

52. 18.03.2021
1. Heard Mr. Mohit Agarwal, learned Amicus Curiae; Mr. M.S. Sahoo, learned Additional Government Advocate for the State- Opposite Parties; Mr. P.K. Parhi, learned Assistant Solicitor General for the Union of India and Mr. S.K. Dalai, learned counsel for the Intervener.
  2. Pursuant to the order passed by this Court on the previous date, an affidavit dated 15<sup>th</sup> March 2021, has been filed by the Committee constituted by the Notification dated 7<sup>th</sup> February 2020, of the Forest and Environment Department, Government of Odisha as well as Opposite Party Nos.2, 4 and 6. In the said affidavit, it is stated that the Collectors of Puri, Ganjam and Khurdha districts have constituted Task Force Committees (TFCs) at the district level for the work of eviction of unauthorized/ illegal prawn gherries, ponds and obstruction of Palur Canal etc. in Chilika lake. Copies of the said orders dated 12<sup>th</sup> March, 15<sup>th</sup> March, and 16<sup>th</sup> March 2021 respectively, have been enclosed with the affidavit.
  3. Additionally, by letter dated 16<sup>th</sup> March 2021, the Collector, Kendrapara has intimated that three Committees (Tahasil wise) have been constituted in 2018 for identification and demolition of illegal prawn gherries under the Coastal Aquaculture Authority Act, 2005. A copy of the letter received from the Collector, Kendrapara has also been enclosed.

4. This has to be read with an affidavit dated 1<sup>st</sup> March 2021, filed by the Committee wherein in paragraph 5, the decisions taken by the Committee have been set out. In paragraph 6 of that affidavit, it is stated that the Collector, Kendrapara had undertaken that the demolition of balance 544 gherries involving area of Ac.562.48 would be completed by 30<sup>th</sup> April 2021, in the Kendrapara District. Likewise in paragraph 7 of that affidavit, the timeline given by different Districts for evicting the balance encroached area has been set out. The dates as far as Puri, Ganjam, Khurda are concerned, are 31<sup>st</sup> December, 31<sup>st</sup> May and 31<sup>st</sup> May 2021 respectively.

5. Mr. Mohit Agarwal, learned Amicus Curiae, points out that it is possible for the Collectors to verify the progress of the demolition/eviction drive through satellite imagery for which coordinates are available with Orissa Remote Sensing Application Centre (ORSAC).

6. The Collectors of the Districts of Puri, Khurda, Ganjam and Kendrapara are directed to call for daily reports by e-mail with attached scanned documents from the TFCs set up to effectively monitor the progress of the work. They will also use the data provided by the ORSAC and ensure that the timelines as set out in the affidavit dated 1<sup>st</sup> March 2021, of the Committee, are adhered to. In turn, the Collector will submit a report to learned Advocate General every two days to enable the Office of the

Advocate General to apprise this Court whether in fact the setting up of the TFCs has fulfilled the desired objective.

7. Additionally, it is pointed out by Mr. S.K. Dalai, learned counsel for Opposite Party No.17 that in many places in Chilika, the violators are resorting to the vannamei culture and this is going unchallenged. It will be the responsibility of the TFCs set up to ensure that there is no such resort to vannamei culture by the violators and that prompt action is taken against such practice.

8. List for further monitoring on 13<sup>th</sup> April, 2021.

9. An urgent certified copy of this order be issued as per rules. Copies of this order be communicated forthwith by the Office of Advocate General to all the concerned Collectors for compliance.

**( Dr. S. Muralidhar )**  
**Chief Justice**

**( K.R. Mohapatra )**  
**Judge**