

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH AT
CHENNAI**

ORIGINAL APPLICATION No's. 65 & 74 OF 2020

IN THE MATTER OF:

SATYANARAYANA BOLISETTY,

1-54-10/4, Plot-50, HIG, Sector-1,
M V P Colony,
Vishakapatnam Urban,
Vishakapatnam,
Andhra Pradesh-530 035.

Bolisetty satyanarayana@ gmail.com

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Applicant

Versus

UNION OF INDIA

Through the Secretary,
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi-110 003.

Secy-moef@gmail.in: +91 11 24695262

And 6 others

.....

Respondents

& D.PAL VS STATE OF ANDHRA PRADESH

REPORT FILED BY THE DISTRICT COLLECTOR KAKINADA

DATE-27-05-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

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COUNSEL FOR 4TH RESPONDENT

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH AT
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It is certified that all the documents contained in the above annexure are true copies.

Date: 27.05.2023

Report of the District Collector, Kakinada for filing before the Hon'ble NGT in O.A.No.65/2020 and 74/2020 on the objections filed on the action taken report of the District Collector.

Pursuant to the directions of the Hon'ble NGT in O.A.No.65/2020 and 74/2020 dated 29.9.2022 an action taken report dated 28.3.2023 was submitted to the Hon'ble NGT.

On communication of the report objections were filed before the Hon'ble NGT by the petitioner Sri Bolisetty Satyanarayana in O.A.No.65/2020. I furnish hereunder my counter on each objection filed by the petitioner as follows.

Item No.	Objection	Counter
I	The gravel continues to lie on the mangrove land	<p>It is humbly submitted to the Hon'ble NGT that in my report dated 28/3/2023, I had specifically mentioned that the gravel dumped by the unauthorised persons was only removed and the land was brought to the earlier level as on the date of statusquo order of Hon'ble High Court dated 23/04/2020, prior to gravel dumping of unauthorised persons only. It is humbly submitted that there was no false or unverified information submitted to the Hon'ble NGT in my report. Photos were also attached for the same in earlier action taken report submitted to the Hon'ble NGT.</p> <p>I have immense respect for the Hon'ble NGT, keeping that in mind, the report dated 28/03/2023 had been submitted after making personal inspection by me on 24/03/2023.</p> <p>The 6 member Joint committee formed as per the order of the NGT, dated 29/09/2022, had visited the site on 24/03/2023 & 25/05/2023 and the joint committee is yet to submit its recommendations. The initial fine amount of Rs.5 crores has already been deposited with APCZMA for the restoration process and also to grow the mangroves. No steps were taken to remove the gravel filled during the year 2020 as part of NAVARATNALU PEDDARANDRIKI ILLU scheme, till now on our own as the joint committee recommendations are awaited and as the recommendations would guide us in a better manner to take necessary steps scientifically in order to restore the site.</p>
II	Vehicle movement is continuing unabated on the	<p>It is humbly submitted to the Hon'ble NGT that the Municipal Commissioner, Kakinada has dug a trench on 24/02/2023 with 2 feet width and 6 feet depth across the approach road and no vehicle can reach the site, the same was reported in my earlier action taken</p>

	mangrove land	<p>report dated 28/3/2023, photos were also submitted for the same and it is humbly submitted that no incorrect statements were made to the Hon'ble NGT.</p> <p>Security personnel were appointed by Municipal Commissioner, Kakinada, for providing vigil and guard the site round the clock. CC cameras were also installed in order to closely monitor the land from all the angles.</p> <p>It is also humbly submitted that once the joint committee has made the recommendations, necessary permission will be sought from the Hon'ble NGT to close the trench in one side of the site only, in order to take up gravel removal and mangrove plantation activity with men and machineries.</p>
III	Fresh mangroves have been planted, and the earlier mangrove growth has been allowed to dry	<p>It is humbly submitted to the Hon'ble NGT that the earlier mangroves which were existing prior to initial land filling was already destroyed and dried. No mangroves were allowed to dry in recent times by the negligence of district administration and in fact any measure to convert the land was stopped on receipt of statusquo order of Hon'ble High Court dated 23/04/2020.</p> <p>It is further humbly submitted that as only a trial, few mangroves supplied by the Forest department were planted in the site by the Kakinada Municipal Corporation and regular saline watering was done and also creek was also restored for the sea water to enter into the said land for better reclamation of the land naturally.</p> <p>It is again humbly submitted that the Hon'ble NGT appointed, Joint committee report is awaited and as per the advice and recommendations that will be made by the Joint Committee, necessary steps will be taken to restore and conserve the mangroves scientifically.</p> <p>It is humbly submitted that the initial compensation amount of Rs.5 Crores has been deposited by the Government to AP CZMA on 31/03/2023.</p>

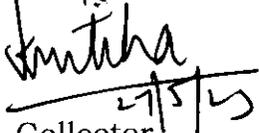
As regards to the direction of the Hon'ble NGT to inspect the place once again and then file a report about (i) the opening of the creek by District Administration and (ii) the construction of the culverts by the Port Authority, I furnish hereunder my report as follows.

1. I have inspected the land once again on 26.5.2023 and noticed as follows.

2. With regard to opening of creek I have already submitted in my action taken report dated 28.3.2023 with detailed images informing that the creek has already been restored by the Commissioner, Kakinada Municipal Corporation, which was closed earlier as part of House sites levelling taken up during the year 2020. It is humbly submitted that my report holds good and the creek is opened as ordered by the Hon'ble NGT. The image of the opened creek is attached herewith.
3. With regard to formation of box type vents, I have mentioned in my report dated 28.3.2023 that the PD, NHAI has informed that as a part of four laning of the existing NH, it is proposed to construct two minor bridges and formation of box type vents to cater the saline water crossings. During my inspection, I have noticed that the NHAI has not started the work yet, however, the six member committee formed by Hon'ble NGT has also inspected the location on 24/05/2023 and 25/05/2023 and given suggestions to NHAI authorities on the locations where the vents should be formed and accordingly NHAI authorities will take action immediately.

This is submitted for kind information of the Hon'ble NGT.

Signed at Kakinada on this the 27th day of May, 2023.


Collector

Kakinada District, Kakinada.













**THIS SITE IS UNDER THE
STATUS QUO ORDERS OF
THE HONOURABLE COURT
HENCE TRESPASSERS
WILL BE PROSECUTED**

**COMMISSIONER
KAKINADA MUNICIPAL CORPORATION**

Uttam Composite Panel



Item No.8 (i) & (ii):**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI***(Through Video Conference)***Original Application No.65 of 2020 (SZ)****With****Original Application No.74 of 2020 (SZ)**

IN THE MATTER OF:

Satynarayana Bolisetty
1-54-10/4, Plot-50, HIG, Sector-I,
MVP Colony,
Vishakhapatnam Urban,
Vishakhapatnam, Andhra Pradesh.

*Versus*

...Applicant(s)

Union of India
Through its Secretary
Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi and Ors.

...Respondent(s)

WITH

D. Pal S/o. S.R. Pal
R/o. Saikrishnanagar
Near Sambhunagar Flyover
Alcot gardens
Rajahmundry
East Godavari District.

...Applicant(s)

Versus

State of Andhra Pradesh
Through the Chief Secretary
1st Block, 1st Floor,
Interim Government Complex,
A.P. Secretariat, Velagapudi.
Andhra Pradesh.

...Respondent(s)

Date of hearing: 27.04.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

O.A. No.65/2020:

For Applicant(s): Mr. Sanjay Upadhyay.

For Respondent(s): Mr. G.M. Syed Nurullah Sheriff for R1.
Mrs. Madhuri Donti Reddy for R2 to R6.

O.A. No.74/2020:

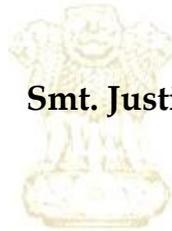
For Applicant(s): Mr. G. Stanly Hebzon Singh.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R4.

ORDER

1. The District Collector - Kakinada has filed the report regarding the action taken in compliance with the order of this Tribunal.
2. To the said action taken report, an objection was filed by the applicant in O.A. No.65 of 2020 (SZ) stating that (i) the gravel continues to lie on the mangrove land, (ii) vehicle movement is continuing unabated on the mangrove land, (iii) fresh mangroves have been planted and the earlier mangrove growth has been allowed to dry.

3. On these objections, let the District Collector – Kakinada inspect the place once again and then file a report. The report also should mention about (i) the opening of the creek by the District Administration and (ii) the construction of the culverts by the Port Authority.
4. Post the matter on 29.05.2023.



Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O. A. No.65/2020 (SZ)
O.A. No.74/2020 (SZ)
27th April 2023. Mn.

