

Item No. 03

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 57/2021/EZ

Wildlife Society of Orissa

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 16.08.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate

For Respondent(s) : Mr. Gora Chand Roy Choudhury, Advocate
For Respondent No. 4

ORDER

1. Heard Mr. Sankar Prasad Pani, Ld. Counsel for the Applicant.
2. Mr. Gora Chand Roy Choudhury, Ld. Counsel is present for the Respondent No. 4, the Director, Project Elephant, Ministry of Environment, Forest and Climate Change (MoEF&CC).
3. The allegation in this O.A. is that barbed wire fencing has been erected in the various forest areas of the Reserve Forests, viz. Dhama Range of Sambalpur, Anantarpur Reserve Forest, Kandhara Reserve Forest, etc. which is hindering free movement of elephants resulting in death of some animals due to accident.
4. The relief claimed in this O.A. reads as under:-
 - (a) Direct the Respondent No.2 to provide a list of existing barbed wire fences erected for all ANR/CAF or other plantations carried out in a forest area including length, area of forest enclosed and location.
 - (b) Direct the Respondent No.2 and 3 to dismantle and remove completely all such existing barbed wire fences in forest areas within a time bound period of 3 months.
 - (c) Impose a permanent ban on erection of barbed wire fence for protection of plantations set up in any forest area of Odisha and within 3 kms of the nearest forest land boundary.”
5. Matter requires consideration.
6. Issue notice to the respondents returnable within four weeks.

7. All the Respondents may file their counter affidavits within four weeks and shall exchange the same among themselves at least one week before the next date fixed.
8. The Respondents shall serve copy of their counter affidavits on the Applicant before the next date fixed.
9. We also direct that a report be called from the Principal Chief Conservator of Forests & Head of Forest Force, Bhubaneswar, Govt. of Odisha, Respondent No.2 in this regard. This report should be filed on affidavit by the next date of listing.
10. **List on 27.09.2021.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

August 16, 2021
O.A. No. 57/2021/EZ
AKC