

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

In

Original Application No. 187 of 2020 (SZ)

IN THE MATTER OF:

Democratic Traditional Fisheries Workers
Forum and Another

...Applicant(s)

With

Union of India and Ors.

...Respondent(s)

Status Report

C. Palpandi

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Regional Office, Chennai

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Hon'ble NGT (SZ) vide order dated 29.09.2020 in Application No.187 of 2020 constituted a Joint Committee comprising of (1) a Senior Officer of MoEF & CC, Regional Office, Chennai (2) a Senior Scientist from State Environment Impact Assessment Authority (SEIAA), State of Andhra Pradesh, 3) Assistant Director of Mines and Geology, East Godavari District 4) a Senior Officer from Central Pollution Control Board, Regional Office, Chennai and 5) the District Collector, East Godavari District to inspect the area in that case and submit a factual as well as action taken report.

In this regard a meeting of the Joint Committee has taken place on 22.10.2020 through Video Conference along with the officials from concerned state Department. The minutes of the meeting is attached as **Annexure-I**. During the meeting the committee members from the District administration informed that due to the heavy rain fall in the state of Andhra Pradesh and Telangana, the River is fully flooded and not possible to conduct an inspection.

Since, the site verification is necessary for getting the factual data on sand mining if any; it was decided to conduct a site visit during the 3rd or 4th week of November, 2020. It is also submitting that following Joint Committee inspections are also pending due to the pandemic situation of Covid-19 especially prevailed in the District of East Godavari.

| S.No. | Case No and Order date | Subject | Nodal Agency | Place of Inspection |
|-------|--|--|--------------|---------------------|
| 1. | NGT(SZ) order dated 30.04.2020 in Application No.65 of 2020 (SZ) | Illegal destruction of Mangroves for the construction of Government Housing Scheme for the poor. | MoEFCC | East Godavari, AP |
| 2. | Hon'ble NGT(SZ) Order dated 29.05.2020 in Original Application No. 74 of 2020. | Illegal destruction of Mangroves for the construction of Government Housing Scheme for the poor | MoEFCC | East Godavari, AP |
| 3. | Hon'ble NGT(SZ) Order dated 01.07.2020 in Original Application No. 91 of 2020 | Illegal beach sand mining and shrimp farms (Aqua farms) along the beach without getting any necessary permission | MoEFCC | East Godavari, AP |

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|----|--|--|--------|---------------------------------------|
| 4. | Hon'ble NGT(SZ) Order dated 30.06.2020 in Original Application No. 89 of 2020 | Illegal closure of Nallah in Sunkarapalem Village of East Godavari District and Yanam of Puducherry Union Territory | MoEFCC | East Godavari And Yanam of Puducherry |
| 5. | Hon'ble NGT(SZ) Order dated 13.10.2020 in Original Application No. 160 of 2020 | violation found including assessment of environmental compensation and remedial measures to be taken to restore the damage caused to the environment | MoEFCC | East Godavari, AP |

In this regard it was also decided to carry out all these pending Joint Committee Inspection during the same visit since most of the committee members are from almost same institutions/Department.

In view of this it is prayed before the Honorable Tribunal to give sufficient time for submitting the final Reports.

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Ministry of Environment Forest and Climate Change

INTERIM REPORT ON "NGT O.A 187 OF 2020" against ILLEGAL SAND MINING IN TWO LOCATIONS i.e., 1. KOTIPALLI VILLAGE & 2. DOWLESWARAM DAM RESERVOIR NEAR RAJAHMUNDRY Meeting was conducted by the District Collector (ZOOM Video Conference), Kakinada.

It is submitted that the present petition was filed before the Hon'ble NATIONAL GREEN TRIBUNAL against the sand mining being carried out and structures being raised on the River bed in the East Godavari District of Andhra Pradesh, on the banks of the River Godavari. The complaint was about sand mining being carried out in two locations i.e., 1. Kotipalli Village and 2. Dowleswaram Dam Reservoir near Rajahmundry. The complainant alleged that illegal sand mining is being carried out in violation of the EIA Notification, 2006, the CRZ Notification, 2019, and also in violation of the New Sand Mining Policy 2019 for the State of Andhra Pradesh. The said illegal mining is having a severe effect on the fish and other aquatic life on the River and in turn, is also having a devastating effect on the livelihood of 18,000 local fisher people who depended on the River.

In this regard, the Hon'ble **NATIONAL GREEN TRIBUNAL** ordered that to form a committee by including the District Collector, East Godavari District, Kakinada, the Assistant Director of Mines and Geology, Rajamahendravaram, Senior Officer from Andhra Pradesh Coastal Zone Management Authority, a Senior Officer from Ministry of Environment, Forests and Climate Change (MoEF & CC), Regional Office, Chennai and a Senior Scientist from State Environment Impact Assessment Authority (SEIAA), State of Andhra Pradesh, a Senior Officer from Central Pollution Control Board, Regional Office, Chennai.

In this connection, an online Video Conference has been conducted by the District Collector, East Godavari, Kakinada on 22.10.2020 by forming a Committee as mentioned in the Order No 187 / 2020(SZ) of Hon'ble **NATIONAL GREEN TRIBUNAL**, dated 29.09.2020. The Following officers have attended the meeting.

| | |
|---|--|
| 1 | The Joint Collector, (RB & R), East Godavari, Kakinada |
| 2 | Senior Officer, Andhra Pradesh Coastal Zone Management Authority, Vijayawada |
| 3 | Senior Officer, Ministry of Environment , Forests and Climate Change (MoEF & CC) Regional Office, Chennai |
| 4 | The Senior Officer , State Environment Impact Assessment Authority (SEIAA), Vijayawada |
| 5 | The Senior Officer, Central Pollution Control Board, Regional office, Chennai. |

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| 6 | Addl. Superintendent of Police (SEB), Rajamahendravaram |
| 7 | Addl. Superintendent of Police (SEB), Kakinada |
| 8 | The District Revenue Officer, East Godavari, Kakinada. |
| 9 | The Assistant Director, Mines and Geology, Rajamahendravaram |
| 10 | Sub Collector, Rajamahendravaram |
| 11 | Revenue Divisional officer, Ramachadrapuram |
| 12 | Executive Engineer, APPCB, Kakinada |
| 13 | Executive Engineer, Godavari Head Works Division, Dowleswaram. |
| 14 | Dy. Director of Fisheries, Kakinada |
| 15 | Professor, Sri venkateswara university, Tirupathi. |

The Committee has discussed the below mentioned key points mentioned in order No, 187/2020 of the Hon'ble **NATIONAL GREEN TRIBUNAL**.

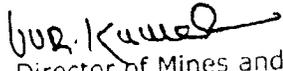
- The committee can go into the question regarding the allegations made in the application and submit a factual as well as action is taken report if there is any violation found.
- The committee is also directed to ascertain as to whether any environmental clearance is required as provided under EIA Notification, they are directed to assess the environmental compensation as well.
- The committee is also directed to go into the question as to what is the nature of activities that is being done by the user agency, whether they are involved only in dredging, for the purpose of cleaning the River bed, so as to enable the free flow of water or in the guise of dredging they are doing sand mining without obtaining necessary clearance and how the sand is being dealt with whether it has been used for commercial purpose or for spreading the same in the area where replenishment of sand is required under the Sustainable Sand Mining Policy of Central Government. They are also directed to ascertain the quantity of sand that is being extracted illegally by the user agency for the purpose of assessing environmental compensation.
- The committee is also directed to ascertain as to whether the area falls within the Coastal Regulation Zone where sand mining is prohibited.

The committee concluded to conduct a joint inspection in the alleged areas mentioned in the **O.A 187 OF 2020**.

On owing to recent heavy rains in the states of Andhra Pradesh & Telangana, the River Godavari is in full spate and both the areas of interest are under floodwater and it is not possible to conduct a joint inspection, which is very much necessary to get the factual data regarding the sand mining operations in the alleged area.

In this regard, the committee opined to request Hon'ble **NATIONAL GREEN TRIBUNAL** to allow additional time to submit the final report.

In view of the above, the Hon'ble **NATIONAL GREEN TRIBUNAL** is hereby kindly requested to increase the time period, till the flood water in the River Godavari recedes to submit the final report.


Asst. Director of Mines and Geology,
Rajamahendravaram.