

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.134/2024/EZ

Asrukholā Development Council

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 15.07.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate a/w
Mr. Ashuthosh Padhy, Advocate (in Virtual Mode)

ORDER

1. Heard Mr. Sankar Prasad Pani assisted by Mr. Ashutosh Padhy, learned Counsel (in Virtual Mode) for the Applicant.
2. The present Original Application has been filed by the Applicant seeking the following reliefs:-

“1. Revitalize the 63 kilometer long stretch of Asrukholā Jora, encompassing approximately 950 acres, through the process of desiltation and removal of water hyacinths and wild growth of ferns.

2. To ensure water flow in the wetland during flood for natural cleaning and Rejuvenate the 11 kilometer long SUKAPAIKA (Kaninai) river and then connect to Asrukholā Jora for its long terms sustainability as was in past.

3. Include the lengthiest and serpentine Asrukholā wetland in Ramsar site.”

3. The Applicant states that Asrukholā Development Council is representing 29 Gram Panchayats and seeks immediate action for renovation and protection of the Asrukholā Jora/wetland over 29 Gram Panchayats of 3 Districts.

4. It is stated that the Asrukholā Jorā is an ancient perennial water body which originated from its Mother River Sukapaika at Saukheta of Babujang Gram Panchayat in Cuttack District. It flowed through the Mahanadi-Chitrotpala-Paika islands of Cuttack, Kendrapara and Jagatsinghpur Districts before draining into the Bay of Bengal. It is also stated that in order to mitigate the impact of natural disasters like floods in the coastal districts of Odisha, the State Government closed the mouth of the Sukpaika River during 1960 and strengthened the vulnerable points of southern side embankment of the Chitrotpala River during the 1970's. It is further stated that the closure of the mouth of River Sukpaika and strengthening the embankment of the River Chitrotpala has effectively prevented the natural inflow of over-flown water during floods, thereby resulting in certain lower regions of Asrukholā Jorā drying up.
5. It is stated that the closure of the mouth of the Sukapaika River (now a man-made 11 KM dead river known as Kaninai) and reinforcement of the southern embankment of the Chitrotpala River has completely stopped the influx of flood water into the Asrukholā Jorā; as a result there has been rapid proliferation of water hyacinth, scientifically known as *Eichhornia crassipes* which has covered the entire surface of the wetland. It is also stated additionally that the increased rate of sedimentation was caused by soil erosion during monsoon season and the subsequent die off of weeds. It is alleged that the extensive spread of water hyacinth in the Jorā wetland/Wetland over the last six decades has posed a major ecological threat to the water bodies in this area. It is also alleged that the degradation of the said wetland has caused 63 KM

of the Wetland to split into two major parts each of which began to deteriorate over time, posing a threat to the entire stretch of 63 KM of Wetland eco-system; the wetland's potential for human usage has been severely diminished and eventually, it has vanished as a single-flow water body.

6. It is stated that the Applicant proposed to State and Central Government both for a Pilot Project for entire 63 KM long Asrukhol Jora/wetland for its renovation and thereafter, revival of the dead Sukpaika (Kaninai) River by rejuvenating its parent river i.e. the Mahanadi and it being finally connected to the Asrukhol wetland to generate water-flow in the wetland during floods for its natural cleaning as suggested by the Odisha State Pollution Control Board vide Memo No.20824 dated 27.12.2021 addressed to the Principal Secretary, Department of Water Resources, Odisha and letter of the Under Secretary to the Engineer-in-Chief, Water Resources, Odisha vide Memo No.WR-FCDR-PG-0109-2021-576 dated 07.01.2022.
7. It is stated that aforementioned projects are considered most important to save Asrukhol wetland and needs to be prepared on a priority basis to save the fresh water body over an area of 950 acres.
8. Matter requires consideration.
9. Issue notice to the Respondents, returnable within four weeks.
10. Mr. Apurba Ghosh, learned Counsel who is present (in Virtual Mode), accept notice on behalf of the Respondent No.7, Ministry of Environment, Forests and Climate Change.
11. Issue notice to the Respondent No.1, 2, 3, 4, 5, 6, 8, 9, 10 & 11, Private Respondent, returnable within four weeks.

12. All the Respondents shall file their counter-affidavits within four weeks.
13. The Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Apurba Ghosh, learned Counsel for the Respondents within 48 hours.
14. **List on 21.08.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

July 15, 2024,
Original Application No.134/2024/EZ
MN