

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA.****EXECUTION APPLICATION NO -----2022/EZ****ARISING OUT OF**

ORIGINAL APPLICATION NO 129 of 2016 DISPOSED ON 17th August 2021

IN THE MATTER OF:**WILDLIFE SOCIETY OF ORISSA****APPLICANT****VERSUS****STATE OF ODISHA AND OTHERS ...****RESPONDENTS****INDEX**

SI NO	PARTICULARS	PAGE NO
1	Execution Application	1-9
2	Copy of Order dated 17 th AUGUST 2022 is annexed here unto as ANNEXURE-1	10-26
3	Vaklatnama	27

PLACE: Bhubaneswar

DATE: 13/08/2022

SANKAR PRASAD PANI

ADVOCATE

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

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

(Under Section 18(1) read with Section 14(1) AND 15(1) of
the National Green Tribunal Act 2010)

Execution Application No -----2022

Arising out Original Application No 129/2016 disposed on 17th August 2021

IN THE MATTER OF:

Wildlife Society of Orissa, Represented by its Secretary,

Shantikunj, Link Road, Cuttack, Dist-Cuttack, Odisha -753012

APPLICANT

VERSUS

1. State of Odisha, Represented by Chief Secretary,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha-751001, csori@nic.in
2. The Secretary, Forest and Environment Department,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha, 751001 fesec.or@nic.in
3. The Secretary, Revenue and Disaster Management Department,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha 751001 revsec.or@nic.in
4. The Principal Chief Conservator of Forests and
Chief Wildlife Warden, Odisha, Prakruti Bhawan,
Plot No. 1459, Sahid Nagar, Bhubaneswar-751007
Email pccfwl@gmail.com , <odishawildlife@gmail.com> ,

5. The Secretary, Ministry of Environment, Forests and Climate Change,
Government of India, Indira Paryavaran Bhavan, Jorbagh Road, New Delhi -
110003 secy-moef@nic.in

...RESPONDENTS

- I. The addresses of the Applicant is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. The Present Application challenges non-compliance of Hon'ble NGT Order dated 17/08/2021 for notification of elephant corridors under provisions of section 3 of the Environment (Protection) Act, 1986 read with Rule 5 of the Environment (Protection) Rules, 1986 despite of specific direction to notify with in 2months of the order dated 17th August 2021.

BRIEF FACTS

1. That the Applicant is a registered society bearing Regn. No. 19648/80 having its office at Shantikunj, Link Road, Cuttack engaged in wildlife and forest conservation in the state of Odisha for last 30 years and duly represented by its secretary Dr. Biswajit Mohanty.
2. That the state of Odisha has the largest population of elephants in eastern India which stands at 1,977 as per the last census carried out by the state government in May, 2015. That elephants being large mammals have far ranging habitats and habitually migrate from one forest habitat to another using well marked and identified corridors. That such migrations are an integral part of elephant ecology and experts have understood and

appreciated the dire need for migration in order to ensure dispersal of genes, proper availability of fodder and propagation of the species. Recognizing their need for corridors, a Task Force was set up by the Government of India to study their status and recommend measures for their long term survival and protection. The Task Force in its report titled “Gajah” released in August, 2010 submitted its recommendations.

3. That elephant corridors are sensitive habitats which need to be notified as ecological sensitive zones u/s 3 of the Environment (Protection), Act 1986 and the state is empowered to prohibit or regulate activities that disturb and impact wildlife in such areas. That the state government is fully aware of the importance of elephant corridors and need to demarcate and protect them since a meeting was held on 19.1.2010 which was chaired by the Chief Minister who reviewed issues related to Elephant Corridor in Odisha.
4. That the Principal Chief Conservator of Forests (Wildlife) cum Chief Wildlife Warden, Odisha , Respondent No. 4 presented details of elephant corridors of the state at the meeting held on 19.1.2010. He had identified 14 corridors with a total area of 870.61 sq.kms having a length of 420.8 kms which had a width of 0.08 km to 4.6 kms. It was also noted in the same review meeting that an amount of Rs.400 lakhs would be spent for Elephant Management Plan for the period from 2009-10. Respondent no. 4 also assured the participants that an Action Plan with detailed budgeting would be developed after studying the land use pattern of the elephant corridors.
5. That such high level discussion and decisions along with decision to allot adequate funds clearly indicated the government's desire to create and

maintain elephant corridors so that human elephant conflict could be reduced in the state. That the respondent no. 4 also developed guidelines to further implement their decision for developing elephant corridors by preparing “**Indicative guidelines management plan**” which included demarcation and consolidation of habitats comprised in each of the 14 identified corridors. That Respondent No. 4 proposed a notification of 14 elephant corridors spread over an area of 870.61 sq.kms and length of 420.8 kms in the above letter.

6. Para 18 of the order dated 17th August 2021 is reproduced as follows

“ In our view, since the Action Plan has been submitted and 14 elephant corridors have been identified by the State Respondents, Government of Odisha, we, therefore, dispose of this original application with the direction to the Respondent No.1 to notify the elephant corridors in terms of the elephant corridors as identified by the Asian Nature Conservation Foundation (ANCF) and the Action Plan, **within a period of two months** from today in accordance with law.”

7. That Section 26 in The National Green Tribunal Act, 2010 prescribes for Penalty for failure to comply with orders of Tribunal and same is reproduced as follows

“(1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention: Provided that in case a company fails to comply with

any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crores of rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code.

8. Similarly Section 28 in The National Green Tribunal Act, 2010 prescribes for Offences by Government Department. And same is reproduced as follows

“(1) Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly: Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to

be guilty of that offence and shall be liable to be proceeded against and punished accordingly”.

9. That since the Respondent No 1 Chief Secretary of Odisha has not executed the order of the Hon’ble Tribunal dated 17th August 2021 and deliberately violating the same, appropriated action deemed under section 26 and 28 of the National Green Tribunal Act 2010.

Grounds

That, the applicant is therefore approaching this Hon’ble Tribunal in view of the of the Non-Compliance of order of Hon’ble NGT dated 17th August 2021

- a) That the Notification of 14 Elephant Corridors under Section 3 of Environment Protection Act 1986 has not been done as of now though the dead line of two months expired since 17th October 2021.
- b) That the non-implementation of the order invokes section 26 and 28 of the NGT Act 2010 where in stricter punishment such as 3 years imprisonment or 10 crores rupees penalty or both has been prescribed and knowing the same the respondents are willfully violating the order.

LIMITATION

That there is a subsisting cause of action because of the continuing violation of Hon’ble order of NGT dated 17/08/2021 and the respondents did nothing within 2 Months of the order as per the deadline in the order, hence this execution application is not barred by limitation.

PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon’ble Tribunal may be please to

- a) Direct the Respondents to show cause why the criminal proceedings shall not be initiated for violation of the Order of the Hon'ble Tribunal
- b) Direct the Respondents to show cause what steps they have been taken to implement the order of Hon'ble NGT dated 17th August 2021
- c) Failure to provide satisfactory explanation the Hon'ble Tribunal may direct for the appropriate proceedings as provided under Section 26 and 28 of NGT Act 2010.
- d) Pass such order as this Hon'ble Tribunal may fill fit and proper in the facts and circumstances of this case.

APPLICANT

A handwritten signature in black ink that reads "Spami". The signature is written in a cursive style and is underlined with a long horizontal line that ends in an arrowhead pointing to the right.

THROUGH ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

EXECUTION APPLICATION NO _____ OF 2022

IN THE MATTER OF:

Wildlife Society of Orissa

APPLICANT

VERSUS

State of Odisha and Others ...

RESPONDENTS

AFFIDAVIT

I, Biswajit Mohanty S/o Biswanath Mohanty aged about 59 years, At/Po- Santikunj, Link Road Cuttack, Dist-Cuttack, Odisha -753012 do hereby solemnly affirm, and declare as under:

1. That I am the Secretary of the Applicant Organisation, Wildlife Society of Orissa in the abovementioned application and authorized to sign this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Affidavit and the same is true and correct and is drafted on my instruction.

Biswajit Mohanty

DEPONENT

VERIFICATION:-

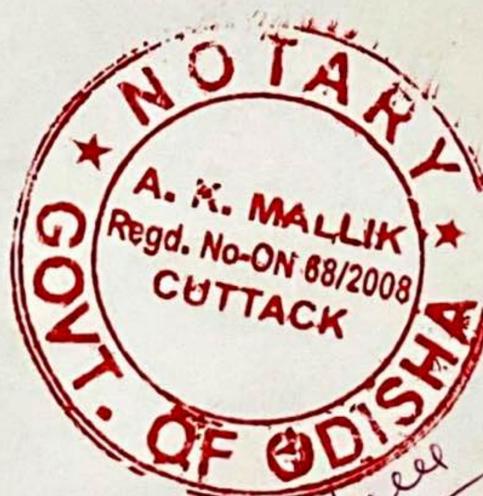
Verified on this the 19th day of AUGUST 2022 at Cuttack .that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Nousingha charan Dash
Identified By

For WILDLIFE SOCIETY OF ORISSA
Biswajit Mohanty
SECRETARY
VERIFICANT

Advocate

EN-0775/2013



Signature attested on identification
By... *N.C. Das* ...Adi

A. K. Mallik
Notary Cuttack
19/8/22

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

.....

**ORIGINAL APPLICATION No. 129/2016/EZ
(I.A. No. 70/2020/EZ)**

IN THE MATTER OF:

**Wildlife Society of Orissa (Elephant Corridors)
Represented by its Secretary,
Shantikunj, Link Road, Cuttack
Dist-Cuttack, Odisha-753012**

....Applicant(s)

Versus

1. State of Odisha

**Represented by Chief Secretary,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha-751001**

2. The Secretary,

**Forest and Environment Department,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha-751001**

3. The Secretary,

**Revenue and Disaster Management Department,
Government of Odisha, Secretariat Building,
Bhubaneswar, Odisha-751001**

4. The Principal Chief Conservator of Forests and

**Chief Wildlife Warden, Odisha, Prakruti Bhawan,
BDA Apartments, Nilakanthanagar, Nayapalli,
Bhubaneswar, Odisha-751012**

5. The Secretary,

**Ministry of Environment, Forests and Climate Change,
Government of India, Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi-110003**

....Respondent(s)

COUNSEL FOR APPLICANT:**Mr. Sankar Prasad Pani, Advocate****COUNSEL FOR RESPONDENTS:****Mr. Deepak Kumar Pani, Advocate for Respondent Nos.1 to 4****Mr. Gora Chand Roy Choudhury, Advocate for Respondent No.5****JUDGMENT****PRESENT:****HON'BLE MR. JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)****HON'BLE MR. SAIBAL DASGUPTA (EXPERT MEMBER)**

Reserved On:- 12th August, 2021
Pronounce On:- 17th August, 2021

- | | |
|---|------------|
| 1. Whether the Judgment is allowed to be published on the net? | Yes |
| 2. Whether the Judgment is allowed to be published in the NGT Reporter? | Yes |

JUSTICE B. AMIT STHALEKAR (JUDICIAL MEMBER)

Heard the learned Counsel for the Applicant as well as the learned Counsel for the Respondents and perused the documents on record.

2. This original application has been filed by the Applicant seeking a direction to the Respondent No.2, Secretary, Forest and Environment Department, Government of Odisha to submit proposals for declaration and notification of 14 elephant corridors to the Central Government with the further direction to the Respondent No.5, the Secretary, Ministry of Environment, Forests and Climate Change to take immediate action and to issue draft notification and thereafter a final notification notifying the 14 elephant corridors.

3. It is stated in the original application that the State of Odisha has the largest population of elephants in Eastern India which stands at about 1,977 as per the last census carried out by the State Government in May, 2015.

4. It is stated that the elephant by its nature migrates from one place to another place in search of fodder and propagation of species and such migratory paths are part and parcel of the elephant ecology.

5. It is stated that recognizing the peculiar character of the elephants a Task Force was set up by the Government of India to determine the status and recommend measures for the long term survival and protection of elephants. The Task Force then prepared a report titled "Gajah" which was released in August, 2010 with several recommendations, a copy of which has been filed as Annexure-1 at Page No. 11 to 17 to the original application.

6. It is stated that elephant corridors being a part of the elephant ecology needs to be prescribed and therefore, notified as ecological sensitive zones under Section 3 of the Environment (Protection) Act, 1986.

7. It is stated that the Principal Chief Conservator of Forests (Wildlife)-cum-Chief Wildlife Warden, Odisha, Respondent No.4 presented details of elephant corridors in the State of Odisha identifying the 14 corridors with a total area of 870.61 sq. kms having a length of 420.8 kms and a width of 0.08 km to 4.6 kms.

8. The minutes of the meeting held on 19.01.2010 have been filed as Annexure-2 at Page No. 19 of the paper book. Thereafter, a **“Plan for Management of Elephant Corridors across forest habitats in Orissa”** was submitted to the State Government on 25.08.2011.

9. It is stated that the Respondent No.4, the Principal Chief Conservator of Forests and Chief Wildlife Warden, Odisha vide his letter No. 7274 dated 11.10.2012 submitted a proposal to the Respondent No.2, Forest and Environment Department, Government of Odisha to notify 14 traditional elephant corridors in Odisha under the provisions of Section 3 of the Environment (Protection) Act, 1986. It is alleged that thereafter, till date no action has been taken for notifying the 14 elephant corridors in the State of Odisha under the said act.

10. An affidavit dated 03.01.2017 has been filed on behalf of the Respondent Nos.1, 2 & 4 and it is stated therein that a Memorandum of Understanding (MoU) was signed with the Asian Nature Conservation Foundation (ANCF) which was given the mandate to identify the major and minor elephant corridors in the State of Odisha along with the work of assessing the habitat viability etc. and necessary action for notifying the elephant corridors which could be taken up only after receipt of the report of the Foundation.

11. It is stated that the objective of the Respondent No.4 was to identify the major and minor elephant corridors with special reference to Lakhary valley of Mahendragiri Region, Odisha.

12. A general letter dated 11.08.2006 was also written by the Inspector General of Forest and Director (PE), Ministry of Environment, Forests and Climate Change to the Chief Wildlife Wardens (PE) States and UTs, stating therein that the elephant corridors as prepared in Uttaranchal be provided legal protection under the Environment (Protection) Act, 1986 and to take steps for notification and protection of the identified elephant corridors in the various States.

13. A counter-affidavit dated 29.05.2017 has been filed by the Applicant to the compliance report filed by Respondent Nos.1, 2 & 4 wherein it is stated that elephants were straying from designated corridors in Dhenkanal, Athagarh, Athamalik & Angul forest divisions as admitted in the compliance report of the State Respondents but elephant corridors have not yet been notified under the Environment (Protection) Act, 1986. A reference has also been made to the letter of the Principal Chief Conservator of Forest (Wildlife) & Chief Wildlife Warden, Odisha dated 11.10.2012 addressed to the Principal Secretary to Government, Forest and Environment Department, Odisha with a request that all the 14 elephant corridors be notified under the provisions of Section 3(v) of Environment (Protection) Act, 1986.

14. An affidavit dated 16.09.2020 has been filed by the Applicant with the prayer that the Final Study Report prepared by Asian Nature Conservation Foundation (ANCF) mentions that 9 elephant corridors out of 14 identified corridors are not viable and the same should not be accepted.

15. An Action Plan dated 10.08.2021 has been filed on behalf of the Respondent Nos. 2 and 4 with reference to the time-line for implementation of the recommendations of the report submitted by the Asian Nature Conservation Foundation (ANCF). This Action Plan is with regard to 14 elephant corridors already identified which reads as under:

193

Sl. No.	Name of the Corridor	Extends over District	Length of the Corridor (km)	Total Area (sq.km)	Functional existence and no. of elephant using the path	Ecological Feasibility	PA Connection
1	Badampahar (Mayurbhanj) Dhobdhobin (Jharkhand) (Interstate)	Mayurbhanj - Jharkhand	16	24.3	Poor & max 20	Not good	Yes
2	Badampahar (Mayurbhanj) Karida (Jharkhand) (Interstate)	Mayurbhanj	43	26.09	Very poor & NA	Bad	Yes
3	West Bengal-Deuli-Suliapada (Passage) (Interstate)	Mayurbhanj	72	39.5	Very good & 100+	Very bad	No
4	Simlipal-Hadgarh-Kuldiha	Mayurbhanj, Keonjhar, Balasore	41.7	91.39	Good & 40+	Good if mining stopped	Yes
5	Telkoi-Pallahra	Keonjhar, Angul	30.4	13.24	Poor & 15 ±	Not good	No
6	Karo (Keonjhar)-Karampada (Saranda, Jharkhand) (Interstate)	Keonjhar	15	17.3	Poor & 1 or 2	Bad	No
7	Maulabhaja-Jiridamali-Anantpur	Dhenkanal	6.5	1.55	Very poor & 20-26	Not good	No
8	Kahnejena-Anantpur	Angul, Dhenkanal	6.6	5.22	Very poor & 15-20	Not good	No
9	Buguda-Central RF	Nayagarh	2.6	0.76	Good & 20-40	Good	Yes
10	Nuagaon-Baruni	Angul	4.5	20.7	Good & 60-100+	Good	Yes
11	Tal-Kholgarh	Sambalpur	6.3	4.56	Good & 40+	Good	No
12	Barpahad-Tarava-Kantamal	Sonepur-Boudh	24.2	21.7	Poor & NA	Not Good	No
13	Kotagarh-Chandrapur	Kandhamal-Rayagada	77.0	575.4	Poor & 20+/-	Not Good	Yes
14	Kariapat-Urladani	Kalahandi-Rayagada	75	28.9	Very Poor & NA	Not Good	Yes

16. Besides the elephant corridors identified by the Asian Nature Conservation Foundation (ANCF), certain other elephant corridors were also identified by the Forest Department as priority corridors which are as under:

- a. Hatibari Corridor
- b. Nuagaon-Baruni Corridor
- c. Simpilipal (Nato RF)-Satkosia-Hadgarh-WLS-Kuldiha WLS
- d. Karo (Keonjhar Odisha)- Karampada (Saranda, Jharkhand)

17. The relevant extract of the Action Plan submitted by the State

Respondents, Government of Odisha is reproduced herein below:

“In January, 2018, Asian Nature Conservation Foundation (ANCF) submitted its study report to Government of Odisha. This report is titled as “Elephant Carrying Capacity of Odisha’s Forests”. In this report chapter 5 is devoted to “Elephant Corridors in Odisha”. Under table 5.1 of this chapter authors have given the list of corridors identified by Forest Department indicating functional existence and ecological feasibility as assessed by ANCF, and it is reproduced below:-

193

Sl. No.	Name of the Corridor	Extends over District	Length of the Corridor (km)	Total Area (sq.km)	Functional existence and no. of elephant using the path	Ecological Feasibility	PA Connection
1	Badampahar (Mayurbhanj) Dhobdhobin (Jharkhand) (Interstate)	Mayurbhanj - Jharkhand	16	24.3	Poor & max 20	Not good	Yes
2	Badampahar (Mayurbhanj) Karida (Jharkhand) (Interstate)	Mayurbhanj	43	26.09	Very poor & NA	Bad	Yes
3	West Bengal-Deuli-Suliapada (Passage) (Interstate)	Mayurbhanj	72	39.5	Very good & 100+	Very bad	No
4	Simlipal-Hadgarh-Kuldiha	Mayurbhanj, Keonjhar, Balasore	41.7	91.39	Good & 40+	Good if mining stopped	Yes
5	Telkol-Pallahra	Keonjhar, Angul	30.4	13.24	Poor & 15 ±	Not good	No
6	Karo (Keonjhar)-Karampada (Saranda, Jharkhand) (Interstate)	Keonjhar	15	17.3	Poor & 1 or 2	Bad	No
7	Maulabhnja-Jiridamali-Anantpur	Dhenkanal	6.5	1.55	Very poor & 20-26	Not good	No
8	Kahnejena-Anantpur	Angul, Dhenkanal	6.6	5.22	Very poor & 15-20	Not good	No
9	Buguda-Central RF	Nayagarh	2.6	0.76	Good & 20-40	Good	Yes
10	Nuagaon-Baruni	Angul	4.5	20.7	Good & 60-100+	Good	Yes
11	Tal-Kholgarh	Sambalpur	6.3	4.56	Good & 40+	Good	No
12	Barpahad-Tarava-Kantamal	Sonepur-Boudh	24.2	21.7	Poor & NA	Not Good	No
13	Kotagarh-Chandrapur	Kandhamal-Rayagada	77.0	575.4	Poor & 20+/-	Not Good	Yes
14	Karapat-Urladani	Kalahandi-Rayagada	75	28.9	Very Poor & NA	Not Good	Yes

Further, under part 5.9 of this chapter, authors have given their list of priority corridors and under these a new corridor called Hatibari Corridor is also listed which is not listed in any of the earlier studies.

Hatibari Corridor- It connects Baduapali-Dumer-Chua-Munder RF-Jaduloisingh RF to Hatibari RF and Bandher RF by a narrow stretch of land which is non-forest, in Hatibari village (both east and west of NH-42). The link between Hatibari and Meghpal RF is also important in this area. This passage allows the passage to Badarma Wildlife Sanctuary from Rairakhol Forest Division.

Study of Karo-Karampada Elephant Corridor in 2012 by Forest Department of Odisha-

State Government, in Forest and Environment Department, vide Order number -10F (Cons.)-406/2012-18047/F&E dated 22.09.12, constituted a committee under the Chairmanship of Regional Chief Conservator of Forests, Rourkela, with other members. This committee was constituted to undertake site inspection, evaluate secondary information and to furnish a report on status/existence of the Karo-Karampada Elephant Corridor in terms of its functionality in the context of Bolani Ore Mines of M/S SAIL

(as SAIL has raised objections to existence of this corridor as identified by Forest Department in 2011, due to inclusion of their mine area which were there since 1960).

This committee found that corridor demarcation is not done correctly and recommended inter alia that the present movement path of the elephants should be surveyed and demarcated in the field and affected area have to be given the status of the Elephant Corridor for its scientific management in the future.

From all the above studies/reports following can be inferred: -

1. There is no unanimity on existence of Elephant Corridors in Odisha as per various studies/reports.
2. The length and width of the corridors is identified differently in different studies/reports.
3. Even the report of 2017 study by WTI and 2018 study by ANCF, though conducted in very short span of time, have different findings on elephant corridors.
4. Study reports by the same agency i.e. WTI in 2005 and 2017 gave different findings.
5. Detailed verification, in 2012, of the Karo-Karampada Corridor (as identified by the Forest Department in 2011) by a committee constituted by Forest Department of Odisha found that it was not correctly identified

PROPOSED ACTION PLAN

The ANCF report has concluded "perhaps about 1700-1800 elephants can at most be sustained and managed within the larger forested landscape of Odisha with tolerable levels of elephant-human conflict." However, the last census conducted by the department indicated presence of 1976 elephants in Odisha. So, about 10% elephant population is in excess of the carrying capacity.

STRATEGY-Based on ANCF study the following strategy is adopted-

1. **Need to Secure Elephant Habitat**
2. **Providing connectivity to Habitats**
3. **Securing movement paths of smaller and scattered populations.**

1). Need to secure Elephant Habitat-

In Odisha, three elephant reserves are notified by the government as below

Name of the Elephant Reserve	Area in Sq. Km	Notification
Mayurbhanj	7043.74	8F(W)42/2001/15806 dated 29.09.2001
Sambalpur	426.91	8F(W)17/2002/10162 dated 19.06.2002
Mahanadi	1038.30	8F(W)10/2002/5840 dated 27.03.2002

As per report of ANCF "within the three notified elephant reserves of Odisha, an estimated 969 wild elephants reside, that is about 50% of wild elephants of Odisha have a secure area as their habitat".

Therefore, the report has strongly recommended the extension of area of Sambalpur and Mahanadi Elephant Reserves. Accordingly, it has been suggested by the report to add 1813.74 sq. km (Total 426.74+1813.74=2240 sq. km) in Sambalpur ER and 1405.66 sq. km (Total 1038.3+1405.66=2443.96sq. km) in Mahanadi ER. It is also reported by ANCF that if this area is added to the ERs then total of 1407 elephants would be accommodated in ERs. Considering area between Sambalpur and Mahanadi ERs this number goes up to about 1500. This accounts for about 75% of total population of elephants in the state and about 85% of total number assessed as per carrying capacity study done by ANCF.

Therefore, these habitats are the areas which are most important for long term conservation of the species in the state and need utmost attention.

Actions taken/Proposed-In pursuance of this recommendation state government has undertaken an exercise to expand the area of Sambalpur ER to 1797.048 sq. km from existing 426.91 sq. km and to expand the area of Mahanadi ER to 2181.522 sq. km from existing 1038.30 sq.km. This will result in providing secure habitat to majority of elephant of the state.

2). Providing Connectivity to Elephant Habitats-As per ANCF report (section 5.1), An elephant corridor can be thought of as a relatively narrow strip of land connecting two or more viable habitats or providing passage for genetic connectivity between two or more viable elephant populations.

A) Area between Mahanadi and Sambalpur ERs-So, for the purpose of corridors the area between elephant habitats is most important. In between Sambalpur and Mahanadi ERs presently two corridors are identified. These are Nugaon-Baruni and Tal-Kholgarh. However, these are very small areas identified and does not ensure complete connectivity between two ERs (**map enclosed**). The present aerial distance between boundaries of two ERs is about 65 kms. With the expansion mentioned above this distance will become about 15 km. This will strengthen the connectivity between two habitats by providing safe passage for large part of habitat. Due to change in movement patterns, it is difficult to fix the boundaries of elephant corridors in the landscape between two ERs. Therefore, it is decided to treat entire landscape between two expanded ERs as movement area. As suggested by ANCF report this area would be made wildlife friendly by promoting conducive land use. For this purpose, following steps would be taken-

- a) The area would be enriched by planting suitable forage plants.
- b) Water sources will be augmented.
- c) As identified by ANCF report, distribution canals of Manjore Dam are like Elephant Proof Trenches. Overpasses shall be constructed over these canals for providing passage to elephants. Already three locations have been identified and steps have been initiated for providing these overpasses. Funds shall be allocated for this purpose soon. Following are the locations identified for this purpose-

Sl. No.	ITEM	SPECIFICATION
1	MANJORE Left canal GPS Location N-20.82561, E-84.43576	Length x Breadth-14.3 mt x 8.05 mt.
2	Patrapada Canal- Site-1, Location N-20.83711, E-84.41455	Length x Breadth-10 mt x 8 mt.
3	Patrapada Canal- Site-2, Location N-20.83781, E-84.40217	Length x Breadth-10 mt x 8 mt.

- d) ANCF report has also identified roads in the landscape as potential barriers in the movement paths of elephants. For mitigating this threat underpasses/overpasses shall be constructed on these roads. Already locations are identified. For NH 55 these underpasses and overpasses are included in the approved Site-Specific Wildlife Conservation Plan and NHAI is going to start the work soon. For other road locations for underpasses and overpasses are also identified and funds are being located for construction. Details of points identified for this purpose are given below details:

List of approved EUPs Angul-Sambalpur section of NH-42 (now 55)

Name of the Division	Location of AUP	Latitude/Longitude
Angul Division	1. In between Katara RF of Angul Division (southern	20' 55' 7.08" N 84' 47' 42.8" E

		side) and SimuliaPathar RF (Angul Division) on Northern side		
Athmallik Division	2.	At Jamunalia	20' 55' 7.70" N	84' 46' 44.9" E
	3.	At Kutasingha	21' 02' 32.60" N	84' 27' 30.3" E
Rairakhol Division	4.	In Purunapani PRF near Charibatlachawk	21' 03' 51.4" N	84' 22' 39.4" E
	5.	Tal-Kholgarh Elephant corridor Fly over of 1 km length	21' 03' 51.1" N	84' 19' 02.2" E
	6.	Near Central Nursery at Charmalm	21' 06' 17.1" N	84' 13' 39.67" E
	7.	In between Suhani RF &Berhampura PF (near Nuapadachawk)	21' 06' 15.0" N	84' 14' 31.8" E
	8.	Landakot RF near Barchhat	21' 08' 34.01" N	84' 10' 09.01" E
Sambalpur Division	9.	Paltandera near Chandinimal (Jujumura)	21' 13' 30.9" N	84' 08' 48.7" E
	10.	Near Nua mahulpali	21' 18' 02.7" N	84' 07' 8.2" E
	11.	Near Hatibari	21' 20' 15.0" N	84' 05' 12.6" E
	12.	Near Bhabanipalli	21' 22' 52.7" N	84' 03' 53.1" E
	13.	Near Jhankarpali	21' 23' 34.47" N	84' 03' 23.41" E

Other road locations identified in Athmallik Division for creation of Underpass.

Sl.No	Infrastructure	Structural Options	GPS location	Size
1	Athmallik -Boinda SH-62	Under Pass	N-20° 45' 46.04" E-84° 33' 14.33"	Length-25m.X Heigt-6mt.
2	Athmallik -Boinda SH-62	Under Pass	N-20° 47' 32.64" E-84° 33' 14.33"	Length-25m.X Heigt-6mt.
3	NH-55 at Jamunali	Under Pass	N-20° 55' 07.7" E-84° 46' 44.9"	Length-25m.X Heigt-6mt.
4	NH-55 at Kadalimunda	Under Pass	N-20° 55' 14.2" E-84° 45' 34.8"	Length-25m.X Heigt-6mt.
5	NH-55 at Pagabandha	Under Pass	N-20° 57' 27.8" E-84° 48' 13.6"	Length-25m.X Heigt-6mt.
6	NH-55 at Nuabhuin	Under Pass	N-20°58' 44.8" E-84° 35' 36.6"	Length-25m.X Heigt-6mt.
7	SH at Tileswar	Under Pass	N-20° 53' 21.0" E-84° 37' 25.8"	Length-25m.X Heigt-6mt.
8	Madhapur-Bamur PWD road	Under Pass	N-20° 55' 56.1" E-84° 43' 57.6"	Length-25m.X Heigt-6mt.
9	Madhapur-Bamur PWD road	Under Pass	N-20° 53' 47.47" E-84° 26' 40.52"	Length-25m.X Heigt-6mt.
10	Boudh-Rairakhol NH-153(B)	Under Pass	N-20° 54' 2.72" E-84° 18' 46.37"	Length-25m.X Heigt-6mt.
11	Athmallik-Kiakata PWD road	Under Pass	N-20° 50' 57.2" E-84° 22' 50.87"	Length-25m.X Heigt-6mt.

- e) Another threat identified by ANCF is Railway Line connecting Angul and Sambalpur. Already 13 locations have been identified in between Bamur and Charmal in Redhakhol Forest division which are the crossing points for elephants. Railway authorities are already moved to submit estimate for one underpass at present. Following are the locations identified in the field for this purpose :-

Name of Forest Division	SL No.	Railway Pillar No.		GPS coordinates of the location
		From	To	
Redhakhol	1	46/2	46/3	Over Pass
	2	48/3	48/4	Over Pass/ Underpass
	3	50/1	50/2	Over Pass
	4	51/1	51/2	Over Pass/ Underpass
	5	57/3	57/4	Over Pass/ Underpass
	6	64/5	64/6	Over Pass/ Underpass
	7	67/9	68/9	Over Pass-Tal-Kholgarh Corridor
	8	74/1	74/2	Over Pass
	9	81/3	81/4	Over Pass
	10	48/4	48/6	Underpass
	11	51/2	51/5	Underpass
	12	59/1	59/3	Underpass
	13	64/6	64/9	Over Pass/ Underpass

- f) Voluntary village relocation scheme of the state for Protected Areas shall also be extended to this area to reduce the human-elephant interface in the area.
- g) A scheme of incentive for maintaining wildlife friendly land use by the villagers in this area shall also be formulated and implemented for this area. Under this scheme in the elephant movement areas landowners shall be suitably compensated to maintain wildlife friendly land use.
- h) Alternate livelihoods (to reduce dependence on forest resources and agriculture) to boost income of the villagers in the area shall be promoted.
- i) Awareness activities to sensitize all the stakeholders in the area shall be taken up.
- j) The newly suggested Hatibari corridor by ANCF shall be studied in details to ascertain the exact use area.

B) **Mayurbhanj ER-** The ANCF study has found that area of the notified Mayurbhanj ER is adequate to support the present elephant population. In the report movement of elephants between Mayurbhanj ER and other two ERs is not established. However, the following are mentioned for connectivity of habitat for this ER-

a) There are five areas which provide connectivity. Out of these, two are within the ER. They are Simlipal -Satkosia and Hadgarh-Kuldiha. Other three are giving interstate connections. They are West Bengal-Deuli-Suliapada (between Odisha and West Bengal), Badampahar-Dhobadhobin and Badampahar-Karida between Odisha and Jharkhand.

b) As per report of ANCF, there are not many problems in Simlipal-Satkosia area and this area falls in the notified tiger reserve area of Simlipal, thus, it is well protected.

c) In Hadgarh-Kuldiha area the movement is getting affected by the stone quarries. The Tahsildar Khaira has initially applied for permission for quarrying the existing 105 nos of stone quarries located in the hillock connecting Kuldiha Sanctuary to Hadgarh Sanctuary running over a distance of 7.92.km. Subsequently the applicant submitted revised proposal for applying for 97 nos. of quarries over an area of 173.50 ac. with Pahad KISSAM land located in village Sarisua, Kapilajhri Bandhanata which has been approved by the standing committee of National Board for wildlife on 03.01.2017. It is close to foothills

of Sukhuapata hill of Mayurbhanj. As per order dated 18.02.2020 of Hon'ble NGT in O.A No. 2/2019 and 3/2019 already the process for declaring the area as Conservation Reserve has been initiated.

d) ANCF report has assessed West Bengal-Deuli-Suliapada as Very Good for functional existence and very bad as far as Ecological Feasibility is concerned. However, Badampahar- Dhobadhobin area has been categorized as Poor and Badampahar-Karida as very poor functionally.

For interstate connectivity of Mayurbhanj ER these three corridors are identified. In this connection a study conducted by Palei et al (2019) and titled as "Elephant Movement and its impacts" throw light on movement patterns of elephants in the area. During the period 1997-2014 study has reported 48 locations of entry and 48 locations of exit for interstate movement of elephants from West Bengal into Mayurbhanj ER. These entry and exit locations are different and cover Rasgovindpur, Deuli, Pithabata and Bangiriposi for entry and Rasgovindpur, Deuli and Bangiriposi for exit. Details are reproduced below –

Entry –exit locations and instances (reproduced from Palei et al 2019)

Table 4.1.1. (of the study) years 1997-2014: range wise instances of entries through different locations by elephants from WB

Entry locations			
Sl. No	Location	Range	No. of entries
1	Badasole	Rasagovindapur	2
2	Badjogibandha	Deuli	1
3	Banakati	Deuli	3
4	Bhaduasole	Rasagovindapur	2
5	Bhandarisole	Deuli	1
6	Bhugudakata	Deuli	1
7	Dhabani	Deuli	1
8	Dhansole	Deuli	1
9	Dhirehidihi	Rasagovindapur	3
10	Gangaral	Pithabata	1
11	Ghangahana	Deuli	2
12	Govindapur	Deuli	1
13	Handibhanga	Deuli	1
14	Hatimada	Deuli	1
15	Jhatloda	Deuli	1
16	Jhirani	Rasagovindapur	2
17	Kadakothe	Deuli	1
18	Kathasirisi	Deuli	1
19	Kcpur	Rasagovindapur	1
20	Kundiasole	Deuli	2
21	Kundiasole	Deuli	1
22	Lundakunda	Deuli	1
23	Muruda	Rasagovindapur	1
24	Nachana	Deuli	1
25	Pakatia	Bangiriposi	2
26	Pallo	Deuli	6
27	Phagudihi	Deuli	1
28	Ramkrishnapur	Deuli	1
29	Santellia	Deuli	1
30	Saradihi	Deuli	1
31	Tadki	Deuli	1
32	Tella	Deuli	1

33	Tentaposi	Deuli	1
Total entry instances			48

Summary :33 locations used in 48 entries. Deuli range 25 locations, 34 (71%) entries; Rasagovindapur-6 locations, 11 (23%) entries; Bangriposi -1 locations, 2 (4%) entries; and pithabata-1 locations, 1(2%) entries.

Table:4.1.2. (of the study) years 1997-2014:range wise instances of returns (exits) from odisha by elephants that had entered from West Bengal.

Exit locations			
Sl. No	Location	Range	No. of entries
1	Banakati	Deuli	2
2	Bandap	Deuli	1
3	Bhaduasole	Rasagovindapur	3
4	Bhatchhatar	Rasagovindapur	1
5	Bissole	Deuli	2
6	Chauladharani	Rasagovindapur	1
7	Chitrada	Rasagovindapur	1
8	Chuhat	Deuli	4
9	Dhansole-1	Deuli	2
10	Dhansole-2	Deuli	2
11	Dhirehidihi	Rasagovindapur	1
12	Gangasole	Deuli	1
13	Ghanghana	Deuli	6
14	Govindapur	Deuli	1
15	Handibhanga	Deuli	1
16	Jhatioda	Deuli	1
17	Kadakata	Deuli	1
18	Kakharusole	Deuli	1
19	Katas	Deuli	1
20	Kundiasole	Rasagovindapur	1
21	Nachana	Deuli	1
22	Nadakundia	Deuli	1
23	Paktia	Bangriposi	1
24	Pallo	Deuli	5
25	Pokharia	Deuli	1
26	Raibani	Deuli	1
27	Rakhanisole	Deuli	1
28	Rumbha	Deuli	1
29	Sansole	Bangriposi	1
30	Sukhilakhali	Deuli	1
Total exit instances			48

Summary :30 locations used in 48 exits. Deuli range 22 locations, 38 (79%) exits; Rasagovindapur-6 locations, 8 (17%) exits; Bangriposi -2 locations, 2 (4%) exits;

Further this study has presented Year wise instances of entry and exit for elephants from West Bengal across forest ranges and the same is reproduced below-

Table 4.1.3: (of the study) year wise instances of entry/exit by elephants from WB across forest ranges in Odisha during 1997-2014.Total entries= 48. Key RGP- Rasagovindapur, BNG- Bangriposi.

Year	ENTRY					EXIT				
	Deuli	RGP	Pithabata	BPS	TOTAL	Deuli	RGP	Pithabata	BPS	TOTAL
1997	4				4	4				4
1998	3				3	3				3
1999	1				1	1				1
2000	3				3	3				3
2001				1	1				1	1
2002	1			1	2	1			1	2
2003	3	2			5	2	3			5
2004	3		1		4	4				4
2005	6				6	5	1			6
2006	2				2	2				2
2007	4				4	4				4
2008	3	1			4	3	1			4
2009	1				1	1				1
2010		1			1		1			1
2011		1			1		1			1
2012		1			1		1			1
2013		1			1		1			1
2014		4			4	4				4
Total	34	11	1	2	48	37	9	0	2	48
% instance	71	23	2	4	100	77	19	0	4	100

Similarly, for interstate movement from Jharkhand to Odisha area the same study found entry and exit locations as reproduced below (out of these, locations shown for Karanjia and Rairangpur divisions provide connectivity to Mayurbhanj ER from Jharkhand)-

Table 4.2.1. (of the study) years 200-2014:range wise locations and entry/exit instances for elephants from Jharkhand.

Sl.no	Division	Range	Location	No. of entries	No. of exit
1	Bonai	Barsuan	Ballijodi	17	17
2	Karanjia	Guruguria	Dayaposi	7	7
3	Karanjia	Guruguria	Ramasahi	1	1
4	Karanjia	Guruguria	Sagarsahi	1	1
5	Karanjia	Guruguria	Udayasahi	2	2
6	Karanjia	Guruguria	Uski	2	2
7	Keonjhar	Barbil	Kankadapat	3	3
8	Keonjhar	Barbil	Kolhaponduli	3	3

9	Keonjhar	Barbil	Narayanpur	4	4
10	Keonjhar	Barbil	Nayakrishnapur	2	2
11	Keonjhar	Champua	Putugaon	9	9
12	Keonjhar	Champua	Sathalla	1	1
13	Rairangpur	Badampahad	Dudjharan	2	2
14	Rairangpur	Badampahad	Edlabega	1	1
15	Rairangpur	Badampahad	Jhatsiringi	1	1
16	Rairangpur	Bahalda	Haragoda	1	1
17	Rairangpur	Bahalda	Jatapani	1	1
18	Rairangpur	Bahalda	Sagajodi	2	2
19	Rairangpur	Bahalda	Sapaghera	1	1
20	Rairangpur	Bahalda	Sarada	1	1
21	Rairangpur	Bahalda	Surada	1	1
22	Rairangpur	Bahalda	Tendra	2	2
23	Rairangpur	Rairangpur	Asensikar	1	1
24	Rairangpur	Rairangpur	Kairada	1	1
25	Rourkela	Biramitrapur	Biringtola	1	0
26	Rourkela	Biramitrapur	Dolkhana	1	0
27	Rourkela	Biramitrapur	Getitanger	1	1
28	Rourkela	Biramitrapur	Gumla	1	1
29	Rourkela	Biramitrapur	Hatibari	1	1
30	Rourkela	Biramitrapur	Lauram	1	1
31	Rourkela	Biramitrapur	Patipahad	2	2
32	Rourkela	Biramitrapur	Raibega	1	4
33	Rourkela	Biramitrapur	Rithatohi	1	0
34	Rourkela	Biramitrapur	Tabda	1	1
35	Rourkela	Biramitrapur	Tersa	1	1
36	Rourkela	Bisra	Bankotola	1	1
37	Rourkela	Bisra	Chirabeda	1	4
38	Rourkela	Bisra	Hariharapur	1	0
39	Rourkela	Bisra	Jaraikele	1	1
40	Rourkela	Bisra	Jharbeda	1	0
41	Rourkela	Bisra	Kapirsingh	1	1
42	Rourkela	Bisra	Kundanga	1	0
43	Rourkela	Bisra	Kundaposi	1	1
44	Rourkela	Bisra	Singutola	1	1
45	Rourkela	Bisra	Sukuda	1	1
46	Rourkela	Bisra	Titerkela	1	1
			Total	90	90

Table 4.2.2. (of the study) summary: range wise entry and exit instances by elephants from Jharkhand

Division	Range	No. of entries	No. of entry locations	No. of exits	No. of exit locations	Remark
Bonaï	Barsuan	17	1	17	1	
Karanja	Gurguria	13	5	13	5	
Keonjhar	Barbil	12	4	12	4	
Keonjhar	Champua	10	2	10	2	
Rairangpur	Badampahad	4	3	4	3	
Rairangpur	Bahalda	9	7	9	7	
Rairangpur	Rairangpur	2	2	2	2	
Rourkela	Biramitrapur	12	11	12	8	Dolkhana, Ritatohi and birngtola locations were not used for exit
Rourkela	Bisra	11	11	11	8	Hariharanpur, kundanga and jharbeda locations were not used for exit
Total		90	46	90	40	

Proposed Action- These movement patterns over about 15 years show that the movements are not fully covered by identified corridors. Hence restricting the measures to be taken to these identified corridors may not suffice. Thus, it is decided to conduct a study to ascertain the exact movement paths or areas for interstate movement to and from Jharkhand and West Bengal and measures required for safeguarding them.

3) Securing movement paths of smaller and scattered populations-The other identified corridor areas do not seem to connect viable habitats as per ANCF study. Thus, they are only movement paths for smaller scattered populations (putting all together, constituting about 25% of total elephant population in the state) and are not corridors in true sense. Further, prohibiting activities which are not permissible in the eco-sensitive zones(as per order dated 20.10.2016 of Hon'ble NGT) in the presently identified corridors did not help in reducing human-elephant conflict . Such movement paths keep on changing and are cause of much conflict situations.

Action Proposed- State Government will constitute a committee under the chairmanship of CWLW to monitor the movement patterns in these areas and to take required steps to safeguard the elephants. This committee will meet half yearly and will review the situation and recommend the actions required as per movement patterns observed to safeguard these smaller and scattered populations and to reduce the conflict situations.

Time line- All the above activities shall be completed in coming three years.

18. In our view, since the Action Plan has been submitted and 14 elephant corridors have been identified by the State Respondents, Government of Odisha, we, therefore, dispose of this original application with the direction to the Respondent No.1 to notify the elephant corridors in terms of the elephant corridors as identified

by the Asian Nature Conservation Foundation (ANCF) and the Action Plan, within a period of two months from today in accordance with law.

19. There shall be no order as to costs.

I.A. No. 70/2020/EZ

1. This application has been taken up. The prayer in the I.A. filed by the Applicant is for a direction to the Respondent to show cause for violation of the order of the Tribunal dated 20.10.2016.

2. We have gone through the I.A. and since, the 14 elephant corridors have already been identified by the Asian Nature Conservation Foundation (ANCF) and the original application has been disposed of with a direction to the Respondent No.1, State of Odisha to notify the same, in our opinion, there is no violation of the order of the Tribunal dated 20.10.2016.

3. I.A. No. 70/2020/EZ is accordingly dismissed.

4. There shall no order as to costs.

.....
B. AMIT STHALEKAR, JM

.....
SAIBAL DASGUPTA, EM

Kolkata
August 17, 2021
Original Application No.129/2016/EZ
(I.A. No. 70/2020/EZ)

BEFORE THE NATIONAL GREEN TRIBUNAL

Execution Application No. _____ of 2022 arising out of OA 129 OF 2016
DISPOSED ON 17TH AUGUST 2021

WILDLIFE SOCIETY OF ODISHA

.APPLICANT

Versus

STATE OF ODISHA &Ors

...

RESPONDENTS

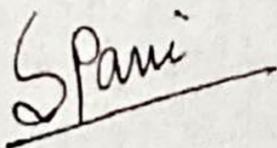
KNOW ALL to whom these present shall come I, BISWAJIT MOHANTY, Secretary, Wildlife Society of Odisha, AT-SHANTIKUNJA, LINKROAD, CUTTACK, ODISHA the above named APPLICANT Organisation do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002 ENROLMENT NO O-785/07, sankarprasadpani@gmail.com , cell-9437279278

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

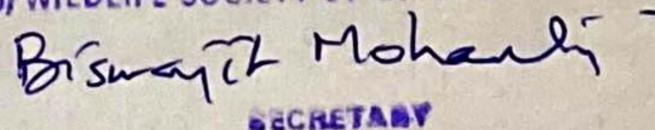
And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof. IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 14TH day of AUGUST 2022. Accepted subject to the terms of fees.



Advocate

For WILDLIFE SOCIETY OF ORISSA



SECRETARY

Client (SEAL OF THE ORGANISATION)