishnavi Prabhakan, Head Corporate Sustainability, Tata Power
- 7. Ms. Pratiksha Naik, Lead Associate Biodiversity, Tata Power
- 8. Mr. Ramasamy Krishnan, Executive Director, SNEHA-NGO
- 9. Mr. N. Mohanraj, Project Consultant / Advisor, SNEHA-NGO
- 10. Mr. Shrenik Jain, TPNODL

GOVERNMENT OF ODISHA ENERGY DEPARTMENT

No. 73/8 /En., dt. /3 /07 /2023 ENG-DISCOM-OLA-0002-2021

From

Smt Lipsa Das, OAS (SAG), Additional Secretary to Government.

To

The PCCF (Wild life) & CWLW, Bhubaneswar/ EIC (Elecy.)-cum-PCEI & SDA, Odisha, Bhubaneswar/ Managing Director, GRIDCO, Bhubaneswar/ CEOs, TPCODL/TPNODL/TPWODL/TPSODL.

Sub: Proceedings of the review meeting held on 27.06.2023 at 3.00 PM under the chairmanship of the Additional Chief Secretary, Energy Department regarding strengthening of electrical infrastructure in elephant movement areas.

Sir,

In inviting a reference to the subject cited above, I am directed to send herewith the Proceedings of the review meeting on strengthening of electrical infrastructure in elephant movement areas held on 27.06.2023 at 3.00 PM under the chairmanship of Additional Chief Secretary, Energy Department for kind information & necessary action at your end.

Yours faithfully,

ASAS 13. 07 2023

Additional Secretary to Government.

Memo No. 7,3/9 Dated /3/07/2023

Copy forwarded to PS to the Additional Chief Secretary, Energy Department for kind information of Additional Chief Secretary.

Additional Secretary to Government.

Memo No. 7320 Dated 13/07/9023

Copy forwarded to Additional Secretary to Government, FE & C@ Department/ FA-cum-Additional Secretary to Government, Energy Department CCF (Wlid Life) & Chairman, JTF, Bhubaneswar for information and necessary action.

Additional Secretary to Government.

Proceedings of the review meeting on Strengthening of electrical Infrastructure in elephant movement areas held under the Chairmanship of Additional Chief Secretary, Odisha on 27.06.2023 at 3.00 PM through VC.

The list of participants is at Annexure-I.

Additional Chief Secretary, Energy Department welcomed the participants and requested the CEOs of DISCOMs to present the status of willisation of funds released by Energy Department for strengthening of electrical infrastructure in elephant movement areas. He expressed concern that the no. of elephants electrocuted during the year 2022 has seen a sharp rise (24 Vs 7 in 2021) in spite of investment of lots of funds by the Government to strengthen the infrastructure in elephant snovement areas.

The CEOs of the DISCOMs presented the progress made under this scheme. Detailed deliberation held and decisions taken are as follows.

- DISCOMs have placed work orders in respect of Rs.517 Crore for infrastructure strengthening works in the movement areas of elephants identified by PCCF (WL) & CWLW against Rs. 571.6 Crore released under phase-IV. Regarding the physical progress, it was apprised by the DISCOMs that, 50238 HT Interposing poles have been installed, 970.1 CkM of HT bare line has been converted to XLPE insulated cables. 18290 LT interposing poles have been installed & 1056 CkM of LT bare conductor converted to AB cable.
- It was observed that progress of works in TPWODL and TPSODL is rather slow. Therefore both the CEOs were instructed to expedite the pending works in order to complete the same by September 2023. CEO TPNODL appraised that some of the estimates within the original scope were on higher side. Hence there is saving of fund. CEO, TPCODL also stated that there is saving of fund due to reversal of 6% overhead charges as advised by ACS (Energy).
- PCCF (WL) & CWLW expressed concern over Increase in numbers of the elephants electrocuted due to coming in contact with charged 11kV and LT lines. He stated that DISCOMs are not maintaining the mandatory ground clearance & safety norms are being flouted. Near

Keonjhar town, 2 no. of elephants got electrocuted after coming in contact with live LT Lines. In another instance at Bhanjanagar circle (in Boudh District) in TPSODL area, an elephant got electrocuted due to 3.7 meter ground clearance of 11 kV line from ridge of agricultural land against statutory requirement of 4.6 meter. He stated that Forest Department shall be constrained to initiate criminal proceedings against concerned DISCOM officials for not having taken enough steps to prevent death of elephants due to electrocution in the State.

• PCCF (WL) & CWLW further highlighted about the Interim Order passed by Hon'ble High Court on 09.05.2023 in WP(C) No.14706 of 2022 and related WP(C)s. The Hon'ble High Court has taken a considered view that despite having a comprehensive action plan made available to DISCOMs, not enough steps have been taken by them to prevent death of elephants due to electrocution. DISCOMs have been directed to identify illegal hooking and stop the practice forth with and also sensitize the villagers against this practice. Further steps shall be taken by DISCOMs to persuade the villagers to go for 6V Solar Fencing as a viable alternative. PCCF (WL) & CWLW further mentioned that DISCOMs have not yet filed counter replies in the above WP(C)s. (Order dated 09.05.2023 of Hon'ble High Court is annexed)

After a detailed deliberation, the following decisions were taken.

- On each occurrence of elephant electrocution, the concerned Electrical Inspector shall either suo motu or on receipt of requisition from Forest authorities shall cause an immediate inquiry and send a factual report to PCCF (WL) & CWLW, DFO concerned as well as to the DISCOMs.
- Electrical Inspector shall conduct routine inspection of the unsafe & vulnerable points/spots in the network of the DISCOMs including the electrical installations of private industries in elephant movement areas and point out for immediate rectification to be done by the concerned DISCOMs.

Annexure-I.

- Additional Chief Secretary, Energy Department
- PCCF (WL) & CWILW
- EIC (Electricity)-comp-PCEI & SDA, Odisha
- Additional Secretary, Energy Department
- FA-cum-Additional Secretary, Energy Department
- CCF (Wildlife) & Chairman JTF
- MD, GRIDCO
- CEO, TPCODL
- CEO, TPWODL.
- CEO, TPNODL
- CEO, TPSODL
- Other Officials of DISCOMs.

- On the request of PCCF (WL) & CWLW, CEOs were advised to share the division/ district wise works executed in each DISCOM for necessary information of concerned DFOs.
- EIC (Elect.) was directed to consult IIT, Bhubaneswar & CEA and notify the Standard for solar fencing at the earliest. In this regard PCCF (WL) & CWLW stated that Department of FE & CC has notified a scheme titled "Jana Surakhya Gaja Raksha" to reduce man-animal conflict by promoting erection of solar fencing by community/individuals on PPP mode. (The Scheme details is annexed). DFO & EE of DISCOMs to jointly take steps for implementation of the scheme.
- PCCF (WL) & CWLW was requested to explore funding support from CAMPA to take up the system strengthening works identified now.
- DISCOMs shall ensure that adequate ground clearance is maintained and insulation of electrical installations is as per CEA standard.
- DISCOMs shall file counter reply in all the High Court cases immediately and share copies of the affidavits with EIC (Electricity) and PCCF (WL) & CWLW.

The meeting ended with vote of thanks to the Chairman and other participants.

Additional Chief Secretary
Energy Department



STATE WILDLIFE HEADQUARTERS, ODISHA

GEFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE) & CHIEF WILDLIFE WARDEN, ODISHA FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA

Memo No. 10902 /10WL-CG-410/2020 dated 23 /11/2022

To

All Divisional Forest Officers (T) & (WL)

Subs- Implementation of scheme filled "Jana Surakhya Gaja Rakshya" to reduce man-animal conflict by promoting erection of solar fencing by community / individual on PPP mode.

Ref This office memo No.890 dated 29:01,2021.

Please refer to the guidelines for implementation of the scheme "Jana Surakshya Gaja Rakshya" along with required formats for documentation process already communicated vide this office memo No.10006 dated 04.11.2022 together with copy of the Request for Proposal (RFP) floated by OREDA also communicated vide this office memo No.10641 dated 22.11.2022. You must have started the process for selection of project villages / proposals. Please do expedite the same for consideration at this end for release of funds

However, for your ready reference, a check list of process for inviting applications and processing of proposals under the said scheme to be followed is done and enclosed herewith.

Encl: As above.

Conservator of Forests (Wildlife)

Copy along with enclosure forwarded to all Regional Chief Conservator of Forests for information and necessary action in continuation to this office memo No.891 dated 29.012021, 10007 dated 04.11.2022 & 10642 dated 22.11.2022.

Conscrvator of Forests (Wildlife)

P.T.O

Memo 10 100 dated 2910 2000.

Copy along with enclosure forwarded to the Chief Executive, OREDA, Bhubaneswar for information and necessary action with reference to his letter No.2848 dated 31 10.2022.

Conservator of Forests (Wildlife)

Copy along with enclosure forwarded to the Additional Chief Secretary, Forest, Environment and Climate Change Department, Odisha, Odisha, Bhubaneswar for favour of kind information and necessary action.

Memo Mandated 97/11

Conservator of Forests (Wildlife)

CHECKLIST FOR PROCESSING PROPOSALS UNDER "JANA SURAKSHYA GAJA RAKSHYA"

- DFOs will receive the applications in plain paper duly accompanied with village resolution through the Sarapanch concerned and will send the same to Range Officer concerned for conducting meeting at village level for finalization of site and extent. (Refer para 2.5 of the Guidelines)
- 2. The said application on receipt from Range officer after verification will be placed before the Selection Committee at Division level as per Para 2.2 of the guidelines already communicated vide Memo No. 10006 dated 04.11.2022 (DFOs have already been authorised to convene the Selection Committee vide the said Memo).
- 3. The Selection Committee shall shortlist a set of applications including type of fencing to be done and authorize the DFO to issue Letter of Intent (Lof) to the applicants. The high conflict areas and areas with each crop will be covered on priority (Refer Para 2.1 of the Guidelines).
- 4. The DFO will submit the list of approved applications in order of priority/ merit as would be decided by the Selection Committee for consideration by the State Wildlife Headquarters depending on funds availability. (Refer para 2.2 of the Guidelines)
- 5. On receipt of communication from the Headquarters, the DFO will advice the applicants as cleared by Headquarters, to complete the residual process such as deposit of community contribution which will be kept in a separate account to be opened by DFO for the purpose as per Para 2.1 of the Guidelines. Other pre-requisites like formation of Village Fence Protection Committee (existing VSS, EDC or any other CBO may be considered) as per Para 2.1 of the Guidelines are to be ensured beforehand.
- 6. On fulfilment of all pre-requisites including NOC from DISCOMs (Annexure2 of MoU), DFO will enter into a MoU (Annexure-IV of this office Memo No. 10006 dated 04.11.2022) with the beneficiary specifying roles and responsibilities as per the Para 2.1 of the Guidelines. (Copy of draft MoU enclosed).
- 7. DFO should share the list of finalized villages with empanelled vendors and the one consenting to execute the work shall be selected for the purpose. DFO shall issue LoI in LoI Form 3 (Para 1.8 read with Para 7.3.3 of RFP) for solar fence (copy of form for LoI enclosed) to said empanelled selected vendor and the latter on receipt of LoI shall

complete all formalities as mentioned in Lol and provide all the critical documents as listed in Para 1.8 of RFP including performance security [3% of the project cost in the form of Bank Guarantee in Lol Form 4 mentioned in Para 7.3.3 of RFP should be submitted by the said vendor in the prescribed format (copy enclosed) with expiry date / period of six months from time of issue of Lol and claim date / period of twelve months from the said expiry date). (refer para 2.1.8 and Lol Form 4 at para 7.3.4 of RFP) The confirmation of the said Bank Guarantee be obtained beforehand from the issuing Bank branch.

- 8. Upon completion of all the formalities mentioned in the LoI by the empanelled vendor, the DFO shall approve the DPR (copy enclosed) and Issue Work Order (copy enclosed) to the vendor within a period of 30 days. (Refer para 1.8.3 of RFP and para 2.3 of the Guidelines)
- 9. All tests and inspections shall be made at the Project site. The authorized representative of OREDA and DFO shall inspect, supervise and test thiring implementation of the project and issue commissioning report and joint commissioning certificate in the prescribed format (copy enclosed). (Refer para 3.2.2 of RFP)
- 10. DFO will execute Comprehensive Maintenance Contract (CMC) with the vendor for a period of 5 years in the prescribed Form 5 at Para 7.3.5 of RFP (copy of Form enclosed).
- 11. Beneficiary shall extend all support to the vendor during installation of solar fencing project as well as during comprehensive maintenance contract period as per the MoU signed with the DFO.
- 12. Timeline for different stages of developing the project has been mentioned at Para 3.4 of the RFP.
- N.B. In case of any ambiguity/ contradictions, the provisions as prescribed in the Guidelines/ RFP shall prevail.

Conservator of Forests
Olo the PCCF (NL) & CVLW
Odisha, Bhubaca Tra

Annexure-IV

MEMORANDUM OBUNDERSTANDING BETWEEN THE [NAME OF THE BENEFICIARY] AND INAME OF DEO OFFICE] FOR IMPLEMENTATION OF SOLAR FENCE SYSYTEM

merweet the fusure of	Inderstanding (MoU) is made, on the beneficiary), a [occupation of) O Office], (hereinafter referred to	this day of 20 beneficiary) (hereinafter referred to o as "DFO").	121,) às
WHEREAS Beneficiary and address of land] ur of Odisha.	who is desire to install solar tend nder [name of the scheme of solar	ce system at (lype of land) at (local fence system) scheme of Governm	tion nent
and	tali (1941) January Alexandro		,
WHEREAS DFO is app. the scheme of solar fence	proving agency for solar fence syst ce system) scheme of Government	tem for Beneficiary under the [name of Odisha.) of
Each of the "Benefician	y", and the "DFO" may, individual s "Parties".	lly be referred to as the "Party", a	ind
This Memorandum of U	ndertaking is based upon the follo	wing facts:	

- A Beneficiary has applied for solar fence system ("Proposed Project"), for consideration and approval by DFO under the [riame of the scheme of solar fence system] scheme of Government of Odisha.
- B DFO, being the implementing agency for [name of the scheme of solar fence system] scheme of Government of Odisha, has scrutinized application for the Proposed Project submitted the Beneficiary and found qualified.
- C. Beneficiary and DFO agreed to implement the Proposed Project at [location of the Proposed Project] which is in possession of Beneficiary.
- D. Beneficiary will incur expenses in implementation of the Proposed Project as specified under [name of the scheme of solar fence system] scheme of Government of Odisha and assist with possible actions to implement the Proposed Project.
- E. The Parties wish to establish a responsibility of the Beneficiary and DFO under the Proposed Project, as provided herein.

WWW THEREFORE, the parties agree as follows:

- 1. Beneficiary agrees to implement the Proposed Project as per the term and condition of the frame of the scheme of solar fence system) scheme of Government of Odisha
- 2. DFO has found an application for the Proposed Project submitted by the Beneficiary as qualified as per the terms and conditions of the frame of the scheme of solar fence system] scheme of Government of Odisha.
- 3. Post-approval by DFO, the Beneficiary agrees to implement the Proposed Project and for its maintenance 5 years from date commission by the EPC Confractor engaged DFO and pay its share as per the [name of the scheme of solar fence system] scheme of Government of Odisha
- DFO has agreed to hand over the Proposed Project post-implementation to the Deneficiary upon completing handover formalities decided by DFO.
- 5. Upon implementation of the Proposed Project, the Beneficiary shall be responsible
 - a. Operation of the Proposed Project as the instruction provided by the EPC contractor
 - To ensure the safety of wild animals and not to misuse the Proposed Project for any illegal matters.
 - Protect fence system of Proposed Project from any damage due to natural or manmade conditions in Proposed Project area.
 - d. In case of any damage to the fence system of the Proposed Project, due to natural or man-made conditions, shall be responsible for repair and maintenance of fence system at its cost through EPC contractor of local contract as feasible.
- 6. DFO shall be held responsible for any accident due to the Proposed Project and shall be free to take appropriate action in case of any illegal or misuse of the Proposed Project identified by DFO, and also removing the Proposed Project from Site without any financial compensation to the Beneficiary.
- 7. Beneficiary shall seek approval for the Proposed Project from Village Fence Protection Committee constituted by DFO in the format provided in Annexure 1 and abide by the terms and conditions of approval.
- 8. Beneficiary shall also seek No Objection Certification (NOC) from Distribution Utility for implementation of the Proposed Project in the format provided in Annexure 2 and abide by the terms and conditions of NOC.
- 9. Beneficiary shall also seek NOC from Neighbor (applicable in case if Beneficiary is

Individual Farmer) for implementation of solar fence system in the format provided in Annexure 3 and abide by the terms and conditions of NOC.

- 10. Beneficiary shall seek approval and NOC as per Clause 7, 8 and 10 of this MOU submit to the EPC contractor.
- 11. Any controversy between the parties hereto shall be submitted to arbitration and such arbitration shall comply with and be governed by the principles of the Forest & Environment Dept., Sovit, of Odisha.
- All notices herein required shall be in widing and shall be delivered in person or sent by registered mail, postage prepaid, to the following addresses.

(Name of Beneficiary)

Address		•			
			AT		
Name		:	[Name of DFO Office]	•	
Address		:			
,	x				
				umman — a de tir a dille seleccion ad all'abora des di eggi e min de la core com	
INWITNESS WHER	REOF, 1	he Partis	es hereto have duly executed t	his MoU as of the d	lay and year
first written above.					
Party No. 1 – [Nam	e of Be	neficiar	y		٠.
Name	•				
Designation	:				
Signature	•				
- Oignator o	*	de construir de la construir d		The second secon	
Party No. 2 - [Nam	e of DF	O Office	e)		
Name of DFO Office	:	-		· · · · · · · · · · · · · · · · · · ·	
Designation	<u>;</u>	- Communicate Mark	and the second s	inalista y consiste as Northwey page	
Signature	:				
Seal	:	<u> Jakobyendoponkoboro</u>		na akan dina dina dina dina dina dina dina di	
Witness 1:					
Name					
Sidoature	•				

Name

Annexure 1: Approvalition Willage Fence Protection Committee

To, [Name of Beneficiary] [Address]

Subject: Approval for implementation of solar fence system

Dear Sir/Madam,

We the undersigned approve the implementation of the solar fence project for [Name of the Beneficiary] under the [name of the solarise of solar fence system] scheme of Government of Odisha at the below address provided helshe shall sign the Memorandum of Undertaking with the Forest Department.

[Address of land]
[Village and District]
[District]

[Name of the Beneficiary] shall ensure the safety of wild animals and not to mistise the solar fonce system for any illegal matters.

[Signature]
[Name of the authorised signatory]
[Name of VFPC]
[Address]

Wilness 2:

Name

Signiture

	المراجعة ا			
مين والم			£0,	
		A 6 800		
	21	AUG	2023	
:	17.	, CAS	ANCE	
		Wayne Market was and		
	 A. S. S.	SEC		

Annexure 2: NOC from Distribution Utility

NOC for commissioning of solar fence project

To, [Name of Beneficiary] [Address]

Subject: NOG for implementation of solar fence system at jurious site address

To Whom So It May Concern

Dear Sir/Madam,

This is with reference to your request letter on the above subject. You have applied for the solar fence system at the below-mentioned address:

[Name of the Beneficiary] [Address of land] [Village and District] [District]

We issue no objection certificate for the implementation of solar fence system at the address mentioned above subject to the following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- 2. We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature]
[Name of the authorised signatory]
[Name of DISCOM]
[Name of Local DISCOM office]
[Address]

Annexure 3: MDG from Neighbox Landowners

MENO for economissioning of solar house project

FowWhent So It May Concern

[Name of Beneficiary] have applicable the solar fance system at below mentioned address

[Name of the Beneficiary] [Address of land] [Milage and District] [District]

IMVe don't have any objection to implementation of solar feature system at above address subjected to following conditions:

- 1. It shall be your responsibility to ensure the salety of while animals and not to misuse the solar fence system for any illegal matths.
- 2. I/We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature] [Name of the Neighbor] [Address]

7.3.3. LOI Form 3 (Letter of Intent for Project)

Letter of Intent for Solar Fence Project (To be submitted on the letterhead of DFO, Forest & Environment Department)

Letter of Intent no.: [insert Letter of Intent no.] dated [DD WMM YYYY]

From

[Divisional Forest Officer]: [Address of Divisional Forest Office]

To

(Bidder name) (Address)

Sub: Letter of Intent for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3 Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years for following projects.

SI. No.	Description of project	Type of Fence and pole	Estimated Length of Fence	Price in INR per KM	Total solar fencing Cost (INR)	Approved cost of project specific activities (INR)	Total Cost (INR)
1	[Solar fencing project description]	[insent type of solar fence] and [type of pole]	(insert length of solar fence)	INR [insert]	INR (Insert)	INR (insert)	INR [insert]
2	[Solar fencing project description]	[insert type of solar fence] and [type of pote]	[insert length of solar fence]	INR [insert]	INR [insert]	INR (insert)	INR (insert)
3	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	(insert length of solar fence)	INR (Insert)	INR [insert]	INR [insert]	INR (insert)
4	(Solar fencing project description)	[Insert type of solar fence] and [type of pote]	jinsett length of solar ferical	INR (insert)	INR [insert]	INR [insert]	INR [insert]
5	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR (insert)	INR (insert)	INR [insert]	INR (insert)

Note:

 Above (ate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period

REP No. 3695 Dated: 02:12[2021

- Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.
- Above rate shall not include one-time cost of project specific civil work and clearing vegetation activities for each project. Estimated one-time cost of project specific civil work and clearing vegetation activities for each project shall be quoted separately in DPR and it will be approved by DFO.
- 4. Tax (GST) rates shall be as per the actuals at the time of invoicing as per the prevailing tax rules in India.

You are requested to submit the following critical documents within a maximum period of thirty (30) Days from the date of issue of this Letter of Intent, without any fail, else your Bid shall be liable for rejection.

SI, N	o Critical documents
1.	Acceptance to the Letter of Interest him
2.	Acceptance to the Letter of Intent by signing the copy of the Letter of Intent along with an official Submission of Performance Secret.
3.	Dipmission of Diseases and State and
٧.	Submission of DPR Part 1 for each project which include design and drawing, site survey report,
4.	estimated cost and the finalized location of the solar fence project etc. Submission of a Detailed Workplan in line with the Project Timelines mentioned in the SOW Clause Single line disease.
	3.4.1 for the implementation of process
5.	
6.	Valid Test Certificates along with datasheets of all English
7.	Valid Test Certificates along with datasheets of all Equipment used in the Project, as per Bid Form 6 Control of Section 7 (Annexure).
<u>/.</u> B.	Contact information of various OEMs of all 5
9.	Bill of materials along with spares
	Contact information of various OEMs of all Equipment used in the Project

Place: [insert place]

[sign here] Signature

Name of Authorized Signatory of [Name of DFO]: [insert name]

Designation: [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

Date: [DD MMM YYYY] Place: [insert place]

(sign here) Signature

Name of Authorized Signatory: [Insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

OREDA

7.3.4. LOI Form 4 (Performance Security)

Performance Security (in the form of a Bank Guarantee)

(To be submitted on a non-judicial stamp paper of appropriate value as per The Indian Stamp Act, 1899 relevant to the place of execution. The stamp paper shall be purchased in the name of the issuing bank only.)

Bank Guarantee (BG) no.: [insert BG no.]

Date: [DD MMM YYYY]

To

[Divisional Forest Officer], [Name of District] [Address of Divisional Forest Office]

WHEREAS M/s. [insert name of the Successful Bidder] having its registered office at [insert address] (hereinafter called "the Successful Bidder") has been selected as Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis with reference to Letter of Intent (LOI) no. [insert LOI no.] dated [DD MMM YYYY].

AND WHEREAS it has been stipulated in the said Bidding Document that the Successful Bidder shall furnish [name of Divisional Forest Office], Forest & Environment Department with a Bank Guarantee from a nationalized or scheduled commercial bank for the sum specified therein, as Performance Security for compliance with its obligations in accordance with the Bidding Document, the Letter of Intent and the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department.

AND WHEREAS we have agreed to give the Successful Bidder such a Performance Security in the form of this Bank Guarantee. NOW THEREFORE we hereby affirm that we are the guarantors and responsible to Forest & Environment Department on behalf of the Successful Bidder for an amount up to a total of INR [Amount of the Bank Guarantee in words] ([Indian Rupees in figures]) only and we undertake to pay [name of Divisional Forest Office], Forest & Environment Department upon [name of Divisional Forest Office], Forest & Environment Department's first written demand declaring the Successful Bidder to be in default under the various provisions of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department and without cavil or argument, any sum or sums within the limits of the amount of Bank Guarantee, as aforesaid, without [name of Divisional Forest Office], Forest & Environment Department's need to prove or to show grounds or reasons for the demand or the sum specified therein. We hereby waive the necessity of your demanding of the said demand from the Successful Bidder before presenting us with the demand

We further agree that no change or addition to or other modification of the terms of the Bidding Document and/or the Work Order to be issued by (name of Divisional Forest Office), Forest & Environment Department to be performed thereunder or any of the contract documents which may be made between you and the Successful Bidder shall in any way release us from any liability under this Bank Guarantee and we hereby waive notice of any such change, addition or modification.

This Bank Guarantee shall not be affected in any manner by reason of merger, amalgamation, restructuring or any other change in the constitution of the issuing bank.

This Bank Guarantee shall be a primary obligation of the Issuing bank and accordingly [name of Divisional Forest Office], Forest & Environment Department shall not be obliged before enforcing this Bank Guarantee to take any action in any court or arbitral proceedings against the Successful Bidder, to make any claim against or any demand on the Successful Bidder or to give any notice to the Successful Bidder or to enforce any security held by [name of Divisional Forest Office]. Forest & Environment Department or to exercise, levy or enforce any distress, diligence or other processes against the Successful Bidder

This Bank Guarantee shall be interpreted in accordance with the laws of India and the courts at [Bhubaneswar, Odisha] shall have exclusive jurisdiction.

RFP No. 3695 Dated: 02 12 2021

This Bank Guarantee shall be effective only when the Bank Guarantee is issued to the account holder ["name of DFO"] in the bank and branch [bank name and branch address where DFO holds account] having the account no. [bank account] IFSC code (IFSC code of bank branch].

Notwithstanding anything contained herein above our liability under this guarantee is restricted to INR [insert] (Indian Rupees [in words]) only and it shall remain with an expiry date up to [DD MMM YYYY, [insert] months from the original last date of submission of Bid] with a claim date up to [DD MMM YYYY, 12 months from the date of expiry] and shall be extended from time to time for such period, as may be desired by M/s. [insert the Successful Bidder name] whose behalf this guarantee has been given.

Our branch at [Name and address of the branch] is liable to pay the guaranteed amount depending on the filling of the claim and any part thereof under this Bank Guarantee only and only if you serve upon us at our [Name and address of the branch] branch a written claim or demand and received by us at our [Name and address of the branch, otherwise the bank shall be discharged of all liabilities under this guarantee thereafter.

In witness whereof the Bank, through its authorized officer, has set its hand and stamp on [DD MMM YYYY] at [insert location of signing].

(Signature of the authorized officer of the Bank)
Name and designation of the officer
Seal, name and address of the Bank and address of the Branch
Power of attorney no.:
WITNESSES

Signature: Name: Address:

Signature: Name: Address:

Note:

- This Bank Guarantee format is prepared in line with the Annexure-II of Finance Department Office Memorandum 4939 dated 13 Feb 2012, Govt of Odisha [Ref Para 22(i1).
- Please ensure that each page of the Bank Guarantee is duly signed by the authorized signatory of the issuing bank and stamp of the issuing bank is affixed thereon.
- Please ensure whether the last page is signed with full particulars including two witnesses under the seal of Bank as required in the prescribed format.
- 4. Please ensure that the date, purpose of purchase of stamp paper and name of the purchaser are indicated on the back of the stamp paper under the signature of the stamp vendor. The date of purchase of stamp paper shall be not later than the date of execution of the Bank Guarantee.
- In case of any overwriting, cutting, etc. on the Bank Guarantee have been properly authenticated under signature and seal of the authorized office of the issuing bank.

Project Reference No.: XXXXXXXX



Solar Fence Project at [Name of Village and District]

Detailed Project Report



DPR Part 1 submitted by

DPR Part I submitted by

Detail Project Report for Solar Fence Project

Details of Beneficiary		
Mame of the Beneficial		- Andrews
Father's/Husband's Na	mue .	
Village	:	to the same of the
G.P.		www.pananananananidayamawa dha wanananananida o wa 19 ya dha gala ay baana na mananida a sana ay kanala dha sh
Block	- 1	
District	-#I	upo contro di una salan dan musa a sana manana dan manana dan da
Details of the Project	Strice	
Village	<i>•</i>	- the wavelor a superstructure accounts account a communication of the problem of the communication of the communi
G.P.		. The state of the
Block		
Longitude and Latitude		and a second and a second as the second as the second as the second as a secon
Land Mark		
Project Boundaries		
East		
West	1	
North 6	*	
South	• •	
Details of Solar Fence		
Type of Fence	-	and the state of t
Total Length of Solar Fe	nce (Mekais):	

Cost Estimate:

SIN	Major Item	Estimated Cost(INR)
1	DPR Part 1: Ground despence, leveling and allied Gird works (if any) (incl. applicable laxes)	
2	DPR Part 2. Supply, excellibit, formissioning and 5 years' maintenance of solar restelland: all material transportation, tabour etc. and all applicable taxes).	
	Total Cost	

Signature of beneficiary	: · · · · · · · · · · · · · · · · · · ·		•		
Date:	*				
·	4			•	
Verified and Recommends	o for a	pproval	·	•	
Name of the Ranger Officer		-		am in ettimikainen ja puninn ja punin	
Name of the Forest Range	2			agaran da ang ang ang ang ang ang ang ang ang an	
Signature		See and the second second			والمستفرة سدد المتراضات
Date			, 	والمساور والمساورة والمساو	بينية كيانية والمسترات
•			<i>"</i> .		
Approved			·		
Name of the DFO	*		والججود والمتعادمة والمتحدث والمتحدث والمتحدد	and the party of the party of the second	markan, mana kalaman kana di specialista pripa
Name of the Forest Division	•	وديادارة والقويد والمتعادد والمتعاد والمتعادد والمتعادد والمتعادد والمتعادد والمتعادد والمتعادد	a ang againment to a ann an	AND STREET, ST	والمراجعة والمستعددة والمراجعة والمراجعة
Signature	:	والمعارب ومرود والمارية	· · · · · · · · · · · · · · · · · · ·	ersegentigately the him and properties and several sequen	·
Date			ZOZOT SOMEWO SOME SPORE SOME	ndala (SPA) and Spanish and Spanish sp	- da

Table of Contents

1	DPR Part 1: Details of site preparation
	1.1 Description of project site (Details to be filled up by the empenetled vendor)
	1.2 Cost estimate:
٠	1.3 Timeline for sampletion of Sile Preparation:
2	DPR Part 2: Details of erection of Solar Fence project.
	2.1 Summary of solar fence Solar lence project.
	2.2 Scope of Work for solar tence project
	2.3 Detailed Cost Estimate:
٠.	4.4 I Incline for implementation of color-foots and account
Am	nexure transferorusor Professional Cotal Englander
A LOW PAR	perdie it rayout of broject site
Am	nexure III: BOO for Civil Work and Cleaning of Vegetation
Ann	nexure IV: BOQ for Solar Fence Project
Ann	exure V: Single line diagram of solar fence project 12
	The state of the s

(Rupees	•	
	The state of the s	
BOO of pivil week as to a	The state of the s	J

BOQ of civil work and cleahing of vegetations is proved in Annexure III

Prepared by Checked by
Checked by
Empanelled Vendor Range Officer Approved by
LICANA AND THE RESIDENCE OF THE PROPERTY OF TH
Empanelled Vendor Range Officer DEO

1.3 Timeline for completion of Site Preparation:

Sr No.	Rarameter	Estimated	Weekly plan			
1	Activity 1	Days (Nos.)	Wi	MIS.	W3 T	
2	Activity 2	1				
	Activity 3		***************************************	-		
4	Activity 4					
	Total					

1 DPR Part 1: Details of site preparation

1.1 Description of project site (Details to be filled up by the empanelled vendor)

Status of the project site on the day of assessment (Fick appropriate box)

- Type of land:
 - o Plain
 - o Undulated
 - o Low lying
 - o Water logged
 - o Marshy
- b. Type of soil:
 - o Soft
 - o Hard
 - o Rocky
 - o Stoney
- c. Presence of vegetation.
 - o Sparse
 - o Thick vegetation
 - o Shrubs
 - o Trees
 - o Grass
- d. Other obstacle for erecting fence (if any):
- e. Pre-fence erection treatment needed (If any):
- f. Description of the treatment:

Copy of land record issued by local government is provided in Annexure I

Layout of project site is provided in Annexure II

1.2 Cost estimate:

Sr. No.	Item		Quantity	Unit	Cost /unit	Total cost (INR)
			1000			
			- MANGAL PERSONAL PROPERTY - 11 P. 11			
<u> </u>						A A A A A A A A A A A A A A A A A A A
C						
(#1.070m_ata.41.740p_41.740ca.41.740ca.41.740ca.						
gygen ygendra gelir sa relik si 44/4e . n	Principal Control of the Control of	Gran	d Total	a paragraphic de la company		

2 DPR Part 2: Details of erection of Solar Fence project

2.1 Summary of solar fence Solar fence project

Sr No.	Particulars	Details to be filled up by the contractor
1.	Total area of land in possession in Acres	
2.	Land periphery in km	
3.	Name of (a) village (b) GP (c) CBlock (d) District	
4	Type of Solar Eence	The state of the s
.5	Length of Solar Fence	The state of the s

2.2 Scope of Work for solar fence project

As per RFP for Section 3 on Scope of work under Request for Proposal (RFP) for the empanelment of Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis and subsequent amendments published by Odisha Renewable Energy Development Agency.

[Ref. No. of RFP and Date of Publication]

2.3 Detailed Cost Estimate:

١,	Sr. Vo.	Item	Description	Quantity	Unit	Cost /unit	Total cost (INR)
	1 .	Electrical system (solar module, energizer,	and the second second property and the second se				Visity
	Ž-	battery and wiring etc.)					į
	2	Fence system					
	3	Tools				·	
	4	Installation and commissioning					
	5	CMC for 5 year	**************************************				
	6	Applicable taxes	**************************************				
		Grand Total					

BOQ for Solar Fence Project is provided in Annexure IV.

Single line diagram of Solar Fence Project is provided in Annexure V.

.			
			The contraction of the contracti
		Checked by	Approved by
	Empanelled Vendor	Range Officer	DFO*

2.4 Timeline for implementation of solar fence projects

	Weekly plan	Week		Estimated	Davanata	Sr
		·	·	David (N)		NIO
	W2 W3	l W2	W1.	Days (Nos.)		,
T	W2 W3	·	W1.	Days (Nos.)	Parameter	No.

1	Activity 1	1	7	у		
2	Activity 2		<u> </u>	-	<u> </u>	
3	Activity 3	 	·	4		
4	Activity 4			<u> </u>		
5	Activity 5	#	<u> </u>	}	1	
6	Activity 6	4-	1.			
7	Activity 7		#		<u> </u>	
8	Activity 8			1 23		
	Total		i i			
		Y	N	L.		

Annexure I: Land Record for Project Site from Local Government

Annexure II: Layout of project site

Annexure III: BOO for Civil Work and Cleaning of Vegetation

Sr No.	Parameter	Vait	Unit Rate	Quantity	Estimated Cost
Α	Civil Work				1
1.	a Britande Parliment been bland de armentain sommenten kommenteller versten der ij verschij de krienskip provinseller versten provi a h. h.	<u> </u>	1		
2.	g to a				
3.	# - 4	ļ			
4.	* > -		Ì	 	
5. _.					
В	Clearing of Vegetation		<u>.</u>		and the state of t
6.	424				and the second s
7.				46.000	
8.	, v .				
9.		- Control of the Cont		The state of the s	
10.					
C .	Manpower cost		-		
11.				The state of the s	The Control of the Co
12.				The state of the s	
13.	(i A				
D	Machinery rent				
14,					
15.					
16.	• • •			.,	
E	Applicable taxes	ŀ			
	Total				

Annexure IV: BOQ for Solar Fence Project

<u> </u>	No. Parameter	Ur	nit	Unit Rate	Quantity	L Catterine
A	Electrical system			1	Quantity	Estimated Co
1.	Solar PV module	No	· · · · · · · · · · · · · · · · · · ·		-	
2.	Module mounting structure with pole	No				
3.	Energizer	No.				
4.	Battery	No.				
5.	Fence alarm	No.				
6.	Hooter	No.				
7.	Lightning arrestor	No.			,	
8.	Mounting box	No.				
9.	Cables					
-		Met	ers			
В	Fence System					
1.	Gate		-36			:
2.	HT wire	Sqr				· ·
3.	Corner/ end posts	Mete	rs			
4.	Support post	No.				***************************************
5.	Intermediate post	No.			***	
6.	Support Poles Bolts	No.				
7.	Corpor Balay Full to	No.				
8.	Corner Poles/End Insulators	No.				
9.	Intermediate Poles Insulators					
10.	Corner Pole Hooks	No.				
11.	Wire Tighteners	No.				
12,	Joint clamps	No.				
13,	Cable	Meters	;			
13,	Earth Kits (Galvanizing)	No.				
C	Tools		_			
1.	Digital Multimeter					
2.	Xenon Flash Tube	No.				And the second s
3.	Neon tester	No.				
4.	Tool kit	No.	_			
		No.				-
)	Installation and					
	commissioning					
	Transportation cost	LOT	-			_
)	Civil works	LOT	-			
	Installation and	LUI	 			
	commissioning	LOT				
			<u> </u>			
	CMC for 5 years					
	Applicable taxes					
	Total cost		_		1	

Annexure V: Single line diagram of solar fence project

Work Order Format for Solar Fence Project

(On the letterhead of DFO, Forest & Environment Department)

Work Order: [insert Work Order No.] dated [DD MMM YYYY]

From

[Divisional Forest Officer]
[Address of Divisional Forest Office]

To

[Successful Bidder name] [Address]

Sub: Work Order for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years at [Name of district] in Odisha

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [OD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]
- 4. Letter of Intentino.: [insert Letter of Intentino.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years and completed all the formalities mentioned in Letter of Intent mentioned in Sr. No. 4 above. We are happy to issue this work order for following solar fence projects subject terms and conditions of RFP mentioned in Sr. No. 2.

SI, No	Description of project	Type of Fence and pole	Estimated kongth in kin	Price in INR per kin	Approved cost as per DPR Part 1 (INR)	Approved cost as per DPR Part 1 incl. Tax (INR)
1	[Soler fencing project description]	[insert type of solar tence] and [type of pote]	Insert length of solar -fence)	INR (insert)	INR [insert]	INR [insert]
2	[Solar fencing project description]	(insert type of solar fence) and (type of pole)	[Insert length of solar Jence]	INR (insert)	INR (insed)	INR [insert]
3	[Solar fencing project description]	[inseri lype of solar fence] and [type of pole]	finsert length of solar fence]	INR (insert)	INR (Insert)	INR [insert]
4	(Sular fencing:	les est type of	linsert ten pro	"INR [ciseci]	INR [msert]	INR [msert]

			Sec. 100 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)				_	
Š		project	solar lence] and	of solar				
		description]	(type of pole)	(ence)				
	1	(Solar femoing	(insert type of	finsert kingth				
-	5	project	solar fence) and	of solar	INR (insent)	INR lines th	INR (insent	
e de la companie		description)	(type of pote)	ience]		,		
					<u> </u>		5 . P	

Note:

- Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Peded
- 2. Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.

Terms and Conditions of Work Order

- 1. [Name of the Successful Bidder] shall commission Solar Fence Project mentioned above as per the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 2. [Name of the Successful Bidder] shall abides by all the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. [Name of the Successful Bidder] shall sign GMC agreement as per provided format and line terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]

Payment:

- 1. All invoices with respect to this work orders issued shall be submitted to [Name of OFO Office], Forest & Environment Department.
- 4. Payment terms shall be as per Section 6 of Special Terms of Contract of RFP no. [insert RFP no.] dated [DD MMM YYYY]

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory of [Name of DFO]: [insert

namel

Designation: [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

7.5.4. Appendix Form 4 (Commissioning Report)

The Commissioning Report shall essentially capture the health of the Project at the time of Commissioning along with the various observations which will be captured in accordance with the Applicable Law and Prudent Utility Practices prevailing in Odisha and any general practices followed in the solar industry. The Commissioning Committee will prepare the Commissioning Report. In addition, DFO, Forest & Environment Department will provide the compliance report as per CRC procedures and this shall be referred along with the Commissioning Report for the issuance of Joint Commissioning Certificate.

The sample Commissioning Report is represented below:

Commissioning Report-Solar fence

Date: [DD MMM YYYY]

RFP no.: [insert RFP no.] dated [DD MMM YYYY]

Reference:

1. NIT no. [insert] dated [DD MMM YYYY]

2. RFP no. [insert] dated [DD MMM YYYY]

3. Empanelment Order no. [insert] dated [DD MMM YYYY]

4. Work Order no. [insert] dated (DU MMM YYYY)

5. Any other correspondence, if any:

This Commissioning Report is prepared for the Bidder [insert name of Bidder] for the Project named as [insert]developed at [insert] village of [insert] block at [insert] district of Odisha.

The Project details are given below:

SI. No.	Items	Details	and the second second
1.	Name of the Beneficiary		
2.	Address		
3.	Details of the Project		
8.	Total size of solar PV Module (Wp)		
b.	Total Battery size (Vah or kWh)		
C.	Nos. of charge control units		
d,	Nos. of energizers		
8.	Length of fencing		
4.	CMC manual	(Yes/No)	
5.	Dos & Don'ts in the form of a booklet	(Yes/No)	
6.	On/Off Test on solar fencing		
7.	Visual Inspection		

The above solar fencing system was commissioned as per applicable guidelines suggest that the performance of the said solar fencing system is satisfactory.

Place: [insert place]

[sign here]

Signature

Name of Authorized Representative of [name of Divisional Forest

Office], Forest & Environment Department: [insert name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Seal:

RFP No 3895 Dated 02 12,2021

OREDA

Place: [Riseit place]

化一种杂类聚分的

Signature
Signature
Mame of Authorized Representative of Charlies (Insert name)
Designation: (insert designation)
Odisha Renewable Energy Development Agency (OREDA)

Place: fine en place;

[sign here]
Signature
Name of Authorized Representative of WPC [insert name]
Designation: Jinsert Designations
Village Fence Protection Committee
[Name of Village] [Village Code]

RFP No. 3696 Dated: 02.12.2021 OREDA

Signature
Name of Authorized Representative of WFFC: [Index name]
in Signation (inself designation)
White Pence Protestion Countities
[Name of Village] (village Code)

KFP No. 3695 Dated: 402 402 2021 OREDA

7.5.5. Appendix Form 5 (Joint Commissioning Certificate)

Joint Commissioning Certificate of Solar Fence

(To be issued by DFO, Forest & Environment Department on the letterhead)

O WHOMSOEVER IT MAY CONCERN

Ref. no.: [insert]

Date: [DD MMM YYYY]

To

[Successful Bidder's name] [Address] (Email id) [Mobile no:]

Référence:

1. NIT no. (insert) dated [DD MMM) YYYY

2. RFP no. [insert] dated [DD MMM YYYY]

Empanelment Order no. [insert] dated [DD:MMM.YYYY]

Work Order no. [insert] dated [DD MMM YYYY]

5. Any other correspondence, if any

This is to certify that [Name of the Successful Bidder] having its registered office at laddress has successfully commissioned the Project at [insert village name] village, [insert district name] District in Odisha.

[insert the Project details]

The Joint Commissioning Certificate is issued on the basis of the following documents enclosed:

- 1. Commissioning Report as submitted by Commissioning Committee
- 2. Installation report as uploaded on CRC created using the ReSolve Mobile App only

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of Iname of Divisional Forest

Office), Forest & Environment Department: [insert name]

Designation: [insert designation]

Iname of Divisional Forest Office), Forest & Environment Department

Seal:

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of OREDA: [insert name]

Designation: [insert designation]

Odisha Renewable Energy Development Agency (OREDA)

Seal.

Place: [insert place] RFP No 3695 Dated: 02 12:2021

[sign here]

OREDA

7.3.5. LOI Form 5 (Sample format for CMC)

Sample format for Comprehensive Maintenance Contract (CMC)

CMC ref no: [insert]
Date: [DD MMM YYYY]

Sub: CMC for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis.

Ref.

1. NIT no. [insert] dated [DD MMM YYYY]

2. RFP no. linsert dated IDD MMM YYYYI

3. Empanelment Order no. [insert] dated [DD MMM YYYY]

4 Work Order no. [insert] dated [DD MMM YYYY]

The Comprehensive Maintenance Contract (CMC) is signed jointly between the two (2) Parties on this [insert] day of [insert] month in the year [insert] at Bhubaneswar, Odisha and shall come into force from the date of its signing.

CMC for maintenance of Project consisting of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha supplied and installed by M/s [insert the name of the Successful Bidder] for a CMC Period of five (5) years from the date of Commissioning of the Project.

This CMC is executed between [name of Divisional Forest Office], Forest & Environment Department having affice at [address of DFO], herein after called as the First Party and M/s [insert the name of the Successful Bidder] having registered office at [insert address of the Successful Bidder] herein after called as Second Party, for the maintenance of the Project for a period of five (5) years from the date of Commissioning of the Project, as per the details provided herein:

Project	Location details	Remarks
(insert)	(insert)	[insert]

The Second Party will maintain the Project as per the terms and conditions mentioned here under:

- It has been envisaged in the Work Order under Article [insert] that the Project shall be warranted against any manufacturing defect and bad workmanship during the CMC Period of five (5) years from the date of Commissioning of the Project. As these Projects have been Commissioned after issuance of a Commissioning Certificate. Hence, the Second Party is fully responsible for their trouble-free maintenance and the Second Party is liable to rectify/ remove any defect noticed within the aforesaid CMC Period, free of cost
- 2. The Second Party will impart training to at least two (2) designated persons, each from the [name of Divisional Forest Office], Forest & Environment Department and Beneficiary be able to provide first aid repair service for the solar fencing systems.
- 3. The CMC includes repair/ replacement of all spares, consumable and all the Equipment including but not limited to solar photovoltaic module, energizer, battery, fence wire, fence poles, balance of systems, etc. during the CMC Period.
- 4. The Second Party shall establish a central office at Bhubaneswar, Odisha, and also establish local offices at the concerned Project location so as to deliver uninterrupted and sustainable Comprehensive Maintenance during the CMC Period duly headed by a Service Engineer.
- 5. The Second Party shall undertake corrective maintenance upon registration of complaint by consumer at CRC-OREDA. After attending to the defect, the Second Party shall upload the required documents at ReSolve mobile application for successful closure of the complaints. The Second Party shall ensure rectification of defects and restore functionality within seven (7) Days of lodging the complaints.
- 6. The Second Party shall undertake scheduled maintenance work as per the prescribed format attached in Annexure Clause 7.5.7 and upload the required details and documents in the ReSolve mobile application strictly according to the given schedule.

RFP No. 3695 Dated 02 12 2021

- 7. The Second Party shall apprise the First Party about the requirements and supply of spares during warranty as well as CMC Period.
- Annual report from CRC-OREDA shall be considered as token of verification of maintenance done and release of annual payment of GMC in arrears upon completion of each year of GMC Period (if any).
- 9. It will be the liberty of the First Party to crosscheck the systems maintained by the Second Party. Random verification of the maintenance may be carried out by the First Party wherever necessary.
- 10. The Second Party may continue to maintain the gadgets after expiry of the CMC Period of five (5) years. from the date of Commissioning of the Project, provided the Department First Party desires.
- 11. For adjudication of any dispute between the two (2) Parties arising on execution of this CMC, the matter shall first be brought to the notice of [name of Divisional Forest Office], Forest & Environment Department.
- :12 in case there will be no amicable settlement of the issues; the malter can be referred to the court of law having jurisdiction at Elmibaneswar, Bhubaneswar only.

For and on behalf of Iname of Divisional Perest Officel, Forest & Environment Department (First Party)

Place: [insert place]

(sign here) Signature

Name of Authorized Signatory of [name of Divisional Forest Office]

Forest & Environment Department: (insent name)

Designation, linsert designation]

iname of Divisional Forest Office), Forest & Environment Department

Seal: [insert seal of the Bidder]

For and on behalf of Ms.

Place: [insert place]

[sign here] **Signature**

Name of Authorized Signatory: finsert name)

Designation: (insert designation)

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

has Copy Altested

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14706 of 2022 **AND** W.P. (C) Nos.9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 OF 2023

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

Petitioner

Gita Rout

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

W.P.(C) No.9056 of 2013
Balagopal Mishrafand another
Mr.G.P

Petitioners

Mrinalini Padhi

Mohanty, Advocate

Petitioner

In person

Petitioner

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

Dwija Dalpati

Mr. Gauta

Senior Advocate assisted by Mr. Al Dash, Advocate

Opposite Parties

State of Odisha and others

Dr. Manoj V. Nair, Rrineipal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Bhubaneswar,

Mr. Debakanta Mohanty, Additional Government Advocate & Mr. Ishwar Mohanty, Additional Standing Counsel, Mr. Bijaya Kumar Dash, Advocate FOR O.P. No.7-TPCODL.

Mr. Akhaya Biswal, Advocate for Intervener (in I.A. No.3126 of 2023)

Advocate (in I.A. No.640 of 2023) and Mr. J. K. Panda, Additional Superintendent of Police

W.P.(C) No.14057 of 2023

Petitioners

State of Odisha and others

Mr. Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another Opposite Parties

Mr. Sankar Prasad Pani, Advocate

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

> ORDER 09.05.2023

Order No.

Muer evo.

15.

- 1. The Vakalatnama filed by Mr. Bijaya Kumar Dash, learned counsel for Opposite Party No. 7-PPCODL is taken on record.
- 2. Pursuant to the order passed by this Court on 13th March 2023, two affidavits have been filed the first dated 17th April, 2023 is by the Chairperson-cum-Convenous Joint Task Force (JTF), Dr. Manoj V. Nair providing information as regards compensation paid in respect of human losses, human injuries, animal losses, house damage and crop damage. It is stated that in the past six months, there have been 21,093 cases of crop loss on account of attacks by elephants. Dr. Nair, who appears in virtual mode, informs the Court that sum of Rs.7.22 crores has been paid on this score. The Court has also been shown a copy of the Notification dated 3rd May, 2023 issued under Rule 45-KK of the Wildlife (Protection) (Odisha) Amendment Rules, 2023 enhancing the amounts of compassionate payment in all of the above categories. For the instance, the ex gratia for human loss has been increased from Rs. 4 to Rs. 6 lakhs. According to Dr. Nair, there is a 40 days turnaround time for payment of compensation.

3. It appears that on 5th April 2023, there was a meeting held by the Chairperson of the JTF with the DISCOMs where inter alia discussion was held on the mitigation measures that have to be put in place for avoiding deaths of elephants due to electrocation. The series of steps to be taken with the DISCOMS appropriate to the Comprehensive Action Plan (CAP), include abauticacing the open transformers, fixing of interposing poles of both this and the lines, conversion of the conductor to AB-cable change of vacuum circuit breaker, maintenance of primary substation sensitization of feeders & periodical checklist of feeder fittings for spikes in the electric poles, establishing it of elephant control foom etc."

- 4. The minutes also refers to a study undertakenaby SNEHAM Support for Network and Extension Help Agency) having rexpensed in working on human-elephant conflict issues in Karnataka SNEHA was engaged by the DISCOMS to undertake a study in two districts i.e. Dhenkanal and Angul Managlaya Kumar Dash Jearned counsel appearing for the DISCOMS has handed over a copy of the reported submitted by SNEHA to TA PAY Power Hunited Mumbar where unterfale one suggestion given is for use of alternate 6V Solar or DC fence set-up which will "repel the wildlife or set off an alarm instead of creating causality."
- 5. The Interveners in I.A. No.3126 of 2023 has also asked for similar measures to be deployed in the villages of those Applicants after undertaking a ground survey.
- 6. Mr. Shenhagam, who is the GEO of TREODE is present on line; and explains that Elephant Control Rooms have been set up by the

2:11 AUG 2023

DISCOMS since 2020 and that on advance informations of elephants movement being received from the Rorest Department, the vare abler to take corrective action?

- 7. However the Court is to interact with the residents of willages taken by the DISCOMS to interact with the residents of willages falling within the respective areas which have witnessed elephant movement in the past. The DISCOMS would do well to persuade the villagers to go in for 6V Solar fencing and offer it as a viable alternative even while disconnecting the illegally shooked electricity connections which are powering the achieve electric fences put up by the villagers to prevent attacks by wild animals of either humans or crops.
- 8. Dr. Nair placed before the court the statistics of elephant deaths and human deaths in the past two months. On 9th March 2023, an adult male elephant was electrostited in Keonjhar and on 13th March, 2023 another male was electrostited in Gumsar in Ganjam District. On 11th April 2023, one adult female elephant and an adult male elephant were electrosuted in Bonar and Subarnapur respectively. Apart from the four electrocution deaths, there have been in the last two months, 14 more deaths of elephants—2 due to disease, 2 due to natural causes, 1 due to infighting and 1 due to a train accident. Of 18 elephants that have died, there have been 11 adults and 7 very young calves. Dr. Nair adds that the reasons for the death of these 7 very young calves are still being analyzed.
- 9. During this period, 20 persons have lost their lives due to attacks by elephants. Dr. Nair further adds that these deaths have occurred in

that were earlier identified by identified by the Asian Nature Conservation Foundation (ANCF). It is informed that due to passage of time only 4 such corridors are considered active and one among them has been notified as a Conservation Reserve pursuant to a judgment by the Supreme Court of India in *Binay Kumar Dalei v*.

State of Odisha (decision dated 2nd March, 2022 in Civil Appeal Nos.1627-1628 of 2022).

10. At this juncture, it must be noted here that the Wildlife Society of Odisha (Elephant Corridors) [WSO] had approached the National Green Tribunal (NGT) with a petition being O.A. No.129 of 2016 questioning the mordinate delay on part of the State of Odisha in notifying the Elephant Corridors inder Section 3 of the Environment (Protection) Act, 1986 (EP Act) read with Rule 6 of the Environment (Protection) Rules, 1986. It must be further noted here that in the said application, the NGT appears to have passed a 'final order' on 17th August, 2021 directing the State of Odisha to notify the 14 Elephant Corridors as earlier identifie by the ANCF within a period of two months. This led to the State of Orissa filing a Review Petition pointing out that there is a petition, W.P.(C) No.275 of 2015, on this issue which is pending before the Supreme Court. Further, it was pointed out that the report of the ANCF suggests that "most of the corridors have no functional existence and most of the corridors are also not ecological feasible." Accordingly, a review was sought by the State of Odisha of the order dated 17th August, 2021 of the NGT. Even while the said review petition was pending, Execution Application No.3/2022/EZ appears to have been filed by WSO

the NGT passed an order on 6th April 2023, granting the State one month's time 'and no more' to notify the elephant corridors. By this time, in the hearing of the execution application, it was brought to the notice of the NGT by the State of Odisha that this Court was seized of one of the present petitions i.e. W.P.(C) PIL No.14706 of 2022 on the same issue. Against the said order dated 6th April 2023, the State of Odisha has filed W.P.(C) No.14057 of 2023 in which this Court passed an order on 4th May, 2023 staying the further proceedings before the NGT.

I. A. No.6983 of 2023 arising out of W.P. (C) No.14057 of 2023

- 11. WSO has filed this I.A. Scelding vacation of the aforesaid stay order dated 4th Miay, 2023. Notice Motice is accepted by the learned Additional Government Advocate for the State, who undertakes to file a reply there to within four weeks, rejoinder thereto be filed on or before the next date. The Vakalatnama filed by Sri Pani is taken on record.
- 12. Dr. Nair has explained two major problems coming in the way of notifying elephant corridors. The first being there is no legal provision in the Wildlife Protection Act, 1986 (WP Act), which enables the making of such notification. The second is that the EP Act only talks of eco sensitive zones, which does not fully answer the need for a comprehensive provision for this purpose.
- 13. Mr. Pani, learned counsel appearing for WSO sought to counter the submission by referring to Section 3(2) (v) of the EP Act, which empowers the Central Government to take 'measures to protect and

improve environment' and in that process, notify restriction of areas "in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards." In the considered view of the Court, Section 3(2)(v) of the EP Act operates in a very narrow sphere as it does not contemplate loss of human lives, crops and vegetation etc. as a result of movement of wild animals including elephants and it is doubtful therefore if the measures taken under the above provision to answer the problem brought about as a result of elephant-human conflict.

- 14. In any event, it does appear that identifying elephant corridors precisely is a complex task as pointed out by the ANCF and which was also voiced today during the course of hearing by Dr. Nair. It is significant that many of the deaths that this Court has noted in the present order or in the earliet orders of elephants and humans have occurred in areas not strictly in any around the elephant corridors earlier identified.
- 15. Consequently, at this stage, the Court does not consider it advisable to vacate the order passed by it on 4th May, 2023 in W.P.(C) No.14057 of 2023 and would consider that question after response is received to the application filed today by the WSO.
- 16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week

and chalk out a time bound plansfor completing the Survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule but a plansfor replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up the villages and discontinue the practice forthwith Sensitization meeting with the villagers by the officials of DISCOMS required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the pack date of the exact extent of such electric fences which were earlied being used.

Additional S.P. and a member of the JTF where the details of the 6 ongoing criminal cases that having been registered in Athagarh, Similipal, Gumsur and Dhenkanal Divisions have been set out. The Court is assured by Mr. Panda that all possible steps have been taken to carry each of the criminal cases to the logical end by completing investigation, filing charge-sheet, arresting the persons accused and ensuring that the case progresses. A further affidavit updating the status of these criminal cases be filed before the next date.

21 AUG 2023

I. A. No.640 of 2023 and I.A. No.3126 of 2023 arising out of W.P.(C) No.14706 of 2022

of all compensation claims for the loss of human lives and crop loss by the State Government and for all such claims to be settled in a time bound manner. Notice was issued in the said I.A. on 13th March, 2023 and no replies have yet been filed. Meanwhile, an additional affidavit has been filed by the Intervener on 5th May 2023, copy of which has already been served on learned Additional Government Advocate for the State. Let a copy thereof be served on learned counsel for the Petitioners as well other counsel appearing today. Replics to both the I.As. i.e. A 2023 and I.A. No.3126 of 2023 be filed by the State within four weeks and rejoinder thereto, if any, be filed before the next date.

20. Dr. Nair informs the Courf that on 17th April, 2023, a High Power Committee (HPC) has been constituted with the Brincipal Secretary, (Energy) being one of the Members and all the DISCOMs being the special invitees. He informs the court that the HPC would meet very soon. Apart from inviting the DISCOMs, the Court directs that the representatives of the Applicants in I.A. No.640 of 2023 and I.A. No.3126 of 2023 also be invited to present their issues before the said Committee. The HPC will also invite SNEHA apart from Dr. Sukumar to participate in virtual mode at its meeting. The minutes of the meeting of the HPC be placed before the Court along with an affidavit before the next date.

IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) NO.19625 OF 2015

In the matter of:

Mrinalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

INDEX

Sl.No.	PARTICULARS PAGE N	0.
1.	AFFIDAVT ON BEHALF 1-6	
	OF TPNODL	
2.	ANNEXURE - A/	6
	Copy of the Minutes of Meeting dat	ted
	15/05/2023	
3.	ANNEXURE – B/.	,6
	Copy of the Minutes of Meeting dat	ed
	27/06/2023	

Cuttack

By the Opp. Party through

Date '

Advocate

E

IN/THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) No. 19625 OF 2015

In the matter of:

Mrunalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

AFFIDAVIT ON BEHALF OF TP NORTHERN ODISHA DISTRIBUTION LIMITED ('TPNODL')



I, Bhaskar Sarkar, aged about 56 years, S/o Late Sh. Arup Kumar Sarkar, presently working as CEO at TP Northern Odisha Distribution Limited ("herein after referred to as "TPNODL") do hereby solemnly affirm and state as follows:

- 1. That I am working as CEO at TP Northern Odisha Distribution Limited and being authorised, competent to swear this affidavit on behalf of TPNODL
- 2. That it is humbly submitted here that on receiving the Notice in I.A No. 1737 of 2023 arising out of W.P.(C) No. 19625 of 2015 for substituting the present entities of DISCOMS and pursuant thereto, TPNODL entered appearance through Ld. Counsel in terms of the direction of this



B

Hon'ble Court, whereas the said I.A. is still pending.

3. That it is humbly submitted here that vide the Order dated 09/05/2023, this Hon'ble Court had made certain observations relating to the deaths of elephants due to electrocution in Odisha. Furthermore, a direction was issued that the CEOs of the four DISCOMS would convene a meeting and the Chairperson of JTF would also participate in the said meeting and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing the electric fences wherever found with the solar fences as suggested by SNEHA. The observations made in Order dated 09/05/2023 are quoted below appreciation of this Hon'ble Court.

"16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week from today in which the Chairperson of the JTF will also participate and



chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used."

4. That it is respectfully submitted here that in terms of the aforesaid order, a meeting was held 15/05/2023 at 4pm to finalise the Action Plan of Elephant Protection. The said meeting was held in the presence of the CEOs / representative of all four DISCOMS including TPNODL, the Chief Conservator of Forests, Odisha, Conservator of Forests (Wildlife), Odisha, Head, Corporate Sustainability, Tata Power, Lead Associate-

Biodiversity, Tata Power, Executive Director,

SNEHA - NGO, Project Consultant/Advisor, SNEHA - NGO. The said meeting was aimed at combating the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. The participants therein focused on the collaboration efforts between the DISCOMS and Forest Officials to tackle the problem effectively and an overall comprehensive action plan was discussed. The DISCOM CEOs / representative shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities.

Copy of the Minutes of Meeting dated 15/05/2023 is annexed herewith as **ANNEXURE** - **A**/**3**

5. That it is humbly submitted here that subsequent to the aforesaid meeting, another review meeting was convened for strengthening of electrical infrastructure in elephant movement areas. It was held under the Chairmanship of Additional Chief Secretary, Odisha. The directions passed by this Hon'ble Court has been taken note of in such meeting and after a detailed deliberation, certain decisions were taken which has put task on the Electrical Inspector, who is appointed by the State Government, Forest Authorities, Principal Chief

A A

Conservator of Forest (Wild Life) [PCCF (WL)] & Chief Wild Life Warden [CWLW], District Forest Officer [DFOs], DISCOMS. The Engineer In Chief (Elect.) was directed to consult experts such as IIT, Bhubaneswar and Central Electricity Authority [CEA] and notify the Standard for Solar Fencing at the earliest. In this regard, PCCF (WL) & CWLW stated that Department of Forest Environment & Climate Change has notified a scheme titled as 'Jana Surakhya Gaja Raksha' to reduce man animal conflict by promoting erection of solar fencing by community/ individuals on Public Private Partnership [PPP] mode. DFO & Electrical Engineer [E.E.] of DISCOMs to jointly take steps in terms of the scheme to achieve its goal.

Copy of the Minutes of Meeting dated 27/06/2023 is annexed herewith as **ANNEXURE** - B/B

6. That it is respectfully submitted here that the present Deponent being conscious of the gravity of the issues involved in the present proceeding, has been taking prompt steps to tackle the situation and as a matter of fact, has been diligently participating in all the meetings and deliberations both with the state authorities as



well as internal bodies, department to ensure that proper and appropriate steps are taken so as to avoid such mishap vis a vis elephants death.

- 7. That the aforesaid developments has taken place pursuant the Order dated 09/05/2023 and the minutes of those meetings have been brought on record for better appreciation of this Hon'ble Court.
- 8. That the present Deponent crave leave of this Hon'ble Court to make further submission and file further affidavits in the interest of justice and effective adjudication by this Hon'ble Court.
- 9. That the facts stated above are true to the best of my knowledge and belief.



Identify By

Velet We Malarera

Advocate

Cuttack

Date: 21/08/2023

Blackinsancar

Deponent

Chief Executive Officer,

CERTIFICATE

Due to non-availability of cartridge paper, the affidavit is typed in thick white paper.

7- 11-A/3

Minutes of the meeting held on 15.05.2023 at 4:00 PM to finalize the Action Plan of Elephant Protection.

The List of participants is at Annexure-I.

The participants recognized the urgent need to combat the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. They emphasized the importance of collaborative efforts between the Discoms and forest officials to tackle this problem effectively. An overall comprehensive action plan was discussed.

1) The Discom CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities. These initiatives included:

24x7 Control Room

TPCODL monitors elephant movement 24x7 in their Power System Control Cente. Information through a WhatsApp group wherein the patrolling group consisting of forest officials & DISCOM officials share the need of immediate tripping of feeders based on elephant movement. Record of all these trippings & incidence in recorded in the control room.

Creating a Safe Infrastructure

- Installing interposing poles to elevate the height of the electrical network.
- Replacing bare conductors with insulated ones.
- Fencing distribution substations to prevent elephant intrusion.
- Implementing deterrent measures, such as spikes on poles.
- Barricading open transformers

Technology Intervention

Installing animal intrusion detection and repellent system

Awareness creation

- Conducting Chaupadi meetings and use of Surakhya Sachetan Rath, a mobile van with digital display, to create awareness and sensitize locals on ill effects of animal poaching.
- 2) Joint Patrolling and Vigilance: The CEOs and CCF highlighted successful joint patrolling efforts by Discoms and forest officials to combat power theft, poaching, and identify vulnerable areas. A systematic plan is prepared with RCCF in Dhenkenal is as elaborated below:

RCCF & Superintending engineer:

Once in a month

DFOs &Executive Engineers:

Once in a month

ACFs& SDOs:

Twice in a month

Rangers & Section Managers:

Thrice in a month -

This collaborative approach aims to deter miscreants and locate illegal tapping spots, hooking areas, low-lying networks, substations without adequate fencing, etc. Format for capturing the above details was discussed & it was observed that the patrolling team captures the hooking activities if any & also the need of fencing. Similar approach to be adopted in other areas if not done so far.

Court has shared the following views / steps to be taken by the DISCOMS

1.0 To interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past.

No.	DATE	- DISCON	DIMISION	a afc∏ion .	Location
1	11.04.2023	TPWODL	Jharsuguda	Kusumi	Lachhada, Sundergarh District (Bonai DFO)
2	11.04.2023	TPWODL	Sonepur	Mahadevpali	Near Silijhuri Village,Binika, Sonepur (Subarnapur) District
3	19.03.2023	TPNODL	Joda	Jurudi Section, Joda Sub Division	Jadipada near Basantpur village, Keonjhar District
4	13.03.2023	TPSODL	BNED Bhanjanagar	Bhanjanagar Sub Division-I/ ESO-II Electrical Section	Paddy field near Gambarigochha village, PS- Bhanjanagar, Dist-Ganjam

- 2.0 Persuade the villagers to go in for 6 V Solar fencing & offer it as a viable alternative to deter animals & elephants
- 3.0 Identify instances of illegal hooking to power the farmers fencing & discontinue this practice
- 4.0 The court to be informed the No. of 6 V Solar fencing erected

During the meeting following action plans were discussed in addition to the existing abo actions carried out by DISCOMS 1.0 Intelligence Gathering System: It was proposed to explore setting up of a centralized toll free number for reporting illegal tapping, poaching, and related information. A reward and recognition scheme incentivize public participation shall also be included. 2.0 Guidelines on Solar Fencing: Solar Fencing was identified as a probable deterrent to elephants to enter human population area. CCF committed to circulate comprehensive guidelines on solar fencing to ensure consistent standards across the region. Suitable funding mechanism shall be explored with inputs from Energy dept. and Odisha govt. to facilitate villagers for installation of solar fencing. 3.0 Initiatives proposed by Sneha-NGO: Sneha-NGO shared its proposal for adoption of the following key measures, the above proposal is being taken up with TATA Power for approval of the proposal a) Support to establish an Early Warning System through Construction/ creation of the Warning systems. b) Handholding support to Grama Panchayats. c) District-level Orientation on HAC d) Awareness and Sensitization Programs to -Self Help Groups Children-Anganwadi, LPS, HPS, Middle and High School e) Training for the Rapid Response team and Front line staff of the Forest Department f) Facilitating Elephant protection measures: (Trenches, Solar Fencing under MGNREGA

- f) Facilitating Elephant protection measures: (Trenches, Solar Fencing under MGNREGA etc.)
- g) Adoption of MoEFCC guidelines on Compensation

The above activities as per the proposal are listed in detail as follows

a) Support to establish an Early Warning System through Elephant collaring/ Construction/ creation of the Warning systems.

- i. Surveillance Camera traps: The camera traps will be implemented in conflict hotspots and high electrical tripping areas to monitor illegal power thieving and to monitor the elephant movement.
- ii. Proximity sensors and hooters: This is a technological system to detect and deter wild animals. This will help in protecting the crop from wild boar and other wild animals further it may also help in reducing the power tapping in remote villages. In the first phase, 50 Units can be installed in vulnerable areas in one range.
- SMS/Voice call service: Bulk SMS service will be initiated to send out text messages about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages. For sending the SMS, a 2 km radius was chosen based on our long-term research because of the high likelihood (> 80%) that elephants would move within that distance over a 24- hour period.
- Bulk Voice call service: it will be initiated to send out a voice call about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages.
- GSM Led Display boards: These boards will be placed in highly conflict-prone villages. These digital boards are handled remotely from a base station, this is one of the successful mitigating measures in other states. The board content will be elephant movement information, showing conflict awareness video display.

b) District-level Orientation on HEC

One-day orientation will be conducted at the district level for the district officers from different line department heads and TPCODL staff about the project activities and implementation plans. This will help the district officers to understand the project and provide continued support and collaboration for effective of the project and to ensure the sustainability of the initiatives.

c) Handholding support to Grama Panchayats

Effective handholding support will be provided through project field staff to the Grama Panchayaths to make detailed Grama Panchayath Development Plans to address issues of the Community. The Gram Panchayat Development Plan (GPDP) should be comprehensive and based on a participatory process involving the Community, particularly Gram Sabha, and will be in convergence with schemes of all related Central Ministries / Line Departments related to 29 subjects listed in the Eleventh Schedule of the Constitution. This would include economic development, infrastructure development and other aspects of human development i.e., education, health, drinking water supply, etc., besides access to credit. The GPDP is a Community-led development — Through dialogue, support

communities to develop and implement priority challenges and opportunities. Systems strengthening - Analyze and seek to strengthen formal and informal systems that build resilience inclusive targeting - Support the poorest households by responding to their specific needs, enhancing their ability to access resources and services to pursue pathways out of poverty

d) Awareness and Sensitization Programs to – Self-Help Groups, Children – Anganwadi, LPS,
 HPS, Middle and High School

It is well established that wildlife causes tangible losses, for instance, damaging the crops, but killing the wildlife will certainly lead to several folds of non-tangible losses though it may give some temporary respite. These awareness and sensitization programs are structured to drive this point home to different fractions of the Community. These programs are developed in a manner to enhance the understanding of the issue – its genesis, impacts, strategies to reduce conflict, and mutual co-existence. The content will differ from stakeholder to stakeholder. Also, WASH (Water, Sanitation and Hygiene) component will be added as part of the awareness campaign. These programs will be done at schools, community halls and if required some hired halls based on the requirement.

e) Training for Rapid Response team and Front-line staff of the Forest Department

The training and awareness programs are structured to drive this point home to different fractions of the Community and Department. These programs are developed in a manner to enhance the understanding of the issue and knowledge-sharing programs, – its genesis, impacts, strategies to reduce conflict, mutual co-existence and work closely with the Community. The content will differ from stakeholder to stakeholder. The proposed training plan is for all ranges.

- f) Formation and strengthening of Community PRT: "Gajasathis" Primary Response Team will be formed at all village levels by involving, GP members, Local doctors, Nurses, Police, Forest department staff, PDO etc. This is to engage all the local representatives in the mitigation process.
- g) School/ Anganwadi centres wall painting: The children will be the best change agents to bring positive behaviour to their parents. Therefore, At least 100 schools / Anganwadi centres will be made with wall writing with awareness activities on HEC messages to create awareness among children.
- h) Facilitating Elephant protection measures and other barriers: (Trenches, Solar Fencing under MGNREGA)

By creating suitable trenches as select places, in long term they can serve two purposes, viz., preventing the animals a) from the forest to outside and also b) animals from villages into forests. In short term, they can help the Community to gain employment through MGNREGA funds.

Sneha will help and support only in identifying the vulnerable areas along with the joint survey of the local forest department for trenching and designing the barriers. Implementation of barriers or excavation will be done by the concern range or based on their sponsors.

Knowledge sharing:

Participation/Conducting national and international level seminars/workshop/conference- Bringing National and international level experts in the field and conducting a conference or seminar to share their knowledge.

Methodology:

In consultation with the Wildlife Department of the Odisha Government, the human-elephant conflict hot spots will be identified and the following process will be followed:

The project would recruit a team of young villagers as part of the Government scheme called "Gajasahthis" with some basic skills in understanding modern concepts of communication and who show some compassion towards people and wildlife. They would undergo basic training to understand what happens when elephants raid an area. They would be updated to modern methods of communication and using a smartphone. Once they have understood the basic methods that would be followed in the field to gather information, they would start work.

They would also be trained in using an app to collect data using PS. Hence whatever data they collect would be geo-tagged and would be very help full to mapping the issue. One person from each village in the hotspot area would be taken.

For reducing Human Deaths and Damage from elephants:

- a) Deploy early warning systems: The project team would visit the identified villages which are prone to raiding by elephants. They would do a number of transit around the village marking any signs of elephant movement. These would be marked on the app producing a map of elephant movement around the village. They would also mark, and record damage done by elephants. Mark earlier conflict locations where elephants had died or humans. This would give us a detailed map of how elephants are using the area.
- b) In the meantime, we would have developed a land use map around the village using Sentinel 2 images and the terrain of the surrounding area. Together the Geographical information system would give us a rough scheme of how elephants are moving in the area. Data from the Forest Department Anti-depredation staff would also be added to the system.
- c) Once we understand the movement of elephants around the target village, we would deploy an early warning system, which would raise an alarm at the village when elephants approach the village. This can be upgraded to send SMS to the local people who have registered their numbers, informing them that elephants were there in a location and are moving towards a known location.

When the Government erects electric fences/ trenches, our teams would help the farmer to understand how they protect them from elephants intruding into their farms and activate them to participate in maintaining the same. One of the responsibilities would be to work with the Community to build their own latrine to avoid going for open defecation early morning before sunrise and after sunset which is the most vulnerable time.

Community Education to Mitigate HEC:

- The 1500 Volunteers would mingle with the people helping them with any major issue they meet daily. This would result in them understanding HEC better and also would get information on people who could be trapping wildlife for gain.
- Usually, wild pigs are a major problem compared to elephants as they damage crops more extensively. However, as elephants are more visible walking through a crop field the damage due to their passage easily attributable. Some farmers lay a trap for wild pigs by putting a wire roughly one foot above ground using insulated wooden stakes. The power supply to this setup is from the home mains electricity and is not allowed as per norms. Social pressure would be created via education in schools and through Gajasathis. Alternate 6V Solar or DC fence set-up education will be provided as these will merely repel the wildlife or set off an alarm instead of creating causality. Also, the team would help farmers to try and overcome the raiding by wild pigs by bringing to notice of the Government resulting in the Forest department or agriculture department coming forward to put up a fence to protect the farmers.
- The teams would be given the necessary skill and equipment to help the farmer maintain any fence which exists at present
- While patrolling the farms they would also map all the electric posts and the connection to wells and houses. This would be mapped onto the map and we can ensure that there are no low-hanging live wires in the path of elephants. This output would be helpful for the Tata Company which would allow them to plan their network more efficiently.
 - 4.0 Affidavit and Court Compliance: The discoms will submit a detailed affidavit outlining their initiatives and actions, complying with court orders. Individual reports will provide specific insights from each discom.
 - 5.0 Discoms shared with CCF that Saturation Survey has been carried out for further elephant movement areas in coordination with the forest dept. officials. Requisitions of approx. Rs 875 Crores have been prepared and are under consideration for the various areas.

- 14.

TPCODL has placed requisition for release of funds of Rs 783.49 Cr for taking up works under vulnerable locations of Elephant Corridor & Movement Area based on the joint survey done with Forest Dept. The Cost breakup of estimate placed is as follows:

≱ aŞNo⇒	Area - P	Value (Rs Gr):
1	Angul	200.76
2	Athamalik	98.71
3	Satkosia	5.47
4	Dhenkanal	290.72
5	Deogarh	12.18
6	Athagarh	44.93
7.	Cuttack	5.49
. 8	Khurda / WL	88.58
9	Chandaka	20.31
10	Nayagarh	16.35
Total		783.49

In TPWODL area, the joint verification has been completed. Signing of reports by stakeholders is complete except in Sambalpur. Post completion of the signing, we will be submitting the DPR will be submitted Dept. of Energy, Govt. of Odisha for approval and corresponding fund allocation.

i∛.S.tNo.	Package:	Value (Rs Cr)=
1.	Golamunda	. 0.41
2	Kalampur	5.65
3	Jaipatna	1.15
4	Junagarh No.: II	3.99
5	Narla	0.52
6	Biswanathpur	2.28
7	M. Rampur	1.70
8	Chhatiguda	0.20
9	Tureikela	9.22
10	Saintala	2.21
11	Belpada	6.85
12	Patnagarh No.: II	2.53
13	Dhama	0.51
14	Kuchinda No.: I	1.92
15	Kuchinda No.: Il	2.27
16	Bamra	2.99
17	Jamankira	2.66
18	Kusumi	2.01
19	Hatibari	1.08

S.No.	varia Meackage ·	Wallie (Rs.Gr)
20	Padiabahal	0.65
21	Laida	0.27
22	Paramanpur	0.27
23	Rengali	0.28
24	Laikera	0.53
25	Rairakhol	1.09
26	Bagdihi	2.12
27	Naktideul	2.33
Total		57.72

In TPNOSE area, men Proposals for Rs 33.56 Cr for 363 Mos. of locations have been received from the concerned DFOs. The same has been submitted to Dept. of Energy, Govt. of Odisha.

SNOV.	it EinewAreammean	avalue(Refer)
1	Bhanjanagar	29.13
2	Phulbani	- 2.27
3	Berhampur	2.16
Total		33.56

6.0 The next meeting shall be held on 15th Jun'23 to discuss the progress and way forward.

(Toco Copy Allected)

Annexure-I: List of Participants

- 1. Mr. Shenbagam Manthiram, CEO, TPCODE.
- 2. Mr. Arvind Singh, CEO, TPSODL
- 3. Mr. Gajanan Kale, CEO, TPWODL
- 4. Mr. Manoj V Nair, Chief Conservator of Forests, Odisha
- 5. Mr. Bikash Ranjan Dash, Conservator of Forests (Wildlife), Odishan.
- 6. Ms. Vaishnavi Prabhakan, Head Corporate Sustainability, Tata Power
- 7. Ms. Pratiksha Naik, Lead Associate Biodiversity, Tata Power
- 8. Mr. Ramasamy Krishnan, Executive Director, SNEHA-WGO
- 9. Mr. N. Mohanraj, Project Consultant / Advisor, SMEHA-NGO
- 10. Mr. Shrenik Jain, TPNODL



GOVERNMENT OF ODISHA ENERGY DEPARTMENT

No. 73/8 /En., dt. /3 /07 /2023
ENG-DISCOM-OLA-0002-2021
From
Smt Lipsa Das, OAS (SAG),
Additional Secretary to Government.
То
The PCCF (Wild life) & CWLW, Bhubaneswar/
EIC (Elecy.)-cum-PCEI & SDA, Odisha, Bhubaneswar /
Managing Director, GRIDCO, Bhubaneswar/
CEOs, TPCODL/TPNODL/TPWODL/TPSODL.
Sub: Proceedings of the review meeting held on 27.06.2023 at 3.00 PM under the chairmanship of the Additional Chief Secretary, Energy Department regarding strengthening of electrical infrastructure in elephant movement areas.
Sir, In inviting a reference to the subject cited above, I am directed to send
herewith the Proceedings of the review meeting on strengthening of electrical
infrastructure in elephant movement areas held on 27.06.2023 at 3.00 PM under
the chairmanship of Additional Chief Secretary, Energy Department for kind
information & necessary action at your end.
Yours faithfully,
Additional Secretary to Government.
Memo No. 7.3/9 Dated /3/07/2023
Copy forwarded to PS to the Additional Chief Secretary, Energy
Department for kind information of Additional Chief Secretary.
Additional Secretary to Government. Memo No. 7320 Dated 13/07/2013 Copy forwarded to Additional Secretary to Government, FE & C@
Memo No. + 5 X U. Dated 1.5 1 U ff JUX 5
Copy forwarded to Additional Secretary to Government, P.D. & Co

Department/ FA-cum-Additional Secretary to Government, Energy Department CCF (Wlid Life) & Chairman, JTF, Bhubaneswar for information and necessary

action.

Additional Secretary to Government.

Proceedings of the review meeting on Strengthening of electrical Infrastructure in elephant movement areas held under the Chairmanship of Additional Chief Secretary, Odisha on 27.06.2023 at 3.00 PM through VC.

The list of participants is at Annexure-I.

Additional Chief Secretary, Energy Department welcomed the participants and requested the CEOs of DISCOMs to present the status of utilisation of funds released by Energy Department for strengthening of electrical infrastructure in elephant movement areas. He expressed concern that the no. of elephants electrocuted during the year 2022 has seen a sharp rise (24 Vs 7 in 2021) in spite of investment of lots of funds by the Government to strengthen the infrastructure in elephant movement areas.

The CEOs of the DISCOMs presented the progress made under this scheme. Detailed deliberation held and decisions taken are as follows.

- DISCOMs have placed work orders in respect of Rs.517 Crore for infrastructure strengthening works in the movement areas of elephants identified by PCCF (WL) & CWLW against Rs. 571.6 Crore released under phase-IV. Regarding the physical progress, it was apprised by the DISCOMs that, 50238 HT Interposing poles have been installed, 970.1 CkM of HT bare line has been converted to XLPE insulated cables. 18290 LT interposing poles have been installed & 1056 CkM of LT bare conductor converted to AB cable.
- It was observed that progress of works in TPWODL and TPSODL is rather slow. Therefore both the CEOs were instructed to expedite the pending works in order to complete the same by September 2023. CEO TPNODL appraised that some of the estimates within the original scope were on higher side. Hence there is saving of fund. CEO, TPCODL also stated that there is saving of fund due to reversal of 6% overhead charges as advised by ACS (Energy).
- PCCF (WL) & CWLW expressed concern over increase in numbers of the elephants electrocuted due to coming in contact with charged 11kV and LT lines. He stated that DISCOMs are not maintaining the mandatory ground clearance & safety norms are being flouted. Near

Keonjhar town, 2 no. of elephants got electrocuted after coming in contact with live LT Lines. In another instance at Bhanjanagar circle (in Boudh District) in TPSODL area, an elephant got electrocuted due to 3.7 meter ground clearance of 11 kV line from ridge of agricultural land against statutory requirement of 4.6 meter. He stated that Forest Department shall be constrained to initiate criminal proceedings against concerned DISCOM officials for not having taken enough steps to prevent death of elephants due to electrocution in the State.

PCCF (WL) & CWLW further highlighted about the Interim Order passed by Hon'ble High Court on 09.05.2023 in WP(C) No.14706 of 2022 and related WP(C)s. The Hon'ble High Court has taken a considered view that despite having a comprehensive action plan made available to DISCOMs, not enough steps have been taken by them to prevent death of elephants due to electrocution. DISCOMs have been directed to identify illegal hooking and stop the practice forth with and also sensitize the villagers against this practice. Further steps shall be taken by DISCOMs to persuade the villagers to go for 6V Solar Fencing as a viable alternative. PCCF (WL) & CWLW further mentioned that DISCOMs have not yet filed counter replies in the above WP(C)s. (Order dated 09.05.2023 of Hon'ble High Court is annexed)

After a detailed deliberation, the following decisions were taken.

- On each occurrence of elephant electrocution, the concerned Electrical Inspector shall either suo motu or on receipt of requisition from Forest authorities shall cause an immediate inquiry and send a factual report to PCCF (WL) & CWLW, DFO concerned as well as to the DISCOMs.
- Electrical Inspector shall conduct routine inspection of the unsafe & vulnerable points/spots in the network of the DISCOMs including the electrical installations of private industries in elephant movement areas and point out for immediate rectification to be done by the concerned DISCOMs.

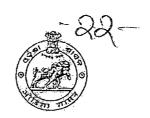
Annexure-I.

- Additional Chief Secretary, Energy Department
- PCCF (WL) & CWLW
- EIC (Electricity)-cum-PCEI & SDA, Odisha
- Additional Secretary, Energy Department
- FA-cum-Additional Secretary, Energy Department
- CCF (Wildlife) & Chairman JTF
- MD, GRIDCO
- CEO, TPCODL
- CEO, TPWODL
- CEO, TPNODL
- CEO, TPSODL
- Other Officials of DISCOMs.

- On the request of PCCF (WL) & CWLW, CEOs were advised to share the division/ district wise works executed in each DISCOM for necessary information of concerned DFOs.
- EIC (Elect.) was directed to consult IIT, Bhubaneswar & CEA and notify the Standard for solar fencing at the earliest. In this regard PCCF (WL) & CWLW stated that Department of FE & CC has notified a scheme titled "Jana Surakhya Gaja Raksha" to reduce man-animal conflict by promoting erection of solar fencing by community/individuals on PPP mode. (The Scheme details is annexed). DFO & EE of DISCOMs to jointly take steps for implementation of the scheme.
- PCCF (WL) & CWLW was requested to explore funding support from CAMPA to take up the system strengthening works identified now.
- DISCOMs shall ensure that adequate ground clearance is maintained and insulation of electrical installations is as per CEA standard.
- DISCOMs shall file counter reply in all the High Court eases immediately and share copies of the affidavits with EIC (Electricity) and PCCF (WL) & CWLW.

The meeting ended with vote of thanks to the Chairman and other participants.

Additional Chief Secretary
Energy Department



STATE WILDLIFE HEADQUARTERS, ODISHA

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE) & CHIEF WILDLIFE WARDEN, ODISHA FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA

Memo No. 1090 /10WL-CC-410/2020 dated 3 /11/2022

To

All Divisional Forest Officers (T) & (WL)

Sub:- Implementation of scheme titled "Jana Surakhya Gaja Rakshya" to reduce man-animal conflict by promoting erection of solar fencing by community / individual on PPP mode.

Ref- This office memo No.890 dated 29.01,2021.

Please refer to the guidelines for implementation of the scheme "Jana Surakshya Gaja Rakshya" along with required formats for documentation process already communicated vide this office memo No.10006 dated 04.11.2022 together with copy of the Request for Proposal (RFP) floated by OREDA also communicated vide this office memo No.10641 dated 22.11.2022. You must have started the process for selection of project villages / proposals. Please do expedite the same for consideration at this end for release of funds

However, for your ready reference, a check list of process for inviting applications and processing of proposals under the said scheme to be followed is done and enclosed herewith.

Encl:- As above.

Conservator of Forests (Wildlife)

Copy along with enclosure forwarded to all Regional Chief Conservator of Forests for information and necessary action in continuation to this office memo No.891 dated 29.01.2021, 10007 dated 04.11.2022 & 10642 dated 22.11.2022.

Conservator of Forests (Wildlife)

P.T.O

11211

Copy along with enclosure forwarded to the Chief Executive, OREDA, Bhubeneswar for information and necessary action with reference to his letter No.2848 stated 31.10:2022.

Conservator of Porests (Wildlife)

Copy along with enclosure forwarded to the Additional Chief Secretary, Forest, Environment and Climate Change Department, Odisha, Odisha, Bhubaneswar for favour of kind information and necessary action.

Memo Mandated 3-7/11

Conscrivator of Forests (Wildlife)

CHECKLIST FOR PROCESSING PROPOSALS UNDER "JANA SURAKSHIPA

RAKSHYA"

1. DFOs will receive the applications in plain paper duly accompanied with village resolution through the Sarapaneli concerned and will send the same to Range Officer concerned for conducting meeting at village level for finalization of site and extent (Refer para 2.5 of the Guidelines)

- 2. The said application on receipt from Range officer after verification will be placed before the Selection Committee at Division level as per Para 2.2 of the guidelines already communicated vide Memo No. 10006 dated 04.11.2022 (DFOs have already been authorised to convene the Selection Committee vide the said Memo).
- 3. The Selection Committee shall shortlist a set of applications including type of fencing to be done and authorize the DFO to issue Letter of Intent (LoI) to the applicants. The high conflict areas and areas with each crop will be covered on priority. (Refer Para 2.1 of the Guidelines).
- 4. The DFO will submit the list of approved applications in order of priority/ merit as would be decided by the Selection Committee for consideration by the State Wildlife Headquarters depending on funds availability. (Refer para 2.2 of the Guidelines)
- 5. On receipt of communication from the Headquarters, the DFO will advice the applicants as cleared by Headquarters, to complete the residual process such as deposit of community contribution which will be kept in a separate account to be opened by DFO for the purpose as per Para 2.1 of the Guidelines. Other pre-requisites like formation of Village Fence Protection Committee (existing VSS, EDC or any other CBO may be considered) as per Para 2.1 of the Guidelines are to be ensured beforehand.
- 6. On fulfilment of all pre-requisites including NOC from DISCOMs (Annexure2 of MoU), DFO will enter into a MoU (Annexure-IV of this office Mono No. 10006 dated 04.11.2022) with the beneficiary specifying roles and responsibilities as per the Para 2.1 of the Guidelines. (Copy of draft MoU enclosed).
- 7. DFO should share the list of finalized villages with empanelled vendors and the one consenting to execute the work shall be selected for the purpose. DFO shall issue LoI in LoI Form 3 (Para I.8 read with Para 7.3.3 of RFP) for solar fence (copy of form for LoI enclosed) to said empanelled selected vendor and the latter on receipt of LoI shall

complete all formalities as mentioned in LoI and provide all the critical documents as listed in Para 1.8 of RFP including performance security [3% of the project cost in the form of Bank Guarantee in LoI Form 4 mentioned in Para 7.3.3 of RFP should be submitted by the said vandor in the prescribed format (copy enclosed) with expiry date / period of six months from time of issue of LoI and claim date / period of twelve months from the said expiry date). (refer para 2.1.3 and LoI Form 4 at para 7.3.4 of RFP) The confirmation of the said Bank Guarantee be obtained beforehand from the issuing Bank branch.

- 8. Upon completion of all the formalities mentioned in the LoI by the empanelled vendor, the DFO shall approve the DPR (copy enclosed) and issue Work Order (copy enclosed) to the vendor within a partial of 30 days. (Refer para 1.8.3 of RFP and para 2.3 of the Guidelines)
- 9. All tests and inspections shall be made at the Project site. The authorized representative of OREDA and DFO shall inspect, supervise and test during implementation of the project and issue commissioning report and joint commissioning certificate in the prescribed format (copy enclosed) (Refer para 3.2.2 of RFP)
- 10. DFO will execute Comprehensive Maintenance Contract (CMC) with the vendor for a period of 5 years in the prescribed Form 5 at Para 7.3.5 of RFP (copy of Form enclosed).
- III. Beneficiary shall extend all support to the vendor during installation of solar fencing project as well as during comprehensive maintenance contract period as per the MoU signed with the DFO.
- 12. Timeline for different stages of developing the project has been mentioned at Para 3.4 of the RFP.
- N.B. In case of any ambiguity/ contradictions, the provisions as prescribed in the Guidelines/ RFP shall prevail.

Conservator of Forests
Ofo the PCCF (NML) & CVMLW
Odishe, Bhubacharder

Annexure-IV

MEMORANDUM OF JUNDERSTANDING BETWEEN THE [NAME OF THE BENEFICIARY] AND [NAME OF DEO OFFICE] FOR IMPLEMENTATION OF SOLAR FENCE SYSYTEM

X.	This Memorandum of Understanding (MoU) is made, on thisday of2021, between the [name of the beneficiary], a [occupation of beneficiary] (hereinafter referred to as "Beneficiary"), and [DFO Office], (hereinafter referred to as "DFO").
à	WHEREAS Beneficiary who is desire to install solar fence system at [type of land] at [location and address of land] under [name of the scheme of solar fence system] scheme of Government of Odisha.
ឌ	and
¥ . W	MHEREAS DFO is approving agency for solar fence system for Beneficiary under the [name of the scheme of solar fence system] scheme of Government of Odisha.
E	each of the "Beneficiary", and the "DFO" may, individually be referred to as the "Party", and collectively referred to as "Parties".
Ť	his Memorandum of Undertaking is based upon the following facts:
A	Beneficiary has applied for solar fence system ("Proposed Project"), for consideration and approval by DFO under the [name of the scheme of solar fence system] scheme of Government of Odisha.
8	DFO, being the implementing agency for [name of the scheme of solar fence system] scheme of Government of Odisha, has scrutinized application for the Proposed Project submitted the Beneficiary and found qualified.
C.	Beneficiary and DFO agreed to implement the Proposed Project at [location of the Proposed Project] which is in possession of Beneficiary.
D.	Beneficiary will incur expenses in implementation of the Proposed Project as specified under (name of the scheme of solar fence system) scheme of Government of Odisha and assist with

E. The Parties wish to establish a responsibility of the Beneficiary and DFO under the Proposed

possible actions to implement the Proposed Project.

Project, as provided herein.

MOW THEREFORE, the parties agree as follows:

- 1. Beneficiary agrees to implement the Proposed Project as per the term and condition of the fname of the scheme of solarience system) scheme of Government of Odisha
- 2. DFO has found an application for the Proposed Project submitted by the Beneficiary as qualified as per the terms and conditions of the [name of the scheme of solar fence system] scheme of Government of Odisha.
- 3. Post-approval by DFO, the Beneficiary agrees to implement the Proposed Project and for its maintenance 5 years from date commission by the EPC Contractor engaged DFO and pay its share as per the [name of the scheme of solar fence system] scheme of Government of Odisha
- 4. DFO has agreed to hand over the Proposed Project post-implementation to the Beneficiary upon completing handover formalities decided by DFO.
- 5. Upon implementation of the Proposed Project, the Beneficiary shall be responsible
 - a. Operation of the Proposed Project as the instruction provided by the EPC contractor
 - To ensure the safety of wild animals and not to misuse the Proposed Project for any illegal matters.
 - c. Protect fence system of Proposed Project from any damage due to natural or manmade conditions in Proposed Project area.
 - d. In case of any damage to the fence system of the Proposed Project, due to natural or man-made conditions, shall be responsible for repair and maintenance of fence system at its cost through EPC contractor of local contract as feasible.
- 6. DFO shall be held responsible for any accident due to the Proposed Project and shall be free to take appropriate action in case of any illegal or misuse of the Proposed Project identified by DFO, and also removing the Proposed Project from Site without any financial compensation to the Beneficiary.
- 7. Beneficiary shall seek approval for the Proposed Project from Village Fence Protection Committee constituted by DFO in the format provided in Annexure 1 and abide by the terms and conditions of approval.
- Beneficiary shall also seek No Objection Certification (NOC) from Distribution Utility for implementation of the Proposed Project in the format provided in Annexure 2 and abide by the terms and conditions of NOC.
- 9. Beneficiary shall also seek NOC from Neighbor (applicable in case if Beneficiary is

Individual Farmer) for implementation of solar fence system in the format provided in Annexure 3 and abide by the terms and conditions of NOC.

- 10. Beneficiary shall seek approval and NOC as per Clause 7, 8 and 10 of this MOU submit to the EPC contractor.
- 11. Any controversy between the parties hereto shall be submitted to cribitration and such arbitration shall comply with and be governed by the principles of the Forest & Environment Dept., Govt. of Odisha.
- 12. All notices herein required shall be in widing and shall be delivered in person or sent by registered mail, postage prepaid, to the following addresses.

Name		(Manue of Beneficiary)	
Address			
Name	: .	[Name of DFO Office]	• .
Address	. ;	command manage and the command and an experience of the command and the comman	
	•		
		·	

IN WITNESS WHEREOF, the Parties hereto have duly executed this MoU as of the day and year first written above.

ie of Be	neficiary)	•
:		
:	epienopologia monthi listo mong dipensis mangana manglang dipensis mpilitang kanang kanang kanang dipensis man	
:	والمستور والمستورة	
e of DF	O Office]	
:	4444444	· · · · · · · · · · · · · · · · · · ·
:		Contach Contract and Angles as
•	**************************************	
;	, säikaukemannan en eksis suurenminkays Transitiinin is Tillinin maanna ma	
: ·		
:	Mark Special Control of the Control	
	:	e of DFO Office]

Annexure 1: Approval from Village Fence Protection Committee

Fo, [Name of Beneficiary] [Address]

Subject: Approval for implementation of solar fence system

Dear Sir/Madam,

We the undersigned approve the implementation of the solar fence project for [Name of the Beneficiary] under the [name of the sicharise of solar fence system] scheme of Government of Odisha at the below address provided heiste shall sign the Memorandum of Undertaking with the Forest Department.

[Address of land]
[Village and District] [District]

[Name of the Beneficiary] shall ensure the safety of wild animals and not to misuse the solar fonce system for any illegal matters.

[Signature]
[Name of the authorised signatory]
[Name of VFPC]
[Address]

thurst the think	DE L	St.	2

NEW YEAR

Signethwe

Page 4 of 7

Amexure 2: MCM: from Distribution Utility

NOC for commissioning of moter fence project

To, [Name of Beneficiary] [Address]

Subject: NOG for implementation of sole; fence system at form just sile address!

To Whom So It Wasy Concern

Dear Sir/Madam,

This is with reference to your request letter on the above surjust. You have applied for the solar tence system at the below-mentioned address:

[Mame of the Beneficiary]
[Mddress of land]
[Village and District]
[District]

We issue no objection certificate for the implementation of solar funce system at the addressmentioned above subject to the following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- We shall not be held responsible for any accident doe to the solar fence system.

Thanking You.

[Signature]
[Name of the authorised signatory]
[Name of DISCOM]
[Name of Local DISCOM office)
[Address]

Annexure 3: NUC from Neighbour Landowners

MCC for reminissioning of solar fence project

To Whom So It May Concern

[Name of Beneficiary] have application the solar fence system at below mentioned authors:

[Name of the Seneticiary] [Address of land] [Milage and District] [District]

We don't have any objection to implementation of solar fence system at chairs address subjected to following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the safer fence system for any mentionings.
- 2. I/We shall not be held responsible for any accident due to the solar lence system.

Thanking You.

[Signature] [Name of the Neighbor] [Address]

7.3.3. LOI Form 3 (Letter of Intent for Project)

Letter of Intent for Solar Fence Project
(To be submitted on the letterhead of DFO, Forest & Environment Department)

Letter of Intent no.: [insert Letter of Intent no.] dated [DD MMM YYYY]

From

Divisional Forest Officer].
[Address of Divisional Forest Office]

To

[Sidder name] [Address]

Sub: Letter of Intent for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis

Reference:

- 1. NIT no. (insert NIT no.) dated [DD MMM YYYY]
- 2. RFP no. (insert RFP no.) dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years for following projects.

SI. No.	Description of project	Type of Fence and pole	Estimated Length of Fence	Price in INR per KM	Total solar fencing Gost (INR)	Approved cost of project specific activities (INR)	Total Cost (INR)
1	(Solar fencing project description)	(insert type of solar fence) and (type of pole)	(insert length of solar fence)	iNR [insert]	INR (Insert)	INR [insert]	INR (Insert)
2 .	(Solar fencing project description)	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR (insert)	INR (insert)	INR (insert)
3	(Solar fencing project description)	(insert type of solar fence) and (type of pole)	linsert length of solar feñcel	INR (insert)	INR [insert]	INR (insert)	INR (insert)
4	[Solar fencing project description]	[Insert type of solar fence] and (lype of pole]	insent length of solar ferice	INR (insert)	INR (insert)	INR (insert)	INR [insert]
5	[Solar fencing project description]	(insert type of solar fence) and (type of pole)	(Insert length of solar fence)	INR [insert]	INR (insert)	INR (insert)	INR (insert)

Note:

 Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period

REP No 3695 Dated 02 12 2021

- Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.
- 3. Above rate shall not include one-time cost of project specific civil work and clearing vegetation activities for each project. Estimated one-time cost of project specific civil work and clearing vegetation activities for each project shall be quoted separately in DPR and it will be approved by DFO.
- 4. Tax (GST) rates shall be as per the actuals at the time of invoicing as per the prevailing tax rules in India.

You are requested to submit the following critical documents within a maximum period of thirty (30) Days from the date of issue of this Letter of Intent, without any fail, else your Bid shall be liable for rejection.

SI. No	Critical documents
1.	Acceptance to the Letter of letter to
2.	1 OUD HISSIAN AND ARXAGGAGA AND AND AND AND AND AND AND AND AND AN
3.	Submission of DPR Part 1 for each project which include design and drawing site suggestional drawing site suggestion
4.	estimated cost and the finalized location of the solar fence project etc. Submission of a Detailed Workplan in line with the Project Timelines mentioned in the SOW Clause Single line distribution of Project.
5.	1 Outule happingman, approximation
6.	of Section 7 (Approvious)
7.	Contact information of various OEMs of the
8.	Bill of materials along with spares
9.	Contact information of various OEMs of all Equipment used in the Project

Place: [insert place]

[sign here] Signature

Name of Authorized Signatory of [Name of DFO]: [insert name]

Designation: [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

Date: [DD MMM YYYY] Place: [insert place]

[sign here] Signature

Name of Authorized Signatory: [Insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

7.3.4. LOI Form 4 (Performance Security)

Performance Security (in the form of a Bank Guarantee)

(To be submitted on a non-judicial stamp paper of appropriate value as per The Indian Stamp Act, 1899 relevant to the place of execution. The stamp paper shall be purchased in the name of the issuing bank only.)

Bank Guarantee (BG) no.: [insert BG no.]

Date: [DD MMM YYYY]

To

[Divisional Forest Officer], [Name of District] [Address of Divisional Forest Office]

WHEREAS M/s. [insert name of the Successful Bidder] having its registered office at [insert address] (hereinafter called "the Successful Bidder") has been selected as Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis with reference to Letter of Intent (LOI) no. [insert LOI no.] dated [DD MMM YYYY].

AND WHEREAS it has been stipulated in the said Bidding Document that the Successful Bidder shall furnish [name of Divisional Forest Office], Forest & Environment Department with a Bank Guarantee from a nationalized or scheduled commercial bank for the sum specified therein, as Performance Security for compliance with its obligations in accordance with the Bidding Document, the Letter of Intent and the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department.

AND WHEREAS we have agreed to give the Successful Bidder such a Performance Security in the form of this Bank Guarantee. NOW THEREFORE we hereby affirm that we are the guarantors and responsible to Forest & Environment Department on behalf of the Successful Bidder for an amount up to a total of INR [Amount of the Bank Guarantee in words] ([Indian Rupees in figures]) only and we undertake to pay [name of Divisional Forest Office], Forest & Environment Department upon [name of Divisional Forest Office], Forest & Environment Department's first written demand declaring the Successful Bidder to be in default under the various provisions of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department and without cavil or argument, any sum or sums within the limits of the amount of Bank Guarantee, as aforesaid, without [name of Divisional Forest Office], Forest & Environment Department's need to prove or to show grounds or reasons for the demand or the sum specified therein. We hereby waive the necessity of your demanding of the said demand from the Successful Bidder before presenting us with the demand

We further agree that no change or addition to or other modification of the terms of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department to be performed thereunder or any of the contract documents which may be inade between you and the Successful Bidder shall in any way release us from any liability under this Bank Guarantee and we hereby waive notice of any such change, addition or modification.

This Bank Guarantee shall not be affected in any manner by reason of merger, amalgamation, restructuring or any other change in the constitution of the issuing bank.

This Bank Guarantee shall be a primary obligation of the Issuing bank and accordingly [name of Divisional Forest Office], Forest & Environment Department shall not be obliged before enforcing this Bank Guarantee to take any action in any court or arbitral proceedings against the Successful Bidder, to make any claim against or any demand on the Successful Bidder or to give any notice to the Successful Bidder or to enforce any security held by [name of Divisional Forest Office]. Forest & Environment Department or to exercise, levy or enforce any distress diligence or other processes against the Successful Bidder

This Bank Guarantee shall be interpreted in accordance with the laws of India and the courts at [Bhubaneswar, Odisha] shall have exclusive jurisdiction.

RFP No. 3695 Dated: 02 12 2021

This Bank Guarantee shall be effective only when the Bank Guarantee is issued to the account holder ["name of DFO"] in the bank and branch [bank name and branch address where DFO holds account] having the account no. [bank account] IFSC code (IFSC code of bank branch).

Notwithstanding anything contained herein above our liability under this guarantee is restricted to INR [insert] (Indian Rupees [in words]) only and it shall remain with an explicy date up to IDD MMM YYYY, [insert] months from the original last date of submission of Bid with a claim date up to IDD MMM YYYY, 12 months from the date of expiry] and shall be extended from time to time for such period, as may be desired by M/s. [insert the Successful Bidder name] whose behalf this guarantee has been given.

Our branch at [Name and address of the branch] is liable to pay the guaranteed amount depending on the filing of the claim and any part thereof under this Bank Guarantee only and only if you serve upon us at our [Name and address of the branch] branch a written claim or demand and received by us at our [Name and address of the branch] branch, otherwise the bank shall be discharged of all liabilities under this guarantee thereafter.

in witness whereof the Bank, through its authorized officer, has set its hand and stamp on [DD MMM YYYY] at [insert location of signing].

(Signature of the authorized officer of the Bank)
Name and designation of the officer
Seal, name and address of the Bank and address of the Branch
Power of attorney no.:
WITNESSES

Signature:

Name: Address: Signature:

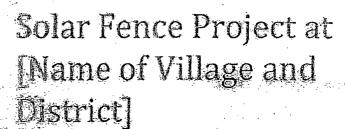
Name:

Address:

Note:

- This Bank Guarantee format is prepared in line with the Annexure-II of Finance Department Office Memorandum 4939 dated 13 Feb 2012, Govt of Odisha [Ref Para 22(i1)].
- 2. Please ensure that each page of the Bank Guarantee is duly signed by the authorized signatory of the issuing bank and stamp of the issuing bank is affixed thereon.
- 3. Please ensure whether the last page is signed with full particulars including two witnesses under the seal of Bank as required in the prescribed format.
- 4. Please ensure that the date, purpose of purchase of stamp paper and name of the purchaser are indicated on the back of the stamp paper under the signature of the stamp vendor. The date of purchase of stamp paper shall be not later than the date of execution of the Bank Guarantee.
- 5. In case of any overwriting, cutting, etc. on the Bank Guarantee have been properly authenticated under signature and seal of the authorized office of the issuing bank.

Project Reference No.: XXXXXXXX



Detailed Project Report

DPREDDITUE (ID)

DPR Part submitted by

DPRIME submitted

Detail Project Report for Salar Fence Project

Details of Beneficiary		
Name of the Beneficiary		
Father's/Husband's Nam	a	
Village.		
G.P.	*	
Block	, T	
District		
Details of the Project Si	ii:	
Village		
G.P.		
Block'	*	
Longitude and Latitude		
Land Mark	· · · · · · · · · · · · · · · · · · ·	
Project Boundaries		
East		· · · · · · · · · · · · · · · · · · ·
West	•	The second secon
North	•	
South	_	
Details of Solar Fence		
Type of Fence		
Total Length of Solar Fend	se (Meters):	and the second s

Cost Estimate:

S/N	Major Item	Estimated Cost(INR)
1	DPR Part 1: Ground clearance, levelling and allied Civil works (if any) (incl. applicable taxes)	
2	DPR Part 2: Supply: etection, commissioning and 5 years' maintenance of sular tence (Incl. all material transportation, labour etc. and all applicable laxes).	
	Total Cost	

Signature of beneficiary	· · · · · · · · · · · · · · · · · ·	.		
Date:		*		
Verified and Recommende	d for a	pproval		
			,	
Name of the Ranger Officer	. : . : :	-		٠.
Name of the Forest Range			The state of the s	• •
Signature	*.	· ************************************	and the second section of the second is second in the second seco	
Date	:	najataja kan kan kan kan kan kan kan kan kan ka	and the second s	
Approved				
Name of the DFO	*	Sample of the second se	التاجو لالأدارة بيويين بالمرا ليوديون بسوطة فيسيسوخ المن فيواي بعد المال المدارية المدار المدار المرابطة المرابطة	
Name of the Forest Division	•	Sandard Colored Colore	ومراور والمراورة ومناهم والمراورة وا	
Signature	•	iga jamanaman sassa ansasa a saka ahi Afta da sakida sasa ma	es consider a constant de Stades Marti Stades in company in company of the Stades of Constant and Constant an	
Date	:	-	adas variables anno en esta a 18,445° (18,761 le 18 e 18 e 18 e 18 e 18 e 18 e 18 e 18	

Table of Contents

1	DPR Part 1: Details of size preparation.	
	1.1 Description of project site (Details to be filled up by the emparielled vendor)	*****
	1.2 Cost estimate:	
ď	1.3 Timeline for completion of Siz-Preparation.	اگا ویدود: این
2	DPR Part 2: Details of erection of Solar Fence project.	 خ
	2.1 Summary of schar fence Solar fence project	Đ
	2.2 Scope of Work for solar lence project	ن خ
	2.3 Detailed Cost Estimate	ti
	4.4 Limetine for implementation of solar leade attriects	
Anı	nexure It Land Record for Project Special Total Government	Đ
Am	nexpre II: Layout of project site	o O
Anr	nexure III: BOQ for Civil Work and Cleaning of Vegetation	. N
Anr	nexure IV: BOQ for Solar Fence Project	•
	nexure V: Single line-diagram of solar fence project	
	and the state of t	12

(Rupees	
والمنافع والم والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمناف	The state of the s
BOQ of civil work and cleaning of venetors	ing in a large of

í	The state of the s	
ı		
		······
Ş		į.
Ì	Prepared by Checked by	į.
à	Checked by	f
ř		1
٠.	Range Officer DFO	
		Þ

1.3 Timeline for completion of Site Preparation:

Si No.	Parameter.	Estimated		Week	ly plan	
1	Activity 1	Days (Nos.)	WI	MS.	W3 T	••••
2	Activity 2					
3	Activity 3	1				
4	Activity 4					
	Total					

- DPR Part 1: Details of site preparation
- 11.1 Description of project site (Details to be filled up by the empanelled vendor)

Status of the project site on the day of assessment (First appropriate box)

- Type of land:
 - o Plain
 - o Undulated
 - o Low lying
 - Water logged
 - o Marshy
- its. Type of soil:
 - o Soft
 - o Hard
 - o Rocky
 - o Stoney
- c. Presence of vegetation:
 - o Sparse
 - o Thick vegetation
 - o Shrubs
 - o Trees
 - o Grass
- d. Other obstacle for erecting fence (if any):
- e. Pre-fence erection treatment needed (if any):
- & Description of the treatment:

Copy of land record issued by local government is provided in Annexure I

1.2 Cost estimate:

Sr. No.	Item	Quantity	Unit	Cost Aunit	Total cost (INR)
				*	
			T:		
			1		
			1	k	
4			Ī		
				Ţ,	
)			P)		
BANKAN AMERICAN PROPERTY.	A 1 registroppine minimum (minimum)	Grand Total			

2 DPR Part 2: Details of erection of Solar Fence project

21 Summary of solar fence Solar fence project

Şŕ	3 0 1	
No.	Particulars	Details to be filled up by the contractor
1.	Total area of land in possession in Acres	
2.	Land periphery in km	
3.	Name of (a) village (b) GP (c) Block (d) District	
4	Type of Solat Rence	
5	Length of Solar Femile	the state of the s

2.2 Scope of Work for solar tence project

As per RFP for Section 3 on Scope of work under Request for Proposal (RFP) for the empanelment of Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptonce of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis and subsequent amendments published by Odisha Renewable Energy Development Agency.

[Ref. No. of RFP and Date of Publication]

23 Detailed Cost Estimate:

, in the second	Sr. No.	Item	Description	Quantity	Unit	Gost /unit	Total cost (INR)
4	1.	Electrical system (solar module, energizer, battery and wiring etc.)					
	2	Fence system	 		***************************************		
	3	Tools				***************************************	
	4	Installation and commissioning	And the same of th				
	5	CMC for 5 year	 	,			
	6	Applicable taxes			~		
		Grand Total					

BOQ for Solar Fence Project is provided in Annexure IV.

Single line diagram of Solar Fence Project is provided in Annexure V.

t	Prepared by	Checked by	Appleved by
	mpanelled Vendor	Range Viliger	DFO .

2.4 Timeline for implementation of solar fence projects

3r	Parameter	Estimated		Week	y plan	
No.		Days (Nos.)	. W1	W2	W3	

1	Activity 1		
2	Activity 2		
3	Activity 3		
4	Activity 4		
	Activity 5		
6	Activity 6		
7	Activity 7.		
8	Activity, 8		
	Total		
-		- H	

Annexure I: Land Record for Project Sile from Local Government

Ammente B. Layout of project site

Annexure III: BOQ for Civil Work and Cleaning of Vegetation

Sr No.	Parameter	Unit	Unit Rate	Quartity	Estimated Cost
A	Civil Work	 			Louisiaced COSI
1.	er to farfird a my difference in the manufacture and the contract of the contr		-		?
2.	the control of the co		The state of the s		
3.	* * (,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
4.				***************************************	
5.	h a v				All a single black of the
В	Clearing of Vegetation				
6.					
7.	e - a j I terrene e e e e estato a para a constanta de la con				
8.	Marie was no na na namanana di kawai na mada ka wada na wada na waka ya yana mana manana na na kata ka ka ka k Marie wasan na n				
9.	A F .				
10.	era				
С	Manpower cost				
11.	46.6				
12.		<u> </u>			
13.	e e la companya da mangana da da mangana da				
D 14,	Machinery rent				
15.	***	ļ			
16.	to the second se				
	Applicable taxes				
	Total				
<u>.</u>	FULCE	<u> </u>			

Annexure IV: BOQ for Solar Fence Project

Sri			Unit	Unit Rati	Quantity	CXI
A	Electrical system				- security	Estimated Gos
1.	Solar PV module		No.		-	
2.	Module mounting structure	Ø.	10			
ļ	with pole	•	No.			! ·
3.	Enèrgizer	-	No.	 		
4.	Battery		No.	}	 	
5.	Fence alarm		Nö.		 	
6.	Hooter		No.	 		v
7.	Lightning arrestor		No.	 		
8.	Mounting box		No.			
9.	Cables		Meters	<u> </u>		
			<u> </u>			
B	Fence System					
1.	Gate		Sgr mtr			
2.	HT wire		Meters			
3.	Corner/ end posts				•	
4.	Support post		Vo.			
5.	Intermediate post		Vo.			1
}. }.	Support Poles Bolts		Vo.			
· · · · · · · · · · · · · · · · · · ·	Corner Poles/End Insulators		Vo.		.	
3	Intermediate Poles Insulators	1	lo.			
· 	Corner Pole Hooks		lo.			
0.	Wire Tighteners		o.			
1.			0.			
2.	Joint clamps Cable	N	<u>.</u> . 'I			
3.			eters			
···	Earth Kits (Galvanizing)	N) .			
	Tools					
	Digital Multimeter	No				To the second second section of the second s
	Xenon Flash Tube	No				
	Neon tester	No				
	Tool kit	No				YL manners at the second secon
		1				
	Installation and					
	commissioning	l		· į		
	Transportation cost	LO	r			
	Civil works	LOT				
	nstallation and	107				
c	ommissioning	LOT	1			
	MC for 5 years					
	pplicable taxes					
	otal cost					

Amenure W. Single knye dingram of solar fence project

Work Order Format for Solar Fence Project

(On the letterhead of DFO, Forest & Environment Department)

Work Order: [insert Work Order No.] dated [DD MMM YYYY]

From

[Divisional Forest Officer]
[Address of Divisional Forest Office]

To

[Successful Bidder-name] [Address]

Sub: Work Order for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years at [Name of district] in Odisha

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]
- 4. Letter of Intentino.: [insert Letter of Intentino.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years and completed all the formalities mentioned in Letter of Intent mentioned in Sr. No. 4 above. We are happy to issue this work order for following solar fence projects subject terms and conditions of RFP mentioned in Sr. No. 2.

SI, No	Description of project	Type of Fence and pole	Estimated kength in km	Price in INR per kin	Approved cost as per DPR Part 1 (INR)	Approved cost as per DPR Part 1 incl. Tax (INR)
1	[Solar fencing project description]	[insert type of solar tence] and [type of pole]	Insert length of solar fence)	INR [insert]	INR [insert]	INR [insert]
2	[Solar ferreing project description]	[insert type of solar fence] and [type of pole]	[Insert length of solar afence]	INR [insert]	INR (insert)	INR [insert]
3	[Solar fending project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fonce]	INR (insert)	INR (Insert)	INR [insert]
4	(Solar fencing	for and type of	finsert len pti	'INR [cost.cl]	INR (maeri)	INR [msert]

	project description]	solar fence) and (type of pole)	of solar lencel			
5	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR (insert)	INR (inse tj	INR (insert)

Note:

- Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period
- 2. Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.

Terms and Conditions of Work Order

- 1. [Name of the Successful Bidder] shall commission Solar Fence Project mentioned above as per the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 2. [Name of the Successful Bidder] shall abides by all the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. [Name of the Successful Bidder] shall sign CMC agreement as per provided formal and the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]

Payment:

- 1. All invoices with respect to this work orders issued shall be submitted to [Name of DFO Office], Forest & Environment Department.
- 4. Payment terms shall be as per Section 6 of Special Terms of Contract of RFP no. [insert RFP no.] dated [DD MMM YYYY]

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory of [Name of DFO]: finsert

namel

Designation: [insert designation]:

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

7.5.4. Appendix Form 4 (Commissioning Report).

The Commissioning Report shall essentially capture the health of the Project at the time of Commissioning along with the various observations which will be captured in accordance with the Applicable Law and Prudent Utility Practices prevailing in Odisha and any general practices followed in the solar industry. The Commissioning Committee will prepare the Commissioning Report. In addition, DFO, Forest & Environment Department will provide the compliance report as per CRC procedures and this shall be referred along with the Commissioning Report for the issuance of Joint Commissioning Certificate.

The sample Commissioning Report is represented below.

Commissioning Report-Solar fence

Date: [DD MMM YYYY]

REP no.: (insert REP no.) dated [DD MMM YYYY]

Reference:

1. NIT no: [insert] dated [DD MMM YYYY]

2. RFP no. (insert) dated [DD MMM YYYY]

3. Empañelment Order no: [insert] dated [DD MMM YYYY]

4. Work Order no. (insert) dated (DD MMM YYYY)

5. Any other correspondence, if any:

This commissioning Report is prepared for the Bidder [insert name of Bidder] for the Project named as [insert] developed at [insert] village of [insert] block at [insert] district of Odisha.

The Project details are given below:

SI-No.	Items	Details	man and the second second second second
1.	Name of the Beneficiary		
2.	Address		
3.	Details of the Project		
8.	Total size of solar PV Module (Wp)		The second secon
þ.	Total Battery size (Vah or kWh)		
C.	Nos. of charge control units		
đ.	Nos. of energizers		
е.	Length of fencing		
4.	CMC manual	(Yes/No)	
5.	Dos & Don'ts in the form of a booklet	(Yes/No)	·
6.	On/Off Test on solar fencing		
7.	Visual Inspection		

The above solar fencing system was commissioned as per applicable guidelines suggest that the performance of the said solar fencing system is satisfactory.

Place: [insert place]

(sign here)

Signature

Name of Authorized Representative of [name of Divisional Forest Office], Forest & Environment Department: [insert name]

Designation: [insert designation]

Iname of Divisional Forest Office), Forest & Environment Department

Seal:

RFPNo 3895 Dated: 02.12,2021

OREOM

Place posed perej

[Sign here]
Signature
Signature
Name of Authorized Plagationalities of OREDA: [Insert name]
Designation: [Insert designation]
Odisha Renewable Energy Development Agency (OREDA)
Seal:

Place: Smischt places

Isign here]
Signature
Signature
Name of Authorized Representative of VEPC [Insert name]
Designation: [Insert designation]
Village Ferice Protection Committee
[Name of Village] [Village Prote]

Sizarilite

United Applicational Representation of W-PCI (insent name)

DESIGNATION FOR designation)

National Representation Committee

[Purise of Vallage] [Whage Code]

HEP NO. 3506 DOUGLE (D. C. 2021) CHEDIE

7.5.5. Appendix Form 5 (Join) Commissioning Certificate)

Juint Commissioning Certificate of Solar Fence

(To be issued by DFO, Forest & Environment Department on the letterhead)

VHOMSOEVER IT MAY CONCERN

Ref. no.: [insent]

Date: (DD MMM YYYY)

To

[Successful Bidder's name] [Address] (Email id) [Wobile no:]

Réference:

NIT no. [insert] dated [DELIKEM YYYY]

RFP no. [insent] dated [80 MMM YYXY]

Empanelment Order no. Friend dated [DD MMM YYYY]

Work Order no. [msen] dated [TO MMM YYYY]

5. Any other correspondence wante

This is to certify that [Name of the Successful Bidder] having its registered office at laddress that successfully commissioned the Project at [vises village name] village, [insert district name] District in Odisha

imsert the Project details!

The Joint Commissioning Certificate is issued on the basis of the following documents enclosed:

- 1. Commissioning Report as sufurnitied by Commissioning Committee
- 2. Installation report as uploaded on CRC created using the ReSolve Mobile App only

Place: [insert place]

[sign here] Signature

Wame of Authorized Representative of Iname of Divisional Forest Office), Forest & Environment Department: [insert name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of OREDA: [insert name]

Designation: [insert designation]

Odisha Renewable Energy Development Agency (OREDA)

Seal:

Place: [insert place] .

RFP No 3695 Dated: 02.12 2021

(sign here)

7.3 5. LOI Form 5 (Sample format for CMC)

Sample format for Comprehensive Maintenance Contract (CMC)

CMC ref no: [insert]
Date: [DD MMM YYYY]

Sub: CMC for design, engineering, supply, installation, lesting, commissioning and acceptance of solar tence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis.

Ref:

- 1. NIT no. [insert] dated [DD MMM YYYY]
- 2. RFP no. [insert] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert] dated [DD MMM YYYY]
- 4. Work Order no. [insen] dated [DD MMM YYYY]

The Comprehensive Maintenance Contract (CMC) is signed jointly between the two (2) Parties on this [insert] day of [insert] month in the year [insert] at Bhubaneswar, Odisha and shall come into force from the date of its signing.

CMC for maintenance of Project consisting of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha supplied and installed by M/s [insert the name of the Successful Bidder] for a CMC Period of five (5) years from the date of Commissioning of the Project.

This CMC is executed between [name of Divisional Forest Office], Forest & Environment Department having office at [address of DFO], herein after called as the First Party and M/s [insert the name of the Successful Bidder] having registered office at [insert address of the Successful Bidder] herein after called as Second Party, for the maintenance of the Project for a period of five (5) years from the date of Commissioning of the Project, as per the details provided herein:

Project	Location details	Remarks	
(insert)	(insert)	(insert)	

The Second Party will maintain the Project as per the terms and conditions mentioned here under:

- 1. It has been envisaged in the Work Order under Article (insert) that the Project shall be warranted against any manufacturing defect and bad workmanship during the CMC Period of five (5) years from the date of Commissioning of the Project. As these Projects have been Commissioned after issuance of a Commissioning Certificate. Hence, the Second Party is fully responsible for their trouble-free maintenance and the Second Party is liable to rectify/ remove any defect noticed within the aforesaid CMC Period, free of cost.
- 2. The Second Party will impart training to at least two (2) designated persons, each from the [name of Divisional Forest Office], Forest & Environment Department and Beneficiary be able to provide first aid repair service for the solar fencing systems.
- 3. The CMC includes repair/ replacement of all spares, consumable and all the Equipment including but not limited to solar photovoltaic module, energizer, battery, fence wire, fence poles, balance of systems, etc. during the CMC Period.
- 4. The Second Party shall establish a central office at Bhubaneswar, Odisha, and also establish local offices at the concerned Project location so as to deliver uninterrupted and sustainable-Gomprehensive Maintenance during the CMC Period duly headed by a Service Engineer.
- 5. The Second Party shall undertake corrective maintenance upon registration of complaint by consumer at CRC-OREDA. After attending to the defect, the Second Party shall upload the required documents at ReSolve mobile application for successful closure of the complaints. The Second Party shall ensure rectification of defects and restore functionality within seven (7) Days of lodging the complaints.
- 6. The Second Party shall undertake scheduled maintenance work as per the prescribed format attached in Annexure Clause 7.5.7 and upload the required details and documents in the ReSolve mobile application strictly according to the given schedule

RFP No. 3695 Dated 02 12 2021

- The Second Party shall apprise the First Party about the requirements and supply of spares during warranty as well as CMC Period.
- 8. Annual report from CRC-OREDA shall be considered as token of ventication of maintenance done and release of annual payment of GMC in arrears upon completion of each year of CMC Period (if any).
- 9. It will be the liberty of the First Party to crosscheck the systems maintained by the Second Party. Random verification of the maintenance may be carried out by the First Party wherever necessary.
- 10. The Second Party may continue to maintain the gadgets after expiry of the CMC Period of five (5) years from the date of Commissioning of the Project, provided the Department/ First Party desires.
- 11. For adjudication of any dispute between the two (2) Parties arising on execution of this CMC, the matter shall-first be brought to the notice of [name of Divisional Forest Office], Forest & Environment Department.
- 12. In case there will be no amicable settlement of the issues, the matter can be referred to the court of law having jurisdiction at Bhubaneswar, Bhubaneswar only.

For and on behalf of [name of Divisional Porest Office], Forest & Environment Department (First Party)

Place: linsert place)

(sign here)

Signature

Name of Authorized Signatory of Iname of Divisional Forest Office]

Forest & Environment Department: [insert name]

Designation: [insert designation].

[name of Divisional Forest Office], Forest & Environment Department

Seal: [insert seal of the Bidder]

For and on behalf of M/s ..

Place: [insert place]

[sign here]

Ŝignature

Name of Authorized Signatory: [insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos. 9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 OF 2023

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

Petitioner

Gita Rout

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

Petitioners

W.P.(C) No. 9056 of 2013
Balagopal Mishrafand another
Mr. G.P

Mohanty, Advocate

W.P. (C) No. 19

Petitioner

Mrinalini Padhi

In person

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

Petitioner

Dwija Dalputi

Mr. Gauta

ista, Senior Advocate assisted by Mr. A Dash, Advocate

State of Odisha and others

Opposite Parties

Dr. Manoj V. Nair, Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Bhubaneswar.

Mr. Debakanta Mohanty, Additional Government Advocate & Mr. Ishwar Mohanty, Additional Standing Counsel,

Mr. Bijaya Kumar Dash, Advocate FOR O.P. No.7-TPCODL.

Mr. Akhaya Biswal, Advocate for Intervener

(in I.A. No.3126 of 2023)

Advocate (in I.A. No.640 of 2023) and

Mr. J. K. Panda, Additional Superintendent of Police

W.P.(C) No.14057-of 2023

Petitioners

State of Odisha and others

Mr. Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another Opposite Parties

Mr. Sankar Prasad Pani, Advocate

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

ORDER 09.05.2023

15.

- 1. The Vakalatnama filed by Mr. Bijaya Kumar Dash, learned counsel for Opposite Party No. 1-TPCODL is taken on record.
- 2. Pursuant to the order passed by this Court on 13th March 2023, two affidavits have been filed the trist dated 17th April, 2023 is by the Chairperson-cum-Conven Task Force (JTF), Dr. Manoj regards compensation paid in V. Nair providing information respect of human losses, human injuries, animal losses, house damage and crop damage. It is stated that in the past six months, there have been 21,093 cases of crop loss on account of attacks by elephants. Dr. Nair, who appears in virtual mode, informs the Court that sum of Rs.7.22 crores has been paid on this score. The Court has also been shown a copy of the Notification dated 3rd May, 2023 issued under Rule 45-KK of the Wildlife (Protection) (Odisha) Amendment Rules, 2023 enhancing the amounts of compassionate payment in all of the above categories. For the instance, the ex gratia for human loss has been increased from Rs. 4 to Rs. 6 lakhs. According to Dr. Nair, there is a 40 days turnaround time for payment of compensation.

- 3. It appears that on 5th April 2023, there was a meeting held by the Chairperson of the JTF with the DISCOMs where inter alia a discussion was held on the mitigation measure sthat have to be put in place for avoiding deaths of elephants due to electrocution. The series of steps to be taken with the DISCOMS approximate to the Comprehensive Action Plan (CAP), include a barricalling the open transformers, fixing of interposing poles of both HT and LT lines, conversion of LT bare conductor to AB cable change of vacuum circuit breaker maintenance of primary substation is ensitization of feeders & periodical checklist of feeder, littings of spikes in the electric poles, establishing in of elephant control from etc."
- 4. The minutes also refers to a study undertaken by SNEHA (Support for Network and Extension/Felp Agency) having experience in working on human-elephant conflict issues in Karhataka. SNEHA was engaged by the DISCOMS to undertake a study fin two districts i.e. Dhenkanal and Angul. Mr. Bilaya Kumar Dash learned counsel appearing for the DISCOMS has handed over a copy of the reported submitted by SNEHA to TATAL Power Limited, Mumbal where interalia one suggestion given is for use of alternate 6V Solar or DC fence set-up which will "repel the wildlife or set off an alarm instead of creating causality."
- 5. The Interveners in I.A. No.3126 of 2023 has also asked for similar measures to be deployed in the villages of those Applicants after undertaking a ground survey.
- 6. Mr. Shehlagam, who is the GEO of TRCODE, is present on line; and explains that Elephant Control Rooms have been set up by the

iDISCOMS since 2020 and that on advance information of elephan coovernent being received from the Rorest Department; they are able to take conjective action.

Thowever the Courtais of the view that steps would have to be aken by the DISCOMs to interact with the residents of villages falling within their respective areas which have twitnessed clephant movement in the past. The DISCOMs would do well to be suade the willagers to go in for 6V Solar fencing and offer it as a viable alternative even while disconnecting the illegally shooked relective fences put up by one villagers to prevent attacks by wild an intails of either thumans for crops.

- 8. Dr. Nairsplaced before the Court the statistics of elephant deaths and human deaths in the past two months. On 9th March 2023, an adult male elephant was electrosuted in Keonjhat and on 13th March, 2023 another male was electrosuted in Gumsar in Ganjam District. On 11th April 2023, one adult female elephant and an adult male elephant were electrosuted in Bonar and Subarnapur respectively. Apart from the four electrocution deaths, there have been in the last two months, 14 more deaths of elephants—2 due to disease, 2 due to natural causes, 1 due to infighting and 1 due to a train accident. Of 18 elephants that have died, there have been 11 adults and 7 very young calves. Dr. Nair adds that the reasons for the death of these 7 wery young calves are still being analyzed.
- 9. During this period, 20 persons have lost their lives due to attacks by elephants. Dr. Nair further adds that these deaths have occurred in

areas not necessarily in or around the 14 elephant corridors in Odisha that were earlier identified by identified by the Asian Nature Conservation Foundation (ANCF). It is informed that due to passage of time only 4 such corridors are considered active and one among them has been notified as a Conservation Reserve pursuant to a judgment by the Supreme Court of India in *Binay Kumar Dalei v*. State of Odisha (decision dated 2nd March, 2022 in Civil Appeal Nos.1627-1628 of 2022).

10. At this juncture, it must be noted here that the Wildlife Society of Odisha (Elephant Corridors) [WSO] had approached the National Green Tribunal (NGT) with a petition being OA. No.129 of 2016 questioning the mordinate delay on part of the State of Odisha in notifying the Elephant Corrigors under Section 3 of the Environment (Protection) Act, 1986 (EP Act) read with Rule 6 of the Environment (Protection) Rules, 1986. It must be further noted here that in the said application, the NGT appears to have passed a 'final order' on 17th August, 2021 directing the State of Odisha to notify the 14 Elephant Corridors as earlier identified by the ANCF within a period of two months. This led to the State of Orissa filing a Review Petition pointing out that there is a petition, W.P.(C) No.275 of 2015, on this issue which is pending before the Supreme Court. Further, it was pointed out that the report of the ANCF suggests that "most of the corridors have no functional existence and most of the corridors are also not ecological feasible." Accordingly, a review was sought by the State of Odisha of the order dated 17th August, 2021 of the NGT. Even while the said review petition was pending, Execution Application No.3/2022/EZ appears to have been filed by WSO

pressing for execution of the order dated 17th August, 2021 in which the NGT passed an order on 6th April 2023, granting the State one month's time 'and no more' to notify the elephant corridors. By this time, in the hearing of the execution application, it was brought to the notice of the NGT by the State of Odisha that this Court was seized of one of the present petitions i.e. W.P.(C) PIL No.14706 of 2022 on the same issue. Against the said order dated 6th April 2023, the State of Odisha has filed W.P.(C) No.14057 of 2023 in which this Court passed an order on 4th May, 2023 staying the further proceedings before the NGT.

I. A. No.6983 of 2023 a rising out of W.P. (C) No.14057 of 2023

- 11. WSO has filed this I.A seeking vacation of the aforesaid stay order dated 4th May, 2023. Notice Notice is accepted by the learned Additional Government Advocate for the State, who undertakes to file a reply thereto within four weeks, rejoinder thereto be filed on or before the next date. The Vakalatnama filed by Sri Pani is taken on record.
- 12. Dr. Nair has explained two major problems coming in the way of notifying elephant corridors. The first being there is no legal provision in the Wildlife Protection Act, 1986 (WP Act), which enables the making of such notification. The second is that the EP Act only talks of eco sensitive zones, which does not fully answer the need for a comprehensive provision for this purpose.
- 13. Mr. Pani, learned counsel appearing for WSO sought to counter the submission by referring to Section 3(2) (v) of the EP Act, which empowers the Central Government to take 'measures to protect and

improve environment' and in that process, notify restriction of areas "in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards." In the considered view of the Court, Section 3(2)(v) of the EP Act operates in a very narrow sphere as it does not contemplate loss of human lives, crops and vegetation etc. as a result of movement of wild animals including elephants and it is doubtful therefore if the measures taken under the above provision to answer the problem brought about as a result of elephant-human conflict.

- 14. In any event, it does appear that identifying elephant corridors precisely is a complex task as pointed out by the ANCF and which was also voiced today during the course of hearing by Dr. Nair. It is significant that many of the deaths that this Court has noted in the present order or in the earlier total soft elephants and humans have occurred in areas not strictly in an around the elephant corridors earlier identified.
- 15. Consequently, at this stage, the Court does not consider it advisable to vacate the order passed by it on 4th May, 2023 in W.P.(C) No.14057 of 2023 and would consider that question after response is received to the application filed today by the WSO.
- 16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week

from today in Which the Chairperson of the ITF will also participate and chalk out at time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild-animals, attacks by wild-animals, destruction of terops and deaths of wild-animals due to electrocurion and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

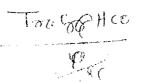
identify alls such instances of illegal hooking to immediately transmission lines to power such electric tences illegally put up in the villages and discontinue the practice forthwith Sensitization meeting with the villagers by the officials of DISCOMs required to be undertakened coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were eather being used.

18. The second affidavit has been filed by Shri J. K. Panda, Additional S.P. and a memberiot the JTF where the details of the 6 ongoing criminal cases that having been registered in Athagarh, Similipal, Gumsur and Dhenkanal Divisions have been set out. The Court is assured by Mr. Panda that all possible steps have been taken to carry each of the criminal cases to the logical end by completing investigation, filing charge-sheet, arresting the persons accused and ensuring that the case progresses. A further affidavit updating the status of these criminal cases be filed before the next date.

I. A. No.640 of 2023 and I.A. No.3126 of 2023 arising out of W.P.(C) No.14706 of 2022

of all compensation claims for the loss of human lives and crop loss by the State Government and for all such claims to be settled in a time bound manner. Notice was issued in the said I.A. on 13th March, 2023 and no replies have yet been filed. Meanwhile, an additional affidavit has been filed by the Intervener on 5th May 2023, copy of which has already been served on learned Additional Government Advocate for the State. Let a copy thereof be served on learned counsel for the Petitioners as well other counsel appearing today. Replies to both the I.As. i.e. 1. 200640 of 2023 and I.A. No.3126 of 2023 be filed by the State within four weeks and rejoinder thereto, if any, be filed before the next date.

20. Dr. Nair informs the Court that off 17th April, 2023, a High Power Committee (HPC) has been constituted with the Principal Secretary. (Energy) being one of the Members and all the DISCOMs being the special invitees. He informs the court that the HPC would meet very soon. Apart from inviting the DISCOMs, the Court directs that the representatives of the Applicants in I.A. No:640 of 2023 and I.A. No:3126 of 2023 also be invited to present their issues before the said Committee. The HPC will also invite SNEHA apart from Dr. Sukumar to participate in virtual mode at its meeting. The minutes of the meeting of the HPC be placed before the Court along with an affidavit before the next date.



IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) No. 19625 OF 2015

In the matter of:

Mrunalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

7 - 16

INDEX

15/05/2023

SI. No. PARTICULARS PAGE No.

1. AFFIDAVIT ON BEHALF
OF TPCODL 1-6

2. ANNEXURE - A/4
Copy of the Minutes of Meeting dated

3. ANNEXURE - B/4
Copy of the Minutes of Meeting dated

27/06/2023 17 - 66

Cuttack

By the TPCODL through

Date: 18/07/2023 LALIT KUMAR MAHARANA

ADVOCATE

O - 631/2016 | 75049 14976



IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(C) No. 19625 OF 2015

In the matter of:

Mrunalini Padhi

...Petitioner

-Versus-

State of Odisha and Ors

...Opp. Parties

AFFIDAVIT ON BEHALF OF TATA POWER CENTRAL ODISHA LIMITED ('TPCODL')

DISTRIBUTION.

I, Harish Kundu, aged about 47 years, S/o Late Sri Prem Singh Kundu, working as Head of the Department (Legal), TPCODL At: JSS Tower - II, Infocity, Patia, Bhubaneswar, Khurda do hereby solemnly affirm and states as follows:



- 1. That I am working as Head of the Department (Legal), TP Central Odisha Distribution Limited and being authorised, competent to swear this affidavit on behalf of TPCODL
- 2. That it is humbly submitted here that on 24/04/2023, TPCODL received the Notice in I.A No. 1737 of 2023 arising out of W.P.(C) No. 19625 of 2015 for substituting the present entities of DISCOMS. The said I.A. is pending. Pursuant thereto, TPCODL entered appearance through





Ld. Counsel for the very first time in terms of the direction of this Hon'ble Court.

3. That it is humbly submitted here that vide the Order dated 09/05/2023, this Hon'ble Court had made certain observations relating to the deaths of elephants due to electrocution in Odisha. Furthermore, a direction was issued that the CEOs of the four DISCOMS would convene a meeting and the Chairperson of JTF would also participate in the said meeting and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing the electric fences wherever found with the solar fences as suggested by SNEHA. The observations made in Order dated 09/05/2023 are quoted below appreciation of this Hon'ble Court.

"16. In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week from today in which the Chairperson of the JTF will also participate and





chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used."

HOU Legal TPCODL, Head Office Bhubaneswar

4. That it is respectfully submitted here that in terms of the aforesaid order, a meeting was held 15/05/2023 at 4pm to finalise the Action Plan of Elephant Protection. The said meeting was held in the presence of the CEOs of all four DISCOMS including TPCODL, the Chief Conservator of Forests Forests, Odisha, Conservator of Corporate Odisha. Head, (Wildlife), Sustainability, Tata Power, Lead Associate-Biodiversity, Tata Power, Executive Director,

XX

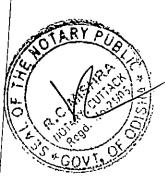
SNEHA - NGO, Project Consultant/Advisor, SNEHA - NGO. The said meeting was aimed at combating the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. The participants therein focused on the collaboration efforts between the DISCOMS and Forest Officials to tackle the problem effectively and an overall comprehensive action plan was discussed. The DISCOM CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities.

Copy of the Minutes of Meeting dated 15/05/2023 is annexed herewith as **ANNEXURE** - **A/4**.

TPCODL, Head Office Bhubaneswar

5. That it is humbly submitted here that subsequent to the aforesaid meeting, another review meeting was convened for strengthening of electrical infrastructure in elephant movement areas It was held under the Chairmanship of Additional Chief Secretary, Odisha. The directions passed by this Hon'ble Court has been taken note of in such meeting and after a detailed deliberation, certain decisions were taken which has put task on the Electrical Inspector, who is appointed by the State Government, Forest Authorities, Principal Chief

W

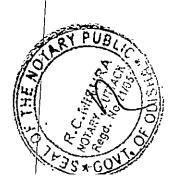


Conservator of Forest (Wild Life) [PCCF (WL)] & Chief Wild Life Warden [CWLW], District Forest Officer [DFOs], DISCOMS. The Engineer In Chief (Elect.) was directed to consult experts such as IIT, Bhubaneswar and Central Electricity Authority [CEA] and notify the Standard for Solar Fencing at the earliest. In this regard, PCCF (WL) & CWLW stated that Department of Forest Environment & Climate Change has notified a scheme titled as 'Jana Surakhya Gaja Raksha' to reduce man animal conflict by promoting fencing by of solar erection Public Private community/individuals on Partnership [PPP] mode. DFO & Electrical Engineer [E.E.] of DISCOMs to jointly take steps in terms of the scheme to achieve its goal.

Copy of the Minutes of Meeting dated 27/06/2023 is annexed herewith as **ANNEXURE** - **B/4**.

6. That it is respectfully submitted here that the present Deponent being conscious of the gravity of the issues involved in the present proceeding, has been taking prompt steps to tackle the situation and as a matter of fact, has been diligently participating in all the meetings and deliberations both with the state authorities as

PA





well as internal bodies, department to ensure that proper and appropriate steps are taken so as to avoid such mishap vis a vis elephants death.

- 7. That the aforesaid developments has taken place pursuant the Order dated 09/05/2023 and the minutes of those meetings have been brought on record for better appreciation of this Hon'ble Court.
- 8. That the present Deponent craves leave of this Hon'ble Court to make further submission and file further affidavits in the interest of justice and effective adjudication by this Hon'ble Court.
- 9. That the facts stated above are true to the best of my knowledge and belief.

Identify By

Valid Rle Maharange

Advocate

Cuttack

Date: 18/07/2023

Deponent HOU Legal TPCODL, Head Office Bhubaneswar

CERTIFICATE

Due to non-availability of cartridge paper, the affidavit is typed in thick white paper.

Solemnly affirm on in 9ath by the Deponent at Cuttack programmer being indentified

RAMA CHANERA MISHIA, NOTARY

7.

T- ANNEXURE-A/4

Minutes of the meeting held on 15.05.2023 at 4:00 PM to finalize the Action Plan of Elephant Protection.

The List of participants is at Annexure-I.

The participants recognized the urgent need to combat the escalating issue of elephant deaths in Odisha, caused by illegal poaching and electrocution. They emphasized the importance of collaborative efforts between the Discoms and forest officials to tackle this problem effectively. An overall comprehensive action plan was discussed.

1) The Discom CEOs shared their comprehensive initiatives to mitigate risks in elephant corridors and raise awareness among local communities. These initiatives included:

24x7 Control Room

TPCODL monitors elephant movement 24x7 in their Power System Control Cente. Information through a WhatsApp group wherein the patrolling group consisting of forest officials & DISCOM officials share the need of immediate tripping of feeders based on elephant movement. Record of all these trippings & incidence in recorded in the control room.

Creating a Safe Infrastructure

- Installing interposing poles to elevate the height of the electrical network.
- Replacing bare conductors with insulated ones.
- Fencing distribution substations to prevent elephant intrusion.
- Implementing deterrent measures, such as spikes on poles.
- Barricading open transformers

Technology Intervention

Installing animal intrusion detection and repellent system

Awareness creation

- Conducting Chaupadi meetings and use of Surakhya Sachetan Rath, a mobile van with digital display, to create awareness and sensitize locals on ill effects of animal poaching.
- 2) Joint Patrolling and Vigilance: The CEOs and CCF highlighted successful joint patrolling efforts by Discoms and forest officials to combat power theft, poaching, and identify vulnerable areas. A systematic plan is prepared with RCCF in Dhenkenal is as elaborated below:

RCCF & Superintending engineer: Once in a month

DFOs &Executive Engineers: Once in a month

ACFs& SDOs: Twice in a month

• Rangers & Section Managers: Thrice in a month

This collaborative approach aims to deter miscreants and locate illegal tapping spots, hooking areas, low-lying networks, substations without adequate fencing, etc. Format for capturing the above details was discussed & it was observed that the patrolling team captures the hooking activities if any & also the need of fencing. Similar approach to be adopted in other areas if not done so far.

Court has shared the following views / steps to be taken by the DISCOMS

1.0 To interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past.

SI NO	DATE	DISCOM *	*DIVISION	SECTION	Location
1	11.04.2023	TPWODL	Jharsuguda	Kusumi	Lachhada, Sundergarh District (Bonai DFO)
2	11.04.2023	TPWODL	Sonepur	Mahadevpali	Near Silijhuri Village,Binika, Sonepur (Subarnapur) District
3	19.03.2023	TPNODL	Joda	Jurudi Section, Joda Sub Division	Jadipada near Basantpur village, Keonjhar District
4	13.03.2023	TPSODL	BNED Bhanjanagar	Bhanjanagar Sub Division-I/ ESO-II Electrical Section	Paddy field near Gambarigochha village, PS- Bhanjanagar, Dist-Ganjam

- 2.0 Persuade the villagers to go in for 6 V Solar fencing & offer it as a viable alternative to deter animals & elephants
- 3.0 Identify instances of illegal hooking to power the farmers fencing & discontinue this practice
- 4.0 The court to be informed the No. of 6 V Solar fencing erected

During the meeting following action plans were discussed in addition to the existing above listed actions carried out by DISCOMS

- 1.0 Intelligence Gathering System: It was proposed to explore setting up of a centralized toll free number for reporting illegal tapping, poaching, and related information. A reward and recognition scheme incentivize public participation shall also be included.
- 2.0 Guidelines on Solar Fencing: Solar Fencing was identified as a probable deterrent to elephants to enter human population area. CCF committed to circulate comprehensive guidelines on solar fencing to ensure consistent standards across the region. Suitable funding mechanism shall be explored with inputs from Energy dept. and Odisha govt. to facilitate villagers for installation of solar fencing.
- 3.0 Initiatives proposed by Sneha-NGO: Sneha-NGO shared its proposal for adoption of the following key measures: the above proposal is being taken up with TATA Power for approval of the proposal
 - a) Support to establish an Early Warning System through Construction/ creation of the Warning systems.
 - b) Handholding support to Grama Panchayats.
 - c) District-level Orientation on HAC
 - d) Awareness and Sensitization Programs to -
 - Self Help Groups
 - Children
 Anganwadi, LPS, HPS, Middle and High School
 - e) Training for the Rapid Response team and Front-line staff of the Forest Department
 - f) Facilitating Elephant protection measures: (Trenches, Solar Fencing under MGNREGA etc.)
 - g) Adoption of MoEFCC guidelines on Compensation

The above activities as per the proposal are listed in detail as follows

a) Support to establish an Early Warning System through Elephant collaring/ Construction/ creation of the Warning systems.

- i. Surveillance Camera traps: The camera traps will be implemented in conflict hotspots and high electrical tripping areas to monitor illegal power thieving and to monitor the elephant movement.
- ii. Proximity sensors and hooters: This is a technological system to detect and deter wild animals. This will help in protecting the crop from wild boar and other wild animals further it may also help in reducing the power tapping in remote villages. In the first phase, 50 Units can be installed in vulnerable areas in one range.
- iii. SMS/Voice call service: Bulk SMS service will be initiated to send out text messages about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages. For sending the SMS, a 2 km radius was chosen based on our long-term research because of the high likelihood (> 80%) that elephants would move within that distance over a 24- hour period.
- iv. Bulk Voice call service: it will be initiated to send out a voice call about elephant presence and their movements within human habitation areas to people who are willing to receive information on their mobile phones. On a daily basis, these messages can be sent in English, Odia and Hindi to people residing within the villages.
- v. GSM Led Display boards: These boards will be placed in highly conflict-prone villages. These digital boards are handled remotely from a base station, this is one of the successful mitigating measures in other states. The board content will be elephant movement information, showing conflict awareness video display.

b) District-level Orientation on HEC

One-day orientation will be conducted at the district level for the district officers from different line department heads and TPCODL staff about the project activities and implementation plans. This will help the district officers to understand the project and provide continued support and collaboration for effective of the project and to ensure the sustainability of the initiatives.

c) Handholding support to Grama Panchayats

Effective handholding support will be provided through project field staff to the Grama Panchayaths to make detailed Grama Panchayath Development Plans to address issues of the Community. The Gram Panchayat Development Plan (GPDP) should be comprehensive and based on a participatory process involving the Community, particularly Gram Sabha, and will be in convergence with schemes of all related Central Ministries / Line Departments related to 29 subjects listed in the Eleventh Schedule of the Constitution. This would include economic development, infrastructure development and other aspects of human development i.e., education, health, drinking water supply, etc., besides access to credit. The GPDP is a Community-led development — Through dialogue, support

communities to develop and implement priority challenges and opportunities. Systems strengthening - Analyze and seek to strengthen formal and informal systems that build resilience Inclusive targeting - Support the poorest households by responding to their specific needs, enhancing their ability to access resources and services to pursue pathways out of poverty

 d) Awareness and Sensitization Programs to – Self-Help Groups, Children – Anganwadi, LPS, HPS, Middle and High School

It is well established that wildlife causes tangible losses, for instance, damaging the crops, but killing the wildlife will certainly lead to several folds of non-tangible losses though it may give some temporary respite. These awareness and sensitization programs are structured to drive this point home to different fractions of the Community. These programs are developed in a manner to enhance the understanding of the issue — its genesis, impacts, strategies to reduce conflict, and mutual co-existence. The content will differ from stakeholder to stakeholder. Also, WASH (Water, Sanitation and Hygiene) component will be added as part of the awareness campaign. These programs will be done at schools, community halls and if required some hired halls based on the requirement.

e) Training for Rapid Response team and Front-line staff of the Forest Department

The training and awareness programs are structured to drive this point home to different fractions of the Community and Department. These programs are developed in a manner to enhance the understanding of the issue and knowledge-sharing programs, — its genesis, impacts, strategies to reduce conflict, mutual co-existence and work closely with the Community. The content will differ from stakeholder to stakeholder. The proposed training plan is for all ranges.

- f) Formation and strengthening of Community PRT: "Gajasathis" Primary Response Team will be formed at all village levels by involving, GP members, Local doctors, Nurses, Police, Forest department staff, PDO etc. This is to engage all the local representatives in the mitigation process.
- g) School/ Anganwadi centres wall painting: The children will be the best change agents to bring positive behaviour to their parents. Therefore, At least 100 schools / Anganwadi centres will be made with wall writing with awareness activities on HEC messages to create awareness among children.
- h) Facilitating Elephant protection measures and other barriers: (Trenches, Solar Fencing under MGNREGA)

By creating suitable trenches as select places, in long term they can serve two purposes, viz., preventing the animals a) from the forest to outside and also b) animals from villages into forests. In short term, they can help the Community to gain employment through MGNREGA funds.

Sneha will help and support only in identifying the vulnerable areas along with the joint survey of the local forest department for trenching and designing the barriers. Implementation of barriers or excavation will be done by the concern range or based on their sponsors.

Knowledge sharing:

Participation/Conducting national and international level seminars/workshop/conference-Bringing National and international level experts in the field and conducting a conference or seminar to share their knowledge.

Methodology:

In consultation with the Wildlife Department of the Odisha Government, the human-elephant conflict hot spots will be identified and the following process will be followed:

The project would recruit a team of young villagers as part of the Government scheme called "Gajasahthis" with some basic skills in understanding modern concepts of communication and who show some compassion towards people and wildlife. They would undergo basic training to understand what happens when elephants raid an area. They would be updated to modern methods of communication and using a smartphone. Once they have understood the basic methods that would be followed in the field to gather information, they would start work.

They would also be trained in using an app to collect data using PS. Hence whatever data they collect would be geo-tagged and would be very help full to mapping the issue. One person from each village in the hotspot area would be taken.

For reducing Human Deaths and Damage from elephants:

- a) Deploy early warning systems: The project team would visit the identified villages which are prone to raiding by elephants. They would do a number of transit around the village marking any signs of elephant movement. These would be marked on the app producing a map of elephant movement around the village. They would also mark, and record damage done by elephants. Mark earlier conflict locations where elephants had died or humans. This would give us a detailed map of how elephants are using the area.
- b) In the meantime, we would have developed a land use map around the village using Sentinel 2 images and the terrain of the surrounding area. Together the Geographical information system would give us a rough scheme of how elephants are moving in the area. Data from the Forest Department Anti-depredation staff would also be added to the system.
- c) Once we understand the movement of elephants around the target village, we would deploy an early warning system, which would raise an alarm at the village when elephants approach the village. This can be upgraded to send SMS to the local people who have registered their numbers, informing them that elephants were there in a location and are moving towards a known location.

d) When the Government erects electric fences/ trenches, our teams would help the farmer to understand how they protect them from elephants intruding into their farms and activate them to participate in maintaining the same. One of the responsibilities would be to work with the Community to build their own latrine to avoid going for open defecation early morning before sunrise and after sunset which is the most vulnerable time.

Community Education to Mitigate HEC:

- a) The 1500 Volunteers would mingle with the people helping them with any major issue they meet daily. This would result in them understanding HEC better and also would get information on people who could be trapping wildlife for gain.
- b) Usually, wild pigs are a major problem compared to elephants as they damage crops more extensively. However, as elephants are more visible walking through a crop field the damage due to their passage easily attributable. Some farmers lay a trap for wild pigs by putting a wire roughly one foot above ground using insulated wooden stakes. The power supply to this setup is from the home mains electricity and is not allowed as per norms. Social pressure would be created via education in schools and through Gajasathis. Alternate 6V Solar or DC fence set-up education will be provided as these will merely repel the wildlife or set off an alarm instead of creating causality. Also, the team would help farmers to try and overcome the raiding by wild pigs by bringing to notice of the Government resulting in the Forest department or agriculture department coming forward to put up a fence to protect the farmers.
- c) The teams would be given the necessary skill and equipment to help the farmer maintain any fence which exists at present
- d) While patrolling the farms they would also map all the electric posts and the connection to wells and houses. This would be mapped onto the map and we can ensure that there are no low-hanging live wires in the path of elephants. This output would be helpful for the Tata Company which would allow them to plan their network more efficiently.
 - 4.0 Affidavit and Court Compliance: The discoms will submit a detailed affidavit outlining their initiatives and actions, complying with court orders. Individual reports will provide specific insights from each discom.
 - 5.0 Discoms shared with CCF that Saturation Survey has been carried out for further elephant movement areas in coordination with the forest dept. officials. Requisitions of approx. Rs 875 Crores have been prepared and are under consideration for the various areas.

- 14.1.

TPCODL has placed requisition for release of funds of Rs 783.49 Cr for taking up works under vulnerable locations of Elephant Corridor & Movement Area based on the joint survey done with Forest Dept. The Cost breakup of estimate placed is as follows:

S No	Area.	Value (Rs Cr)
1	Angul	200.76
2	Athamalik	98.71
3	Satkosia	5.47
4	Dhenkanal	290.72
5	Deogarh	12.18
6	Athagarh	44.93
7	Cuttack	5.49
8	Khurda / WL	88.58
9	Chandaka	20.31
10	Nayagarh	16.35
Total		783.49

In TPWODL area, the joint verification has been completed. Signing of reports by stakeholders is complete except in Sambalpur. Post completion of the signing, we will be submitting the DPR will be submitted Dept. of Energy, Govt. of Odisha for approval and corresponding fund allocation.

S. No.	Package	Value (Rs Cr)
1	Golamunda	. 0.41
2	Kalampur	5.65
3	Jaipatna	1.15
4	Junagarh No.: II	3.99
5	Narla	0.52
6	Biswanathpur	2.28
7	M. Rampur	1.70
8	Chhatiguda	0.20
9	Tureikela	9.22
10	Saintala	2.21
11	Belpada	6.85
12	Patnagarh No.: II	2.53
13	Dhama	0.51
14	Kuchinda No.: !	1.92
15	Kuchinda No.: II	2.27
16	Bamra	2.99
17	Jamankira	2.66
18	Kusumi	2.01
19	Hatibari	1.08

", S. No. '	Package	· Value (Rs.Cr)
20	Padiabahal	0.65
21	Laida	0.27
22	Paramanpur	0.27
23	Rengali	0.28
24	Laikera	0.53
25	Rairakhol	1.09
26	Bagdihi	2.12
27	Naktideul	2.33
Total		57.72

In TPNODL area, new Proposals for Rs 33.56 Cr for 363 Nos. of locations have been received from the concerned DFOs. The same has been submitted to Dept. of Energy, Govt. of Odisha.

S No.	· Area	Value (Rs Cr)
1	Bhanjanagar	29.13
2	Phulbani	2.27
3	Berhampur	2.16
Total		33.56

6.0 The next meeting shall be held on 15th Jun'23 to discuss the progress and way forward.

(Toca Copy Attested)

9 | Page

Annexure-I: List of Participants

- 1. Mr. Shenbagam Manthiram, CEO, TPCODL
- 2. Mr. Arvind Singh, CEO, TPSODL
- 3. Mr. Gajanan Kale, CEO, TPWODL
- 4. Mr. Manoj V Nair, Chief Conservator of Forests, Odisha
- 5. Mr. Bikash Ranjan Dash, Conservator of Forests (Wildlife), OdishaN.
- 6. Ms. Vaishnavi Prabhakan, Head Corporate Sustainability, Tata Power
- 7. Ms. Pratiksha Naik, Lead Associate Biodiversity, Tata Power
- 8. Mr. Ramasamy Krishnan, Executive Director, SNEHA-NGO
- 9. Mr. N. Mohanraj, Project Consultant / Advisor, SNEHA-NGO
- 10. Mr. Shrenik Jain, TPNODL

GOVERNMENT OF ODISHA ENERGY DEPARTMENT

No. 73/8 /En., dt. /3 /07 /2023	
ENG-DISCOM-OLA-0002-2021	
From	
Smt Lipsa Das, OAS (SAG),	
Additional Secretary to Government.	
To The PCCF (Wild life) & CWLW, Bhubaneswar/	
EIC (Elecy.)-cum-PCEI & SDA, Odisha, Bhubaneswar /	
Managing Director, GRIDCO, Bhubaneswar/	
CEOs, TPCODL/TPNODL/TPSODL.	
Sub: Proceedings of the review meeting held on 27.06.2023 at 3.00 PM und	er
the chairmanship of the Additional Chief Secretary, Energy Departme	ηt
regarding strengthening of electrical infrastructure in elephant moveme	111
areas.	
Sir, In inviting a reference to the subject cited above, I am directed to ser	nd
herewith the Proceedings of the review meeting on strengthening of electric	
infrastructure in elephant movement areas held on 27.06.2023 at 3.00 PM und	er
the chairmanship of Additional Chief Secretary, Energy Department for ki	nd
information & necessary action at your end.	
Yours faithfully,	
ASAS 13.07 20	23
Additional Secretary to Government.	
Memo No. 73/9 Dated /3/07/2023	
Copy forwarded to PS to the Additional Chief Secretary, Eller	gy
0.1.124 1.011.00	
Department for kind information of Additional Chief Secretary.	. 200
Additional Secretary to Government	:nt.
Additional Secretary to Government, FE &	O'CI
Copy forwarded to Additional Secretary to Government, FE &	ont
Dengriment/ FA-chm-Additional Scotcially to dovernment, Enoisy 2 operson	
CCF (Wlid Life) & Chairman, JTF, Bhubaneswar for information and necess	⊶ ებ'
action. draft 13.0	
Additional Secretary to Governm	ent.

Proceedings of the review meeting on Strengthening of electrical Infrastructure in elephant movement areas held under the Chairmanship of Additional Chief Secretary, Odisha on 27.06.2023 at 3.00 PM through VC.

The list of participants is at Annexure-I.

- 🌠

Additional Chief Secretary, Energy Department welcomed the participants and requested the CEOs of DISCOMs to present the status of utilisation of funds released by Energy Department for strengthening of electrical infrastructure in elephant movement areas. He expressed concern that the no. of elephants electrocuted during the year 2022 has seen a sharp rise (24 Vs 7 in 2021) in spite of investment of lots of funds by the Government to strengthen the infrastructure in elephant movement areas.

The CEOs of the DISCOMs presented the progress made under this scheme. Detailed deliberation held and decisions taken are as follows.

- DISCOMs have placed work orders in respect of Rs.517 Crore for infrastructure strengthening works in the movement areas of elephants identified by PCCF (WL) & CWLW against Rs. 571.6 Crore released under phase-IV. Regarding the physical progress, it was apprised by the DISCOMs that, 50238 HT Interposing poles have been installed, 970.1 CkM of HT bare line has been converted to XLPE insulated cables. 18290 LT interposing poles have been installed & 1056 CkM of LT bare conductor converted to AB cable.
- It was observed that progress of works in TPWODL and TPSODL is rather slow. Therefore both the CEOs were instructed to expedite the pending works in order to complete the same by September 2023. CEO TPNODL appraised that some of the estimates within the original scope were on higher side. Hence there is saving of fund. CEO, TPCODL also stated that there is saving of fund due to reversal of 6% overhead charges as advised by ACS (Energy).
- PCCF (WL) & CWLW expressed concern over increase in numbers of the elephants electrocuted due to coming in contact with charged 11kV and LT lines. He stated that DISCOMs are not maintaining the mandatory ground clearance & safety norms are being flouted. Near

Keonjhar town, 2 no. of elephants got electrocuted after coming in contact with live LT Lines. In another instance at Bhanjanagar circle (in Boudh District) in TPSODL area, an elephant got electrocuted due to 3.7 meter ground clearance of 11 kV line from ridge of agricultural land against statutory requirement of 4.6 meter. He stated that Forest Department shall be constrained to initiate criminal proceedings against concerned DISCOM officials for not having taken enough steps to prevent death of elephants due to electrocution in the State.

• PCCF (WL) & CWLW further highlighted about the Interim Order passed by Hon'ble High Court on 09.05.2023 in WP(C) No.14706 of 2022 and related WP(C)s. The Hon'ble High Court has taken a considered view that despite having a comprehensive action plan made available to DISCOMs, not enough steps have been taken by them to prevent death of elephants due to electrocution. DISCOMs have been directed to identify illegal hooking and stop the practice forth with and also sensitize the villagers against this practice. Further steps shall be taken by DISCOMs to persuade the villagers to go for 6V Solar Fencing as a viable alternative. PCCF (WL) & CWLW further mentioned that DISCOMs have not yet filed counter replies in the above WP(C)s. (Order dated 09.05.2023 of Hon'ble High Court is annexed)

After a detailed deliberation, the following decisions were taken.

- On each occurrence of elephant electrocution, the concerned Electrical Inspector shall either suo motu or on receipt of requisition from Forest authorities shall cause an immediate inquiry and send a factual report to PCCF (WL) & CWLW, DFO concerned as well as to the DISCOMs.
- Electrical Inspector shall conduct routine inspection of the unsafe & vulnerable points/spots in the network of the DISCOMs including the electrical installations of private industries in elephant movement areas and point out for immediate rectification to be done by the concerned DISCOMs.

- On the request of PCCF (WL) & CWLW, CEOs were advised to share the division/ district wise works executed in each DISCOM for necessary information of concerned DFOs.
- EIC (Elect.) was directed to consult IIT, Bhubaneswar & CEA and notify the Standard for solar fencing at the earliest. In this regard PCCF (WL) & CWLW stated that Department of FE & CC has notified a scheme titled "Jana Surakhya Gaja Raksha" to reduce man-animal conflict by promoting erection of solar fencing by community/individuals on PPP mode. (The Scheme details is annexed). DFO & EE of DISCOMs to jointly take steps for implementation of the scheme.
- PCCF (WL) & CWLW was requested to explore funding support from CAMPA to take up the system strengthening works identified now.
- DISCOMs shall ensure that adequate ground clearance is maintained and insulation of electrical installations is as per CEA standard.
- DISCOMs shall file counter reply in all the High Court cases immediately and share copies of the affidavits with EIC (Electricity) and PCCF (WL) & CWLW.

The meeting ended with vote of thanks to the Chairman and other participants. \prec

Additional Chief Secretary

Energy Department

Annexure-I.

- Additional Chief Secretary, Energy Department
- PCCF (WL) & CWLW
- EIC (Electricity)-cum-PCEI & SDA, Odisha
- Additional Secretary, Energy Department
- FA-cum-Additional Secretary, Energy Department
- CCF (Wildlife) & Chairman JTF
- MD, GRIDCO
- CEO, TPCODL
- CEO, TPWODL
- CEO, TPNODL
- CEO, TPSODL
- Other Officials of DISCOMs.



STATE WILDLIFE HEADQUARTERS, ODISHA

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE) & CHIEF WILDLIFE WARDEN, ODISHA FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA

Memo No. 1080 / 10WL-CC-410/2020 dated 98 /11/2022

To

All Divisional Forest Officers (T) & (WL)

Sub:- Implementation of scheme titled "Jana Surakhya Gaja Rakshya" to reduce man-animal conflict by promoting erection of solar fencing by community / individual on PPP mode.

Ref:- This office memo No.890 dated 29.01.2021.

Please refer to the guidelines for implementation of the scheme "Jana Surakshya Gaja Rakshya" along with required formats for documentation process already communicated vide this office memo No.10006 dated 04.11.2022 together with copy of the Request for Proposal (RFP) floated by OREDA also communicated vide this office memo No.10641 dated 22.11.2022. You must have started the process for selection of project villages / proposals. Please do expedite the same for consideration at this end for release of funds

However, for your ready reference, a check list of process for inviting applications and processing of proposals under the said scheme to be followed is done and enclosed herewith.

Encl:- As above.

Conservator of Forests (Wildlife)

Memo 1999 dated 29 11 20 22 Copy along with enclosure forwarded to all Regional Chief Conservator of Forests for information and necessary action in continuation to this office memo No.891 dated 29.01.2021, 10007 dated 04.11.2022 & 10642 dated 22.11.2022.

Conservator of Forests (Wildlife)

P.T.O

Memo 800 dated 29/1/2025 Copy along with enclosure forwarded to the Chief Executive, OREDA, Bhubaneswar for information and necessary action with reference to his letter No.2848 dated 31.10.2022.

Conservator of Forests (Wildlife)

Memo 1985 dated 23/11/22 Copy along with enclosure forwarded to the Additional Chief Secretary, Forest, Environment and Climate Change Department, Odisha, Odisha, Bhubaneswar for favour of kind information and necessary action.

Conservator of Forests (Wildlife)

CHECKLIST FOR PROCESSING PROPOSALS UNDER "JANA SURAKSHYA GAJA RAKSHYA"

- DFOs will receive the applications in plain paper duly accompanied with village resolution through the Sarapanch concerned and will send the same to Range Officer concerned for conducting meeting at village level for finalization of site and extent. (Refer para 2.5 of the Guidelines)
- 2. The said application on receipt from Range officer after verification will be placed before the Selection Committee at Division level as per Para 2.2 of the guidelines already communicated vide Memo No. 10006 dated 04.11.2022 (DFOs have already been authorised to convene the Selection Committee vide the said Memo).
- The Selection Committee shall shortlist a set of applications including type of fencing to be done and authorize the DFO to issue Letter of Intent (LoI) to the applicants. The high conflict areas and areas with cash crop will be covered on priority. (Refer Para 2.1 of the Guidelines).
- 4. The DFO will submit the list of approved applications in order of priority/ merit as would be decided by the Selection Committee for consideration by the State Wildlife Headquarters depending on funds availability. (Refer para 2.2 of the Guidelines)
- 5. On receipt of communication from the Headquarters, the DFO will advice the applicants as cleared by Headquarters, to complete the residual process such as deposit of community contribution which will be kept in a separate account to be opened by DFO for the purpose as per Para 2.1 of the Guidelines. Other pre-requisites like formation of Village Fence Protection Committee (existing VSS, EDC or any other CBO may be considered) as per Para 2.1 of the Guidelines are to be ensured beforehand.
- 6. On fulfilment of all pre-requisites including NOC from DISCOMs (Annexure2 of MoU), DFO will enter into a MoU (Annexure-IV of this office Memo No. 10006 dated 04.11.2022) with the beneficiary specifying roles and responsibilities as per the Para 2.1 of the Guidelines. (Copy of draft MoU enclosed).
- 7. DFO should share the list of finalized villages with empanelled vendors and the one consenting to execute the work shall be selected for the purpose. DFO shall issue LoI in LoI Form 3 (Para 1.8 read with Para 7.3.3 of RFP) for solar fence (copy of form for LoI enclosed) to said empanelled selected vendor and the latter on receipt of LoI shall

complete all formalities as mentioned in LoI and provide all the critical documents as listed in Para 1.8 of RFP including performance security [3% of the project cost in the form of Bank Guarantee in LoI Form 4 mentioned in Para 7.3.3 of RFP should be submitted by the said vendor in the prescribed format (copy enclosed) with expiry date / period of six months from time of issue of LoI and claim date / period of twelve months from the said expiry date]. (refer para 2.1.8 and LoI Form 4 at para 7.3.4 of RFP) The confirmation of the said Bank Guarantee be obtained beforehand from the issuing Bank branch.

- 8. Upon completion of all the formalities mentioned in the LoI-by the empanelled vendor, the DFO shall approve the DPR (copy enclosed) and issue Work Order (copy enclosed) to the vendor within a period of 30 days. (Refer para 1.8.3 of RFP and para 2.3 of the Guidelines)
- 9. All tests and inspections shall be made at the Project site. The authorized representative of OREDA and DFO shall inspect, supervise and test during implementation of the project and issue commissioning report and joint commissioning certificate in the prescribed format (copy enclosed). (Refer para 3.2.2 of RFP)
- 10. DFO will execute Comprehensive Maintenance Contract (CMC) with the vendor for a period of 5 years in the prescribed Form 5 at Para 7.3.5 of RFP (copy of Form enclosed).
- 11. Beneficiary shall extend all support to the vendor during installation of solar fencing project as well as during comprehensive maintenance contract period as per the MoU signed with the DFO.
- 12. Timeline for different stages of developing the project has been mentioned at Para 3.4 of the RFP.
- In case of any ambiguity/ contradictions, the provisions as prescribed in the N.B. Guidelines/ RFP shall prevail.

Conservator of Forests Olo the PCCF (WL) & CWLW

Odisha, Bhubara

Annexure-IV

MEMORANDUM OF UNDERSTANDING BETWEEN THE [NAME OF THE BENEFICIARY] AND [NAME OF DEO OFFICE] FOR IMPLEMETATION OF SOLAR FENCE SYSYTEM

This Memorandum of Understanding (MoU) is made, on the	his day of	2021,
between the [name of the beneficiary], a [occupation of be	eneficiary] (hereinafter	referred to as
"Beneficiary"), and [DFO Office], (hereinafter referred to	as "DFO").	

WHEREAS Beneficiary who is desire to install solar fence system at [type of land] at [location and address of land] under [name of the scheme of solar fence system] scheme of Government of Odisha.

and

WHEREAS DFO is approving agency for solar fence system for Beneficiary under the [name of the scheme of solar fence system] scheme of Government of Odisha.

Each of the "Beneficiary", and the "DFO" may, individually be referred to as the "Party", and collectively referred to as "Parties".

This Memorandum of Undertaking is based upon the following facts:

- A Beneficiary has applied for solar fence system ("Proposed Project"), for consideration and approval by DFO under the [name of the scheme of solar fence system] scheme of Government of Odisha.
- B. DFO, being the implementing agency for [name of the scheme of solar fence system] scheme of Government of Odisha, has scrutinized application for the Proposed Project submitted the Beneficiary and found qualified.
- C. Beneficiary and DFO agreed to implement the Proposed Project at [location of the Proposed Project] which is in possession of Beneficiary.
- D. Beneficiary will incur expenses in implementation of the Proposed Project as specified under [name of the scheme of solar fence system] scheme of Government of Odisha and assist with possible actions to implement the Proposed Project.
- E. The Parties wish to establish a responsibility of the Beneficiary and DFO under the Proposed Project, as provided herein.

NOW THEREFORE, the parties agree as follows:

- 1. Beneficiary agrees to implement the Proposed Project as per the term and condition of the [name of the scheme of solar fence system] scheme of Government of Odisha
- 2. DFO has found an application for the Proposed Project submitted by the Beneficiary as qualified as per the terms and conditions of the [name of the scheme of solar fence system] scheme of Government of Odisha.
- Post-approval by DFO, the Beneficiary agrees to implement the Proposed Project and for its maintenance 5 years from date commission by the EPC Contractor engaged DFO and pay its share as per the [name of the scheme of solar fence system] scheme of Government of Odisha
- 4. DFO has agreed to hand over the Proposed Project post-implementation to the Beneficiary upon completing handover formalities decided by DFO.
- 5. Upon implementation of the Proposed Project, the Beneficiary shall be responsible
 - a. Operation of the Proposed Project as the instruction provided by the EPC contractor
 - b. To ensure the safety of wild animals and not to misuse the Proposed Project for any illegal matters.
 - c. Protect fence system of Proposed Project from any damage due to natural or manmade conditions in Proposed Project area.
 - d. In case of any damage to the fence system of the Proposed Project, due to natural or man-made conditions, shall be responsible for repair and maintenance of fence system at its cost through EPC contractor of local contract as feasible.
- 6. DFO shall be held responsible for any accident due to the Proposed Project and shall be free to take appropriate action in case of any illegal or misuse of the Proposed Project identified by DFO, and also removing the Proposed Project from Site without any financial compensation to the Beneficlary.
- 7. Beneficiary shall seek approval for the Proposed Project from Village Fence Protection Committee constituted by DFO in the format provided in Annexure 1 and abide by the terms and conditions of approval.
- 8. Beneficiary shall also seek No Objection Certification (NOC) from Distribution Utility for Implementation of the Proposed Project in the format provided in Annexure 2 and abide by the terms and conditions of NOC.
- 9. Beneficiary shall also seek NOC from Neighbor (applicable in case if Beneficiary is

Individual Farmer) for implementation of solar fence system in the format provided in Annexure 3 and abide by the terms and conditions of NOC.

- 10. Beneficiary shall seek approval and NOC as per Clause 7, 8 and 10 of this MOU submit to the EPC contractor.
- 11. Any controversy between the parties hereto shall be submitted to arbitration and such arbitration shall comply with and be governed by the principles of the Forest & Environment Dept., Govt. of Odisha.
- 12. All notices herein required shall be in writing and shall be delivered in person or sent by registered mail, postage prepaid, to the following addresses.

Name	:	[Name of Beneficiary]	
Address	:		
Name	:	[Name of DFO Office]	
Address	:	<u> </u>	

IN WITNESS WHEREOF, the Parties hereto have duly executed this MoU as of the day and year first written above.

Party No. 1 – [Name	of Ben	eficiary]	•			
Name	:				_	
Designation	:					
Signature .	:					 .
Party No. 2 – [Name	of DFC	Office]				
Name of DFO Office	;				_	
Designation	:					
Signature	:		· .			<u>. </u>
Seal	:					
Witness 1:						
Name	:			 		
Signature	;					

Witness 2:		
Name	;	
Signature	:	

Annexure 1: Approval from Village Fence Protection Committee

To, [Name of Beneficiary] [Address]

Subject: Approval for implementation of solar fence system

Dear Sir/Madam,

We the undersigned approve the implementation of the solar fence project for [Name of the Beneficiary] under the [name of the scheme of solar fence system] scheme of Government of Odisha at the below address provided he/she shall sign the Memorandum of Undertaking with the Forest Department.

[Address of land]
[Village and District]
[District]

[Name of the Beneficiary] shall ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.

[Signature]
[Name of the authorised signatory]
[Name of VFPC]
[Address]

Annexure 2: NOC from Distribution Utility

NOC for commissioning of solar fence project

To, [Name of Beneficiary] [Address]

Subject: NOC for implementation of solar fence system at [project site address]

To Whom So It May Concern

Dear Sir/Madam,

This is with reference to your request letter on the above subject. You have applied for the solar fence system at the below-mentioned address:

[Name of the Beneficiary] [Address of land] [Village and District] [District]

We issue no objection certificate for the implementation of solar fence system at the address mentioned above subject to the following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- 2. We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature]
[Name of the authorised signatory]
[Name of DISCOM]
[Name of Local DISCOM office]
[Address]

- 32.

Annexure 3: NOC from Neighbour Landowners

NOC for commissioning of solar fence project

To Whom So It May Concern

[Name of Beneficiary] have applied for the solar fence system at below mentioned address:

[Name of the Beneficiary] [Address of land] [Village and District] [District]

I/We don't have any objection to implementation of solar fence system at above address subjected to following conditions:

- 1. It shall be your responsibility to ensure the safety of wild animals and not to misuse the solar fence system for any illegal matters.
- 2. I/We shall not be held responsible for any accident due to the solar fence system.

Thanking You.

[Signature]
[Name of the Neighbor]
[Address]

7.3.3. LOI Form 3 (Letter of Intent for Project)

Letter of Intent for Solar Fence Project (To be submitted on the letterhead of DFO, Forest & Environment Department)

Letter of Intent no.: [insert Letter of Intent no.] dated [DD MMM YYYY]

From

[Divisional Forest Officer] [Address of Divisional Forest Office]

To

[Bidder name] [Address]

Sub: Letter of Intent for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis

Reference:

- NIT no. [insert NIT no.] dated [DD MMM YYYY]
- RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years for following projects.

SI. No.	Description of project	Type of Fence and pole	Estimated Length of Eence	Price in INR per KM	Total solar fencing Cost (INR)	Approved cost of project specific activities (INR)	Total Cost (INR):
1	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR (insert)
2	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR [insert]
3	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR (insert)	INR [insert]	INR (insert)	INR [insert]
4	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR [insert]
5	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR [insert]	INR [insert]	INR [insert]

Note:

1. Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period

RFP No. 3695 Dated: 02 12:2021

- 2. Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.
- 3. Above rate shall not include one-time cost of project specific civil work and clearing vegetation activities for each project. Estimated one-time cost of project specific civil work and clearing vegetation activities for each project shall be quoted separately in DPR and it will be approved by DFO.
- 4. Tax (GST) rates shall be as per the actuals at the time of invoicing as per the prevailing tax rules in India.

You are requested to submit the following critical documents within a maximum period of thirty (30) Days from the date of issue of this Letter of Intent, without any fail, else your Bid shall be liable for rejection.

Acceptance to the Letter of Intent by signing the copy of the Letter of Intent along with an official seal, date, and submission to DFO, Forest & Environment Department
seal, date, and submission to DEO signing the copy of the Letter of Intentialong with an official
Supmission of Performance Commission Department
Submission of DDB Date of DDB
estimated cost and the rank I for each project which include design and drawing site of the standard cost and
estimated cost and the finalized location of the solar fence project etc. Submission of a Detailed Workplan in line with the Project Timelines mentioned in the SOW Clause Single line different and the solar fence project etc.
Additional of a Detailed Workplan in line with the Project Timelines most and a second
a.s. Tor the implementation of Project.
Valid Test Certificates along with datasheets of all Equipment
Valid Test Certificates along with datasheets of all Equipment used in the Project, as per Bid Form of Section 7 (Annexure).
Contact Information of various OEMs of all Envi
Contact information of various OEMs of all Equipment used in the Project Bill of materials along with spares
Contact information of various OCM.
Contact information of various OEMs of all Equipment used in the Project

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory of [Name of DFO]: [insert name]

Designation; [insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

Date: [DD MMM YYYY] Place: [insert place]

[sign here] Signature

Name of Authorized Signatory: [insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

RFP No. 3695 Dated: 02.12.2021

OREDA

7.3.4. LOI Form 4 (Performance Security)

Performance Security (in the form of a Bank Guarantee)

(To be submitted on a non-judicial stamp-paper of appropriate value as per The Indian Stamp Act,1899 relevant to the place of execution. The stamp paper shall be purchased in the name of the issuing bank only.)

Bank Guarantee (BG) no.; [insert BG no.]

Date: [DD MMM YYYY]

To

[Divisional Forest Officer], [Name of District] [Address of Divisional Forest Office]

WHEREAS M/s. [insert name of the Successful Bidder] having its registered office at [insert address] (hereinafter called "the Successful Bidder") has been selected as Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis with reference to Letter of Intent (LOI) no. [insert LOI no.] dated [DD MMM YYYY].

AND WHEREAS it has been stipulated in the said Bidding Document that the Successful Bidder shall furnish [name of Divisional Forest Office], Forest & Environment Department with a Bank Guarantee from a nationalized or scheduled commercial bank for the sum specified therein, as Performance Security for compliance with its obligations in accordance with the Bidding Document, the Letter of Intent and the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department.

AND WHEREAS we have agreed to give the Successful Bidder such a Performance Security in the form of this Bank Guarantee. NOW THEREFORE we hereby affirm that we are the guarantors and responsible to Forest & Environment Department on behalf of the Successful Bidder for an amount up to a total of INR [Amount of the Bank Guarantee in words] ([Indian Rupees in figures]) only and we undertake to pay [name of Divisional Forest Office], Forest & Environment Department upon [name of Divisional Forest Office], Forest & Environment Department's first written demand declaring the Successful Bidder to be in default under the various provisions of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department and without cavil or argument, any sum or sums within the limits of the amount of Bank Guarantee, as aforesaid, without [name of Divisional Forest Office], Forest & Environment Department's need to prove or to show grounds or reasons for the demand or the sum specified therein. We hereby waive the necessity of your demanding of the said demand from the Successful Bidder before presenting us with the demand.

We further agree that no change or addition to or other modification of the terms of the Bidding Document and/ or the Work Order to be issued by [name of Divisional Forest Office], Forest & Environment Department to be performed thereunder or any of the contract documents which may be made between you and the Successful Bidder shall in any way release us from any liability under this Bank Guarantee and we hereby waive notice of any such change, addition or modification.

This Bank Guarantee shall not be affected in any manner by reason of merger, amalgamation, restructuring or any other change in the constitution of the issuing bank.

This Bank Guarantee shall be a primary obligation of the issuing bank and accordingly [name of Divisional Forest Office], Forest & Environment Department shall not be obliged before enforcing this Bank Guarantee to take any action in any court or arbitral proceedings against the Successful Bidder, to make any claim against or any demand on the Successful Bidder or to give any notice to the Successful Bidder or to enforce any security held by [name of Divisional Forest Office], Forest & Environment Department or to exercise, levy or enforce any distress, diligence or other processes against the Successful Bidder.

This Bank Guarantee shall be interpreted in accordance with the laws of India and the courts at [Bhubaneswar, Odisha] shall have exclusive jurisdiction.

RFP No 3695 Dated: 02.12.2021

OREDA

This Bank Guarantee shall be effective only when the Bank Guarantee is issued to the account holder ["name of DFO"] in the bank and branch [bank name and branch address where DFO holds account] having the account no. [bank account] IFSC code [IFSC code of bank branch].

Notwithstanding anything contained herein above our liability under this guarantee is restricted to INR [insert] (Indian Rupees [in words]) only and it shall remain with an explicy date up to [DD MMM YYYY, [insert] months from the original last date of submission of Bid] with a claim date up to [DD MMM YYYY, 12 months from the date of expiry] and shall be extended from time to time for such period, as may be desired by M/s. [insert the Successful Bidder name] whose behalf this guarantee has been given.

Our branch at [Name and address of the branch] is liable to pay the guaranteed amount depending on the filing of the claim and any part thereof under this Bank Guarantee only and only if you serve upon us at our [Name and address of the branch] branch a written claim or demand and received by us at our [Name and address of the branch] branch, otherwise the bank shall be discharged of all liabilities under this guarantee thereafter.

In witness whereof the Bank, through its authorized officer, has set its hand and stamp on [DD MMM YYYY] at [insert location of signing].

(Signature of the authorized officer of the Bank)
Name and designation of the officer
Seal, name and address of the Bank and address of the Branch
Power of attorney no.:
WITNESSES

Signature:

Name: Address: Signature:

Name:

Address:

Note:

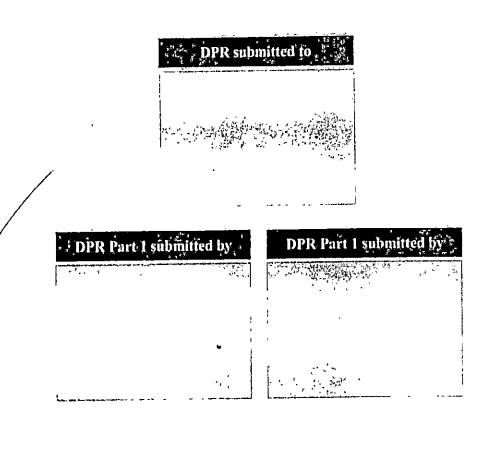
- This Bank Guarantee format is prepared in line with the Annexure-II of Finance Department Office Memorandum 4939 dated 13 Feb 2012, Govt of Odisha [Ref Para 22(i1]].
- 2. Please ensure that each page of the Bank Guarantee is duly signed by the authorized signatory of the issuing bank and stamp of the issuing bank is affixed thereon.
- 3. Please ensure whether the last page is signed with full particulars including two witnesses under the seal of Bank as required in the prescribed format.
- 4. Please ensure that the date, purpose of purchase of stamp paper and name of the purchaser are indicated on the back of the stamp paper under the signature of the stamp vendor. The date of purchase of stamp paper shall be not later than the date of execution of the Bank Guarantee.
- 5. In case of any overwriting, cutting, etc. on the Bank Guarantee have been properly authenticated under signature and seal of the authorized office of the issuing bank.

Project Reference No.: XXXXXXX



Solar Fence Project at [Name of Village and District]

Detailed Project Report



Detail Project Report for Solar Fence Project

Details of Beneficiary	we		
Name of the Beneficiary	:		
Father's/Husband's Name		·	· ·····
Village.	:		· · · · · · · · · · · · · · · · · · ·
G.P.	;		
Block	:	· · · · · · · · · · · · · · · · · · ·	····
District	:		
Details of the Project Site			
Village .	:	 	
G.P.	4		
Block'	:		
Longitude and Latitude	:		·
Land Mark	:	•	
Project Boundaries			
East	:		·
West	:		
North ·	;	· ,	
South	:		
Details of Solar Fence			
Type of Rence	; ;		
Total Length of Solar Fence (Met	ters):		

Cost Estimate:

S/N	Major Item	Estimated Cost(INR)
1	DPR Part 1: Ground clearance, levelling and allied Civil works (if any) (incl. applicable taxes)	
2	DPR Part 2: Supply, erection, commissioning and 5 years' maintenance of solar fence (incl. all material transportation, labour etc. and all applicable taxes)	
	Total Cost	

Signature of beneficiary Date:		•
Verified and Recommended	for ap	proval
Name of the Ranger Officer	:	
Name of the Forest Range	:	
Signature	:	
Date	:	· · · · · · · · · · · · · · · · · · ·
Approved		
Name of the DFO	;	
Name of the Forest Division	;	
Signature	:	
Date	:	

Table of Contents

- 4
4
4
£
6
6
6
6
_
ġ
o 9
10
11
12

1 DPR Part 1: Details of site preparation

1.1 Description of project site (Details to be filled up by the empanelled vendor)

Status of the project site on the day of assessment (Tick appropriate box)

- a. Type of land:
 - o Plain
 - o Undulated
 - o Low lying
 - Water logged
 - o Marshy
- b. Type of soil:
 - o Soft
 - o Hard
 - o Rocky
 - o Stoney
- c. Presence of vegetation:
 - o Sparse
 - o Thick vegetation
 - o Shrubs
 - o Trees
 - o Grass
- d. Other obstacle for erecting fence (if any):
- e. Pre- fence erection treatment needed (if any):
- f. Description of the treatment:

Copy of land record issued by local government is provided in Annexure I Layout of project site is provided in Annexure II

1,2 Cost estimate:

Sr. No.	item	Quantity	Unit	Cost /unit	Total cost (INR)
			<u> </u>		
					<u></u>
			·		
·					
	<u></u>		<u> </u>		
I		Grand Total			1

(Rupees	
BOQ of civil work and cleaning of vegetations is proved in Annexure III	<u>. </u>
of regardious is broked in Annexure III	

Prepared by	Charles III	
Cooks o'm all - 134	Checked by Range Officer	Approved by DFO

1.3 Timeline for completion of Site Preparation:

Si No.	Parameter	Estimated	Weekly plan			
1	Activity 1	Days (Nos.)	W1	W2	W3	•••
2	Activity 2				,	
3	Activity 3	,			<u> </u>	
4	Activity 4		·			 ,
	Total	**			<u> </u>	

2 DPR Part 2: Details of erection of Solar Fence project

2.1 Summary of solar fence Solar fence project

Sr No.	Particulars	Details to be filled up by the contractor
1.	Total area of land in possession in Acres	
2.	Land periphery in km	
3.	Name of (a) village (b) GP (c) Slock (d) District	
4.	Type of Solar Fence	
5	Length of Solar Fence	· · · · · · · · · · · · · · · · · · ·

2.2 Scope of Work for solar fence project

As per RFP for Section 3 on Scope of work under Request for Proposal (RFP) for the empanelment of Engineering, Procurement and Construction (EPC) Contractors for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis and subsequent amendments published by Odisha Renewable Energy Development Agency.

[Ref. No. of RFP and Date of Publication]

2.3 Detailed Cost Estimate:

Sr. No.	Item	Description	Quantity	Unit	Cost /unit	Total cost (INR)
1 .	Electrical system (solar module, energizer, battery and wiring etc.)					
2	Fence system					· · · · · · · · · · · · · · · · · · ·
3	Tools		 			
4	Installation and commissioning		. ,	_	-	r.
5	CMC for 5 year		\vdash			
6	Applicable taxes					
	Grand Total					

BOQ for Solar Fence Project is provided in Annexure IV.

Single line diagram of Solar Fence Project is provided in Annexure V.

Prepared by	Checked by	Approved by
Empanelled Vendor	Range Officer	DFO

2.4 Timeline for implementation of solar fence projects

Sr	Parameter	Estimated		Weekl	y plan	
No.	, aramotor	Days (Nos.)	W1	W2	W3	<u> </u>

- 44.

1	Activity 1					
2	Activity 2		 	- 		
3	Activity 3			- 		
4	Activity 4			- 	 -	
5	Activity 5	· ·				
6	Activity 6				 	
7	Activity 7					
8	Activity 8	· · · · · · · · · · · · · · · · · · ·				
	Total					

7 | 12

Annexure I: Land Record for Project Site from Local Government

-46-

Annexure II: Layout of project site

Annexure III: BOO for Civil Work and Cleaning of Vegetation

Sr No.	Parameter	Unit	Unit Rate	Quantity	Estimated Cost
Α	Civil Work				
1.					
2.					·
3.	•••			1	
4.	•••				
5,	111				
В	Clearing of Vegetation				
6,					
7.	·				
8.					
9.	***				
10.	***				
С	Manpower cost			1 7	
11.	164		,	 	
12.					· · · · · · · · · · · · · · · · · · ·
13.					
D	Machinery rent				
14.	· · ·				
15.					
16,	•••				
E	Applicable taxes				
	Total	-	<u> </u>		

Annexure IV: BOQ for Solar Fence Project

A Electrical system 1. Solar PV module No. 2. Module mounting structure with pole with pole No. 3. Enèrgizer No. 4. Battery No. 6. Fence alarm No. 6. Hooter No. 7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters 1. Gate System 1. Gate Sqr mtr 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 6. Support Poles Bölts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Joint clamps No. 15. Intermediate Poles Insulators No. 16. Support Pole Hooks No. 17. Corner Pole Hooks No. 18. Intermediate Poles Insulators No. 19. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Tool kit No. 15. Intermediate Poles Insulators No. 16. Intermediate Poles Insulators No. 17. Corner Pole Hooks No. 18. Intermediate Poles Insulators No. 19. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Tool kit No. 15. Intermediate Poles Insulators No. 16. Transportation cost LOT 17. Covil works LOT 18. Covil works LOT 28. Civil works LOT 29. Civil works LOT 20. Civil works LOT 20. Civil works LOT 20. Civil works LOT 21. Covil works LOT 22. Civil works LOT 23. Installation and commissioning LOT	Sr No	. Parameter	Unit	Unit Rate	Quantity	
1. Solar PV module	Α	Electrical system		Sint Mate	Guantity	Estimated Cost
Module mounting structure with pole No.	1.		No.		<u> </u>	
with pole 3. Energizer No. 4. Battery No. 5. Fence alarm No. 6. Hooter No. 7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mtr. 2. HT wire Meters 3. Corner end posts No. 4. Support post No. 5. Intermediate post No. 6. Support Poles Bolits No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Digital Multimeter No. 15. Digital Multimeter No. 16. Tools 17. Corner Pole Hooks No. 18. Intermediate Poles Insulators No. 19. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Tool kit No. 15. Tools 16. Digital Multimeter No. 17. Corner Pole Hooks No. 18. Intermediate Poles Insulators No. 19. Tools 10. Digital Multimeter No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Tool kit No. 15. Tools 16. Digital Multimeter No. 17. Corner Pole Hooks No. 18. No. 19. Transportation cost LOT 19. Civil works LOT 20. Civil works LOT 21. Civil works LOT 22. Civil works LOT 23. Installation and commissioning LOT 24. Corner pole taxes	2.	Module mounting structure				
4. Battery No., 5. Fence alarm No. 6. Hooter No. 7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mir. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post No. 6. Support Poles Bolts No. 7. Corner Poles Bolts No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Digital Multimeter No. 15. Digital Multimeter No. 16. Digital Multimeter No. 17. Corner Poles Fooks No. 18. Larth Kits (Galvanizing) No. 19. Coble Meters 19. Larth Kits (Galvanizing) No. 11. Digital Multimeter No. 12. Cable No. 13. Neon tester No. 14. Tool kit No. 15. Transportation cost LOT 16. Civil works LOT 17. Civil works LOT 18. Civil works LOT 19. Civil works LOT 20. Civil works LOT 21. Civil works LOT 22. Civil works LOT 23. Installation and commissioning LOT 24. Civil works LOT 25. Civil works LOT 26. Civil works LOT 27. Civil care to the content of the commissioning LOT 28. Civil works LOT 29. Civil works LOT 20. Civil works LOT 20. Civil works LOT 20. Civil works LOT 21. Civil works LOT 22. Civil works LOT 23. Applicable taxes		with pole	No.			
5. Fence alarm No. 6. Hooter No. 7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mtr. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 11. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT 1. Transportation cost LOT 2. Civil works 1. Transportation cost LOT 2. Civil works 1. Installation and commissioning LOT 2. CMC for 5 years 4. Applicable taxes	<u> </u>	Enèrgizer .	No.			
6. Fence alarm No. 6. Hooter No. 7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mtir. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT Installation and commissioning LOT E CMC for 5 years F Applicable taxes			No.			
7. Lightning arrestor No. 8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mir. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning LOT Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes						
8. Mounting box No. 9. Cables Meters B Fence System 1. Gate Sqr mtr. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Poles Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. C Tools 1. Digital Muttimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning 1. Commissioning 2. CMC for 5 years 4. Applicable taxes		_ _	No.			
9. Cables Meters B Fence System 1. Gate Sqr mit. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT 5 years E CMC for 5 years F Applicable taxes		Lightning arrestor	No.			
Meters M		 	No.			<u> </u>
B	9.	Cables	Meters			
1. Gate Sqr mir. 2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. intermediate post No. 6. Support Poles Bölts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works 3. Installation and commissioning E CMC for 5 years F Applicable taxes	<u> </u>					
2. HT wire Meters 3. Corner/ end posts No. 4. Support post No. 5. Intermediate post No. 6. Support Poles Bölts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works 3. Installation and commissioning E CMC for 5 years F Applicable taxes		······································				
3. Corner/ end posts No. 4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 14. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. 1. Distallation and commissioning LOT 2. Civil works LOT 3. Installation and commissioning LOT 3. Installation and commissioning LOT 3. Installation and commissioning LOT 4. CMC for 5 years 5. Applicable taxes		_[Sqr mtr			
4. Support post No. 5. Intermediate post' No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. 15. Digital Multimeter No. 16. Digital Multimeter No. 17. Consister No. 18. Digital Multimeter No. 19. Consister No. 19. Cons	L	 .		 		·
5. Intermediate post No. 6. Support Poles Bolts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning 1. CT Corner Poles Poles No. 2. Civil works LOT 3. Installation and commissioning 1. CT Corner Poles Poles No. 2. Corner Poles Poles Poles No. 3. No. 4. Tool kit No. 4. Tool kit No. 5. Civil works LOT 7. Corner Poles P			No.			
6. Support Poles Bölts No. 7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes			No.			
7. Corner Poles/End Insulators No. 8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes		Intermediate post	No.			
8. Intermediate Poles Insulators No. 9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes		Support Poles Bolts	No.			·
9. Corner Pole Hooks No. 10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (GalvanizIng) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. installation and commissioning E CMC for 5 years F Applicable taxes		Corner Poles/End Insulators	No.			
10. Wire Tighteners No. 11. Joint clamps No. 12. Cable Meters 13. Earth Kits (GalvanizIng) No. C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. installation and commissioning E CMC for 5 years F Applicable taxes			No.	 		
11. Joint clamps No. 12. Cable Meters 13. Earth Kits (Galvanizing) No. C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes			No.			
12. Cable Meters 13. Earth Kits (Galvanizing) No C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes			No.			
13. Earth Kits (Galvanizing) No. C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes			No.		· -	
C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning		<u></u>	Meters			
C Tools 1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. installation and commissioning E CMC for 5 years F Applicable taxes	13,	Earth Kits (Galvanizing)	No.			
1. Digital Multimeter No. 2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. installation and commissioning E CMC for 5 years F Applicable taxes						
2. Xenon Flash Tube No. 3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes						
3. Neon tester No. 4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes		Digital Multimeter	No.			
4. Tool kit No. D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning E CMC for 5 years F Applicable taxes			No.			
D Installation and commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes			No.			
commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes	4.	1 001 Kit	No.			
commissioning 1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes	<u> </u>	In aboth 41				
1. Transportation cost LOT 2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes						
2. Civil works LOT 3. Installation and commissioning LOT E CMC for 5 years F Applicable taxes	1					
3. Installation and commissioning LOT E CMC for 5 years		Civil works				
commissioning LOT E CMC for 5 years F Applicable taxes			LOT			
E CMC for 5 years F Applicable taxes	1		LOT			
E CMC for 5 years F Applicable taxes						
F Applicable taxes	E	_				
Approable taxes						
1.5.00				•		

Annexure V: Single line diagram of solar fence project

Work Order Format for Solar Fence Project

(On the letterhead of DFO, Forest & Environment Department)

Work Order: [insert Work Order No.] dated [DD MMM YYYY]

From

[Divisional Forest Officer]
[Address of Divisional Forest Office]

Τo

[Successful Bidder name] [Address]

Sub: Work Order for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years at [Name of district] in Odisha

Reference:

- 1. NIT no. [insert NIT no.] dated [DD MMM YYYY]
- 2. RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 3. Empanelment Order no. [insert Empanelment Order no.] dated [DD MMM YYYY]
- 4. Letter of Intent no.: [insert Letter of Intent no.] dated [DD MMM YYYY]

With reference to the above, you have been selected as the Successful Bidder for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years and completed all the formalities mentioned in Letter of Intent mentioned in Sr. No. 4 above. We are happy to issue this work order for following solar fence projects subject terms and conditions of RFP mentioned in Sr. No. 2.

SI. No	Description of project	Type of Fence and pole	Estimated Length in 'km	Price in INR per km	Approved cost as per DPR Part 1 (INR)	Approved cost as per DPR Part 1 incl. Tax (INR)
1	[Salar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR (insert)	INR [insert]
2	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	[insert length of solar fence]	INR [insert]	INR (insert)	INR (insert)
3	[Solar fencing project description]	[insert type of solar fence] and [type of pole]	(insert length of solar fence)	INR [insert]	INR (Insert)	INR [insed]
4	(Solar fending	[insert type of	Josett length	*INR [(1++-1]	INR (insert)	INR (muser)

	project description]	solar fence] and [type of pole]	of solar fencel			
	· · · · · · · · · · · · · · · · · · ·	1				
	[Solar fencing	[insert type of	[insert length			
5	project	solar fence) and	of solar	INR [insert]	INR (insert)	INR [insert]
	description)	[type of pote]	fence]			

Note:

- Above rate shall include Cost of CMC for 5 Years @ 10% of cost of design, engineering, supply, installation, testing, commissioning and acceptance of solar fence with 2% each Year of CMC Period
- 2. Above rates shall include all material required for solar fencing including fence pole and supporting structure, civil work for erecting fence poles and supporting structures etc.

Terms and Conditions of Work Order

- [Name of the Successful Bidder] shall commission Solar Fence Project mentioned above as per the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- 2. [Name of the Successful Bidder] shall abides by all the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]
- [Name of the Successful Bidder] shall sign CMC agreement as per provided format and the terms and conditions specified in RFP no. [insert RFP no.] dated [DD MMM YYYY]

Payment:

- All invoices with respect to this work orders issued shall be submitted to [Name of DFO Office], Forest & Environment Department.
- 4. Payment terms shall be as per Section 6 of Special Terms of Contract of RFP no. [insert RFP no.] dated [DD MMM YYYY]

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory of [Name of DFO]: [insert

namal

Designation: [Insert designation]

DFO, Forest & Environment Department

Seal: [insert seal of the Bidder]

7.5.4. Appendix Form 4 (Commissioning Report)

The Commissioning Report shall essentially capture the health of the Project at the time of Commissioning along with the various observations which will be captured in accordance with the Applicable Law and Prudent Utility Practices prevailing in Odisha and any general practices followed in the solar industry. The Commissioning Committee will prepare the Commissioning Report. In addition, DFO, Forest & Environment Department will provide the compliance report as per CRC procedures and this shall be referred along with the Commissioning Report for the issuance of Joint Commissioning Certificate.

The sample Commissioning Report is represented below:

Commissioning Report-Solar fence

Date: [DD MMM YYYY]

RFP no.: [insert RFP no.] dated [DD MMM YYYY]

Reference:

1. NIT no. [insert] dated [DD MMM YYYY]

2. RFP no. [insert] dated [DD MMM YYYY]
3. Empanelment Order no. [insert] dated [DD MMM YYYY]

4. Work Order no. [insert] dated [DD MMM YYYY]

5. Any other correspondence, if any:

This Commissioning Report is prepared for the Bidder [insert name of Bidder] for the Project named as [insert]developed at [insert] village of [insert] block at [insert] district of Odisha.

The Project details are given below:

SI. No.	Items	Details
1.	Name of the Beneficiary	
2.	Address	
3.	Details of the Project	
8.	Total size of solar PV Module (Wp)	
b.	Total Battery size (Vah or kWh)	
C.	Nos. of charge control units	
d.	Nos. of energizers	
₽.	Length of fencing	
4.	CMC manual	(Yes/No)
5.	Dos & Don'ts in the form of a booklet	(Yes/No)
6.	On/Off Test on solar fencing	
7.	Visual Inspection	

The above solar fencing system was commissioned as per applicable guidelines suggest that the performance of the sald solar fencing system is satisfactory.

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of [name of Divisional Forest

Office], Forest & Environment Department: [insert,name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Seal:

RFP No. 3895 Dated: 02.12.2021

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of OREDA: [insert name]

Designation: [insert designation]

Odisha Renewable Energy Development Agency (OREDA)

Seal:

Place: [insert place]

'[sign here]

Signature

Name of Authorized Representative of VFPC: [insert name]

Designation: [insert designation] Village Fence Protection Committee [Name of Village] [Village Code]

7.5.5. Appendix Form 5 (Joint Commissioning Certificate)

Joint Commissioning Certificate of Solar Fence

(To be issued by DFO, Forest & Environment Department on the letterhead)

TO WHOMSOEVER IT MAY CONCERN

Ref. no.: [insert]

Date: [DD MMM YYYY]

[Successful Bidder's name]

[Address] [Email id] [Mobile no.]

Reference:

1. NIT no. [insert] dated [DD MMM YYYY]

RFP no. [insert] dated [DD MMM YYYY]

3. Empanelment Order no. [insert] dated [DD-MMM YYYY]

4. Work Order no. [insert] dated [DD MMM YYYY]

5. Any other correspondence, if any:

This is to certify that [Name of the Successful Bidder] having its registered office at [address] has successfully commissioned the Project at [insert village name] village, [insert district name] District in Odisha.

[insert the Project details]

The Joint Commissioning Certificate is issued on the basis of the following documents enclosed:

- 1. Commissioning Report as submitted by Commissioning Committee
- 2. Installation report as uploaded on CRC created using the ReSolve Mobile App only

Place: [insert place]

[sign here] Signature

Name of Authorized Representative of [name of Divisional Forest Office], Forest & Environment Department: [insert name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Seal:

Place: (insert place)

[sign here] Signature

Name of Authorized Representative of OREDA: [insert name]

Designation: [insert designation]

Odisha Renewable Energy Development Agency (OREDA)

Seal:

Place: [insert place]

RFP No. 3695 Dated: 02.12.2021

[sign here]

Signature
Name of Authorized Representative of VFPC: [insert name]
Designation: [insert designation]
Village Fence Protection Committee
[Name of Village] [Village Code]

7.3.5. LOI Form 5 (Sample format for CMC)

Sample format for Comprehensive Maintenance Contract (CMC)

CMC ref no: [insert]
Date: [DD MMM YYYY]

Sub: CMC for design, engineering, supply, installation, testing, commissioning and acceptance of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha on a rate contract basis.

Ref:

1. NIT no. [insert] dated [DD MMM YYYY]

2. RFP no. [insert] dated [DD MMM YYYY]

3. Empanelment Order no. [insert] dated [DD MMM YYYY]

4. Work Order no. (insert) dated [DD MMM YYYY]

The Comprehensive Maintenance Contract (CMC) is signed jointly between the two (2) Parties on this [insert] day of [insert] month in the year [insert] at Bhubaneswar, Odisha and shall come into force from the date of its signing.

CMC for maintenance of Project consisting of solar fence along with Comprehensive Maintenance for five (5) Years across various districts of Odisha supplied and installed by M/s [insert the name of the Successful Bidder] for a CMC Period of five (5) years from the date of Commissioning of the Project.

This CMC is executed between [name of Divisional Forest Office], Forest & Environment Department having office at [address of DFO], herein after called as the First Party and M/s [insert the name of the Successful Bidder] having registered office at [insert address of the Successful Bidder] herein after called as Second Party, for the maintenance of the Project for a period of five (5) years from the date of Commissioning of the Project, as per the details provided herein:

Project	Location details	Remarks
[insert]	[insert]	[insert]

The Second Party will maintain the Project as per the terms and conditions mentioned here under:

- 1. It has been envisaged in the Work Order under Article [insert] that the Project shall be warranted against any manufacturing defect and bad workmanship during the CMC Period of five (5) years from the date of Commissioning of the Project. As these Projects have been Commissioned after issuance of a Commissioning Certificate. Hence, the Second Party is fully responsible for their trouble-free maintenance and the Second Party is liable to rectify/ remove any defect noticed within the aforesaid CMC Period, free of cost.
- The Second Party will impart training to at least two (2) designated persons, each from the [name of Divisional Forest Office], Forest & Environment Department and Beneficiary be able to provide first aid repair service for the solar fencing systems.
- The CMC includes repair/ replacement of all spares, consumable and all the Equipment including but not limited to solar photovoltaic module, energizer, battery, fence wire, fence poles, balance of systems, etc. during the CMC Period.
- 4. The Second Party shall establish a central office at Bhubaneswar, Odisha, and also establish local offices at the concerned Project location so as to deliver uninterrupted and sustainable Comprehensive Maintenance during the CMC Period duly headed by a Service Engineer.
- 5. The Second Party shall undertake corrective maintenance upon registration of complaint by consumer at CRC-OREDA. After attending to the defect, the Second Party shall upload the required documents at ReSolve mobile application for successful closure of the complaints. The Second Party shall ensure rectification of defects and restore functionality within seven (7) Days of lodging the complaints.
- The Second Party shall undertake scheduled maintenance work as per the prescribed format attached in Annexure Clause 7.5,7 and upload the required details and documents in the ReSolve mobile application strictly according to the given schedule.

RFP No 3695 Dated: 02.12.2021

- 7. The Second Party shall apprise the First Party about the requirements and supply of spares during warranty as well as CMC Period,
- 8. Annual report from CRC-OREDA shall be considered as token of verification of maintenance done and release of annual payment of CMC in arrears upon completion of each year of CMC Period (if any).
- 9. It will be the liberty of the First Party to crosscheck the systems maintained by the Second Party. Random verification of the maintenance may be carried out by the First Party wherever necessary.
- 10. The Second Party may continue to maintain the gadgets after expiry of the CMC Period of five (5) years from the date of Commissioning of the Project, provided the Department/ First Party desires.
- 11. For adjudication of any dispute between the two (2) Parties arising on execution of this CMC, the matter shall first be brought to the notice of [name of Divisional Forest Office], Forest & Environment Department.
- 12. In case there will be no amicable settlement of the issues, the matter can be referred to the court of law having jurisdiction at Bhubaneswar, Bhubaneswar only.

For and on behalf of [name of Divisional Forest Office], Forest & Environment Department (First Party),

Place: [insert'place]

[sign here] '

Signature

Name of Authorized Signatory of [name of Divisional Forest Office],

Forest & Environment Department: [insert name]

Designation: [insert designation]

[name of Divisional Forest Office], Forest & Environment Department

Seal: (insert seal of the Bidder)

For and on behalf of M/s (Second Party)

Place: [insert place]

[sign here]

Signature

Name of Authorized Signatory: [insert name]

Designation: [insert designation]

Name of the Bidder: [insert Bidder's legal entity name]

Seal: [insert seal of the Bidder]

True Copy. Attested

RFP No. 3695 Dated; 02,12,2021

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14706 of 2022 AND W.P. (C) Nos.9056 of 2013, 19625 of 2015, 22421 of 2015 & 14057 OF 2023

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

Petitioner

Gita Rout

Mr. Ashis Kumar Mishra, Advocate, Mr. Afraz Suhail, Advocate and Mr. Omkar Devdas, Advocate

Petitioners W.P.(C) No.9056 of Balagopal Mishrafand another Mohanty, Advocate Petitioner Mrinalini Pad In person Petitioner Dwija Dalpati a, Senior Advocate assisted by Mr. Gã Mr. Al Dash, Advocate State of Odisha and others **Opposite Parties** Dr. Manoj V. Nair, Principal Chief Conservator of Forests (WL) & — Chief Wildlife Warden, Bhubaneswar, Mr. Debakanta Mohanty, Additional Government Advocate & Mr. Ishwar Mohanty, Additional Standing Counsel, Mr. Bijaya Kumar Dash, Advocate FOR O.P. No.7-TPCODL, Mr. Akhaya Biswal, Advocate for Intervener (in I.A. No.3126 of 2023) Advocate (in I.A. No.640 of 2023) and Mr. J. K. Panda, Additional Superintendent of Police

W.P.(C) No.14057-of 2023

Petitioners

State of Odisha and others

Mr. Debakanta Mohanty, AGA and Mr. Ishwar Mohanty, ASC

-versus-

Wildlife Society of Orissa (Elephant Corridors) and another

Opposite Parties

Mr. Sankar Prasad Pani, Advocate

CORAM: THE CHIEF JUSTICE JUSTICE G. SATAPATHY

Order No.

ORDER 09.05.2023

15.

1. The Vakalatnama filed by Mr. Bijaya Kumar Dash, learned counsel for Opposite Party No. 7-TPGODL is taken on record.

2. Pursuant to the order passed by this Court on 13th March 2023, two affidavits have been filed. The first dated 17th April, 2023 is by the Chairperson-cum-Convenor Joint Task Force (JEF), Dr. Manoj V. Nair providing information as regards compensation paid in respect of human losses, human injuries, animal losses, house damage and crop damage. It is stated that in the past six months, there have been 21,093 cases of crop loss on account of attacks by elephants. Dr. Nair, who appears in virtual mode, informs the Court that sum of Rs.7.22 crores has been paid on this score. The Court has also been shown a copy of the Notification dated 3rd May, 2023 issued under Rule 45-KK of the Wildlife (Protection) (Odisha) Amendment Rules, 2023 enhancing the amounts of compassionate payment in all of the above categories. For the instance, the ex gratia for human loss has been increased from Rs. 4 to Rs. 6 lakhs. According to Dr. Nair, there is a 40 days turnaround time for payment of compensation.

- 3. It appears that on 5th April 2023, there was a meeting held by the Chairperson of the JTF with the DISCOMs where *inter alia*, a discussion was held on the mitigation measures that have to be put in place for avoiding deaths of elephants due to electrocution. The series of steps to be taken with the DISCOMs, pursuant to the Comprehensive Action Plan (CAP), include "barricading the open transformers, fixing of interposing poles of both HT and LT-lines, conversion of LT bare conductor to AB cable, change of vacuum circuit breaker, maintenance of primary substation, sensitization of feeders & periodical checklist of feeder, fittings of spikes in the electric poles, establishment of elephant control room etc."
- 4. The minutes also refers to a study undertaken by SNEHA (Support for Network and Extension Help Agency) having experience in working on human-elephant conflict issues in Karnataka. SNEHA was engaged by the DISCOMs to undertake a study in two districts i.e. Dhenkanal and Angul. Mr. Bijava Kumar Dash Jearned counsel appearing for the DISCOMs has handed over a copy of the reported submitted by SNEHA to TATA Power Limited, Mumbai where interalla one suggestion given is for use of alternate 6V Solar or DC fence set-up which will "repel the wildlife or set off an alarm instead of creating causality."
- 5. The Interveners in I.A. No.3126 of 2023 has also asked for similar measures to be deployed in the villages of those Applicants after undertaking a ground survey.
- 6. Mr. Shenhagam, who is the GEO of TPCODL, is present on line, and explains that Elephant Control Rooms have been set up by the

DISCOMs since 2020 and that on advance information of elephant movement being received from the Forest Department, they are able to take corrective action.

- 7. However, the Court is of the view that steps would have to be taken, by the DISCOMs to interact with the residents of villages falling within their respective areas which have witnessed elephant movement in the past. The DISCOMs would do well to persuade the villagers to go in for 6V Solar fencing and offer it as a viable alternative even while disconnecting the illegally 'hooked electricity connections which are powering the adhoc electric fences put up by the villagers to prevent attacks by wild animals of either humans or crops.
- 8. Dr. Nair placed before the Court the statistics of elephant deaths and human deaths in the past two months. On 9th March 2023, an adult male elephant was electrocuted in Keonjhar and on 13th March, 2023 another male was electrocuted in Gumsar in Ganjam District. On 11th April 2023, one adult female elephant and an adult male elephant were electrocuted in Bonai and Subarnapur respectively. Apart from the four electrocution deaths, there have been in the last two months, 14 more deaths of elephants—2 due to disease, 2 due to natural causes, 1 due to infighting and 1 due to a train accident. Of 18 elephants that have died, there have been 11 adults and 7 very young calves. Dr. Nair adds that the reasons for the death of these 7 very young calves are still being analyzed.
- 9. During this period, 20 persons have lost their lives due to attacks by elephants. Dr. Nair further adds that these deaths have occurred in

areas not necessarily in or around the 14 elephant corridors in Odisha that were earlier identified by identified by the Asian Nature Conservation Foundation (ANCF). It is informed that due to passage of time only 4 such corridors are considered active and one among them has been notified as a Conservation Reserve pursuant to a judgment by the Supreme Court of India in *Binay Kumar Dalei v.*State of Odisha (decision dated 2nd March, 2022 in Civil Appeal Nos.1627-1628 of 2022).

10. At this juncture, it must be noted here that the Wildlife Society of Odisha (Elephant Corridors) [WSO] had approached the National Green Tribunal (NGT) with a petition being O.A. No.129 of 2016 questioning the inordinate delay on part of the State of Odisha in notifying the Elephant Corridors under Section 3 of the Environment (Protection) Act, 1986 (EP Act) read with Rule 6 of the Environment (Protection) Rules, 1986. It must be further noted here that in the said application, the NGT appears to have passed a 'final order' on 17th August, 2021 directing the State of Odisha to notify the 14 Elephant Corridors as earlier identified by the ANCF within a period of two months. This led to the State of Orissa filing a Review Petition pointing out that there is a petition, W.P.(C) No.275 of 2015, on this issue which is pending before the Supreme Court. Further, it was pointed out that the report of the ANCF suggests that "most of the corridors have no functional existence and most of the corridors are also not ecological feasible." Accordingly, a review was sought by the State of Odisha of the order dated 17th August, 2021 of the NGT. Even while the said review petition was pending, Execution Application No.3/2022/EZ appears to have been filed by WSO

pressing for execution of the order dated 17th August, 2021 in which the NGT passed an order on 6th April 2023, granting the State one month's time 'and no more' to notify the elephant corridors. By this time, in the hearing of the execution application, it was brought to the notice of the NGT by the State of Odisha that this Court was seized of one of the present petitions i.e. W.P.(C) PIL No.14706 of 2022 on the same issue. Against the said order dated 6th April 2023, the State of Odisha has filed W.P.(C) No.14057 of 2023 in which this Court passed an order on 4th May, 2023 staying the further proceedings before the NGT.

I. A. No.6983 of 2023 arising out of W.R. (C) No.14057 of 2023

- 11. WSO has filed this I.A seeking vacation of the aforesaid stay order dated 4th May, 2023. Notice Notice is accepted by the learned Additional Government Advocate for the State, who undertakes to file a reply thereto within four weeks, rejoinder thereto be filed on or before the next date. The Vakalatnama filed by Sri Pani is taken on record.
- 12. Dr. Nair has explained two major problems coming in the way of notifying elephant corridors. The first being there is no legal provision in the Wildlife Protection Act, 1986 (WP Act), which enables the making of such notification. The second is that the EP Act only talks of eco sensitive zones, which does not fully answer the need for a comprehensive provision for this purpose.
- 13. Mr. Pani, learned counsel appearing for WSO sought to counter the submission by referring to Section 3(2) (v) of the EP Act, which empowers the Central Government to take 'measures to protect and

improve environment' and in that process, notify restriction of areas "in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards." In the considered view of the Court, Section 3(2)(v) of the EP Act operates in a very narrow sphere as it does not contemplate loss of human lives, crops and vegetation etc. as a result of movement of wild animals including elephants and it is doubtful therefore if the measures taken under the above provision to answer the problem brought about as a result of elephant-human conflict.

- 14. In any event, it does appear that identifying elephant corridors precisely is accomplex task as pointed out by the ANCF and which was also voiced today during the course of hearing by Dr. Nair. It is significant that many of the deaths that this Court has noted in the present order or in the earlier orders of elephants and humans have occurred in areas not strictly in any around the elephant corridors earlier identified.
- 15. Consequently, at this stage, the Court does not consider it advisable to vacate the order passed by it on 4th May, 2023 in W.P.(C) No.14057 of 2023 and would consider that question after response is received to the application filed today by the WSO.
- 16 In the considered view of the Court, not enough steps have been taken to prevent deaths of elephants due to electrocution in Odisha. This is despite the CAP being made available to the DISCOMs for nearly two months now. A direction is issued that the CEOs of the four DISCOMs will immediately convene a meeting within a week

from today in which the Chairperson of the JTF will also participate and chalk out a time bound plan for completing the survey of all the villages of their respective zones which have witnessed movement of wild animals, attacks by wild animals, destruction of crops and deaths of wild animals due to electrocution and rule out a plan for replacing of the electric fences wherever found with solar power fences as suggested by SNEHA.

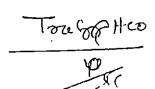
17. It is absolutely essential for the DISCOMs to immediately identify all such instances of illegal hooking of electricity transmission lines to power such electric fences illegally put up in the villages and discontinue the practice forthwith. Sensitization meeting with the villagers by the officials of DISCOMs required to be undertaken in coordination with the Forest Officials. The Court would like to be informed by the next date of the exact extent of such 6V solar power/DC fences that have been erected in place of the electric fences which were earlier being used.

18. The second affidavit has been filed by Shri J. K. Panda, Additional S.P. and a member of the ITE where the details of the 6 ongoing criminal cases that having been registered in Athagarh, Similipal, Gumsur and Dhenkanal Divisions have been set out. The Court is assured by Mr. Panda that all possible steps have been taken to carry each of the criminal cases to the logical end by completing investigation, filing charge-sheet, arresting the persons accused and ensuring that the case progresses. A further affidavit updating the status of these criminal cases be filed before the next date.

I. A. No.640 of 2023 and I.A. No.3126 of 2023 arising out of W.P.(C) No.14706 of 2022

19. The Intervener in I.A. No.640 of 2023 has prayed for processing of all compensation claims for the loss of human lives and crop loss by the State Government and for all such claims to be settled in a time bound manner. Notice was issued in the said I.A. on 13th March, 2023 and no replies have yet been filed. Meanwhile, an additional affidavit has been filed by the Intervener on 5th May 2023, copy of which has already been served on learned Additional Government Advocate for the State. Let a copy thereof be served on learned counsel for the Petitioners as well other counsel appearing today. Replies to both the I.As. i.e. II.As. 10.640 of 2023 and I.A. No.3126 of 2023 be filed by the State within four weeks and rejoinder thereto, if any, be filed before the next date.

20. Dr. Nair informs the Court that on 17th April, 2023, a High Power Committee (HPC) has been constituted with the Principal Secretary, (Energy) being one of the Members and all the DISCOMs being the special invitees. He informs the court that the HPC would meet very soon. Apart from inviting the DISCOMs, the Court directs that the representatives of the Applicants in I.A. No.640 of 2023 and I.A. No.3126 of 2023 also be invited to present their issues before the said Committee. The HPC will also invite SNEHA apart from Dr. Sukumar to participate in virtual mode at its meeting. The minutes of the meeting of the HPC be placed before the Court along with an affidavit before the next date.





COMPUTERISED FILING COUNTER ORISSA HIGH COURT, CUTTACK ACKNOWLEDGEMENT SLIP

Seat No: 115

Branch No: WRIT BRANCH (DIVISION

BENCH-2)

Receipt No: 99708/2023

Date Of Receiving: 20/10/2023

Time: 01:26:52 PM

Case No: WP(C) 19625/2015

Received From: Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed:

27- Note Of Submission