

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

ORIGINAL APPLICATION No 160 OF 2020

IN THE MATTER OF:

E.A.S. Sarma

14-40-4/1, Gokhale Road

Maharanipeta,

Visakhapatnam – 530 002

Andhra Pradesh and 1 Others

... Applicant(s)

Versus

Union of India

Through the Secretary

Ministry of Environment and Forests & Climate Change

Indira Paryawaran Bhawan, Jor Bagh Road

Lodi Colony, New Delhi – 110 003 and 7 Ors.

... Respondent(

COMPLAINANCE REPORT FILED BY THE 3RD Respondent

APCZMA

DATE- 28-10-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
A.P. POLLUTION CONTROL BOARD**

#26, S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

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[Counsel for 3RD Respondent](#)

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It is certified that all the documents contained in the above annexure are true copies.

Date: 28-10-2023

Report submitted to the Hon'ble National Green Tribunal, Southern Zone, Chennai in OA No. 160 of 2020 (SZ)

It is to submit that the O. A. No. 160 of 2020 (SZ) was filed by Sri E.A.S. Sarma and Anr., in the Hon'ble National Green Tribunal, Southern Zone, Chennai. The grievance in this application was regarding the indiscriminate sand mining in CRZ Zone against the CRZ Notification and without getting any clearance as required under the provisions of CRZ Notification as well as EIA Notification. It was also stated that the dredging was done by M/s. GMR Energy Limited as permitted by the M/s. Andhra Pradesh Maritime Board without obtaining necessary permission. In the course of doing dredging, certain portion of the mangrove area has been destroyed and they will have to be restrained from committing further destruction of mangroves and restoration of the same to the original position, apart from imposing compensation and taking further actions (if any) required under law.

The Hon'ble NGT vide order dated 27.08.2020 in O. A. No. 160 of 2020 (SZ) designated the Regional Office, MoEF&CC as the Nodal Agency for co-ordination and for providing logistic support.

The Hon'ble NGT (SZ), while disposing the O.A. No. 160 of 2020 (SZ) vide order dated 27.09.2022, issued certain directions and constituted a Joint Committee comprising of the following members:

- a) A member from the NCZMA;
- b) A member from the SCZMA – Andhra Pradesh;
- c) A member from M.S. Swaminathan Research Foundation having expertise in mangrove ecosystem and marine ecosystem;
- d) A member from the East Godavari Estuarine Ecosystem Foundation who had conducted the study in that area earlier;
- e) A member from the Salim Ali Centre for Ornithology and Natural History, Coimbatore; and
- f) A member from the National Centre for Sustainable Coastal Management, Chennai.

The MoEF&CC vide letter dated 08.05.2023 has nominated Integrated Regional Officer (IRO), MoEF&CC, Vijayawada, as a Member representative on behalf of NCZMA/ MoEF&CC in the Joint Committee (**Annexure-1**). Further, the Regional

Officer, AP Pollution Control Board, Kakinada has been nominated as the member on behalf of Andhra Pradesh Coastal Zone Management Authority (APCZMA).

It is learnt that the inspection of the Joint Committee is completed in the month of May, 2023 and the report is to be submitted.

The Member Secretary, APPCB & APCZMA vide letter dated 06.10.2023 requested the Joint Director/Scientist-D, IRO, MoEF&CC, Vijayawada to submit the report to the Hon'ble NGT at the earliest to avoid legal complications. A copy of the same is attached for kind information (**Annexure-2**).

In view of the above, it is requested to grant four week time to comply with the directions of Hon'ble NGT after receipt of report of Joint Committee.



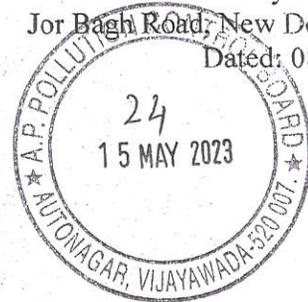
**Member Secretary
APPCB & APCZMA**

SP
297244511

E.7359225
Annex - 1

File No: IA3-3/35/2023-IA.III
Government of India
Ministry of Environment, Forest & Climate Change
IA-III (CRZ) Division

Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110 003
Dated: 08th May, 2023



SBS (CRZ)
16/5/23

To,
The Deputy Director General of Forests (C)
Ministry of Environment, Forest and
Climate Change, Integrated Regional Office,
Vijayawada Green House, Gopalareddy Road,
Vijayawada – 520010, Andhra Pradesh

Subject: Compliance of order dated 27/09/2022 passed by Hon'ble NGT(SZ) in Original Application No. 160 of 2020 (SZ) in the matter of E.A.S. Sarma and Anr. Vs Union of India and Ors. - regarding.

Reference:

- Letter dated 19/04/2023 with File No. IRO/VIJ/EPA/NGT/106-03/2021 received by this Ministry (Copy enclosed); and
- Hon'ble NGT (SZ) at Chennai order dated 29/09/2022 in W.P (PIL)No. 241 Original Application No. 160 of 2020 (SZ), titled E.A.S. Sarma and Anr. Vs Union of India and Ors. wherein, Hon'ble Tribunal has directed for constitution of the Joint Committee (Copy enclosed).

Sir,

This has reference to the subject matter and reference at i. and ii. above.

2. That as per para 69.1 of the above-mentioned order, the Joint Committee is constituted with the following Members:

- A member from the NCZMA;
- A member from the SCZMA – Andhra Pradesh; ✓
- A member from M.S. Swaminathan Research Foundation having expertise in mangrove ecosystem and marine ecosystem;
- A member from the East Godavari Estuarine Ecosystem Foundation who had conducted the study in that area earlier;
- A member from the Salim Ali Centre for Ornithology and Natural History, Coimbatore; and
- A member from the National Centre for Sustainable Coastal Management, Chennai.

3. In this regard, an officer from IRO, Vijaywada may be nominated as a Member representative on behalf of National Coastal Zone Management Authority / MoEFCC in this regard.

4. This issues with the approval of the Competent Authority.

Yours faithfully,


(Dr. H. Kharkwal)
Scientist 'E'

Encl: As above

Copy to:

- The Member Secretary, Andhra Pradesh Coastal Zone Management Authority, D No. 33-26-14 D/2, near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijaywada- 520010.

EE (L)
12/5

ACE
12/5/23

2. The Chairperson, M S Swaminathan Research Foundation, 3rd Cross Street, Institutional Area, Taramani, Chennai- 600113, Tamil Nadu. Tel: +91(44) 22541229, 22542699, email id: www.mssrf.org
3. Executive Director, East Godavari Estuarine Ecosystem Foundation, VII-M-60, Sailasri Vihar, Bhubaneswar, Orissa-751021 Contact: 09337102628; www.ngoportall.org; Email: info@ngoportall.org
4. The Director, Sálím Ali Centre for Ornithology and Natural History Anaikatty (POST) Coimbatore-641108, Tamil Nadu. Phone: 0422-2203100, Ext:109 Email: salimalicentre@gmail.com
5. The Director, National Centre For Sustainable Coastal Management, MoEF&CC, Anna University Campus, Chennai - 600025, Tamil Nadu; Ph: [91]-44-22200600 / 22200900 Fax:[91]-44-22200700
6. The Chief Secretary, Government of Andhra Pradesh, 1st Block, 1st Floor, A.P Secretariat Office, Velagapudi-522023 Phone +91-863-2441024, Fax+91-863-2441029
7. Guard File/Record File

o/c

Annex- 2



Andhra Pradesh Coastal Zone Management Authority (APCZMA),
Andhra Pradesh
Ministry of Environment Forests & Climate Change,
Government of India
Paryavaran Bhavan, APIIC Colony Road, Gurunanak Colony, Autonagar,
Vijayawada-520007



Letter No. OA No. 160 of 2020/APCZMA/Legal/2020 - 530

Date: 06.10.2023

Sub : APCZMA - Implementation of the Hon'ble NGT Orders dt: 27.09.2022 in O.A. No. 160 of 2020 (SZ), Chennai - Request to submit the report to the Hon'ble NGT - Reg.

09.10.2023 Ref
DESPATCH

- Ref : 1) NGT (SZ) Order dt 27.09.2022 in O.A. No. 160 of 2020.
2) IRO, MoEF&CC, Vijayawada Letter dt: 19.04.2023.

It is to inform that the O. A. No. 160 of 2020 (SZ) was filed by Sri E.A.S. Sarma and Anr. in the Hon'ble National Green Tribunal, Southern Zone, Chennai. The grievance in this application was regarding the indiscriminate sand mining in CRZ Zone against the CRZ Notification and without getting any clearance as required the CRZ Notification as well as EIA Notification. Also stated that the dredging was done by the M/S. GMR Energy Limited as permitted by the M/s. Andhra Pradesh Maritime Board without obtaining necessary permission and in the course of doing dredging, certain portion of the mangrove area has been destroyed and they will have to be restrained from committing further destruction of mangroves and restoration of the same to the original position, apart from imposing compensation and taking further actions (if any) required under law.

The Hon'ble NGT vide order dated 27.08.2020 in O. A. No. 160 of 2020 (SZ) designated the Regional Office, MoEF&CC as the Nodal Agency for co-ordination and for providing logistic support (as per Para No. 16).

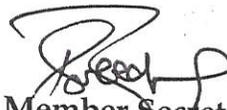
The Hon'ble NGT (SZ), while disposing the O.A. No. 160 of 2020 (SZ) vide order dated 27.09.2022, issued certain directions (Para No. 69; Page No. 44 of 50), vide reference 1st cited and constituted a Joint Committee comprising of the following members:

- A member from the NCZMA;
- A member from the SCZMA - Andhra Pradesh;
- A member from M.S. Swaminathan Research Foundation having expertise in mangrove ecosystem and marine ecosystem;
- A member from the East Godavari Estuarine Ecosystem Foundation who had conducted the study in that area earlier;
- A member from the Salim Ali Centre for Ornithology and Natural History, Coimbatore; and

- f) A member from the National Centre for Sustainable Coastal Management, Chennai

The MoEF&CC vide letter dated 08.05.2023 has nominated Integrated Regional Officer (IRO), MoEF&CC, Vijayawada, as a Member representative on behalf of NCZMA/ MoEF&CC in the Joint Committee. It is learnt that the inspection of the Joint Committee is completed in the month of May, 2023 and the report is to be submitted.

In view of the above, you are requested to submit the report to the Hon'ble NGT at the earliest to avoid legal complications as these are instances in the past penalizing the Committee by Hon'ble NGT.


(2/2) Member Secretary
APPCB & APCZMA
km

To
The Joint Director/ Scientist-D,
IRO, MoEF&CC,
Vijayawada
E-mail: suresh.pasupuleti@gov.in

Copy to the Environmental Engineer, Regional Office, APPCB, Kakinada for information.