

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

**ORIGINAL APPLICATION NO. 65 & 74 OF 2020**

**IN THE MATTER OF:**

**SATYANARAYANA BOLISETTY,**  
1-54-10/4, Plot-50, HIG, Sector-1,  
MVP Colony,  
Vishakapatnam Urban,  
Vishakapatnam,  
Andhra Pradesh-530.035.  
Bolisetty [satyanarayana@gmail.com](mailto:satyanarayana@gmail.com)

..... Applicant

VS

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

**& with D.PAL VS STATE OF ANDHRA PRADESH**

**ACTION TAKEN (COMPLIANCE)REPORT FILED BY THE  
DISTRICT COLLECTOR KAKINADA**

**Date-21-04-2023**



**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**

# 26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.  
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**COUNSEL FOR 4<sup>TH</sup> Respondent**

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

Date: 21.04.2023

**Action taken (Compliance) report filed by the District Collector, Kakinada District, Kakinada before the Hon'ble National Green Tribunal (SZ), Chennai in OA No.65/2020 and 74/2020 dated 24.03.2023.**

The Hon'ble National Green Tribunal while disposing the OA No.65/2020 and 74/2020 issued orders on 29.09.2022 which was received on 15.11.2022 given certain directions in Para 85 of the judgment to the respondents as follows.

Item No.	Issue
85 (I)	Restrain the construction activities in CRZ-1A area.
85 (II)	No attempts shall be made to convert the land use which is likely to effect the existence of mangroves.
85 (III)	Remove the obstruction to the creek for free flow of seawater in the creek.
85 (IV)	Provide box type vents in ADB road so as to provide access to the saline water to the mangroves existing beyond road and landward side.
85 (V)	Pay interim compensation of Rs. 5.00 Crores to the APCZMA for the damage caused.
85 (VI)	NGT appointed a Committee comprising of (i) a Member from the NCZMA: (ii) a Member from the SCZMA- Andhra Pradesh: (iii) a Member from MS Swaminathan Research Foundation having expertise in mangrove ecosystem and marine ecosystem; (iv) a Member from the East Godavari Estuarine Ecosystem Foundation who had conducted the study in that area earlier, (v) a Member from the Salim Ali Centre for Ornithology and Natural History, Coimbatore and (vi) a Member from the National Centre for Sustainable Coastal Management. Chennai to ascertain the total area of mangroves which was in existence and to assess the expenses for restoration of mangroves to its original position.
85 (VII)	If such report is filed, then the State of Andhra Pradesh is directed to pay the compensation assessed to the APCZMA within a further period of 3 months and carry out the restoration process as suggested by the Committee.
85 (VIII)	The committee is also directed to prepare a plan for the entire 58 Acres, where the forest cover was found including the mangrove forest for conversion into a mangrove forest.
85 (XII)	The Registry is directed to communicate this order to the members of the Committee constituted by this Tribunal and also to the Chairman - Andhra Pradesh SCZMA, Principal Chief Conservator of Forest (HoFF) and Chief Wildlife Warden, State of Andhra Pradesh, Special Chief Secretary to Government, Department of Environment, Forest, Science and Technology and the Chief Secretary to Government. State of Andhra Pradesh for their information and compliance of directions.
85 (XIII)	The committee as well as the Andhra Pradesh SCZMA and the Chief Secretary to Government, State of Andhra Pradesh are directed to file their periodical reports regarding the compliance of directions and submissions of the report once in six months till the entire recommendations are complied with by the respective departments to be suggested by the Committee constituted by this Tribunal for this purpose.
85 (XIV)	As and when the reports are filed, the Registry is directed to place the same before the Bench for consideration and also for issuing necessary further directions (if any) required in this regard... .”

In pursuance of the above orders of the Hon'ble NGT, I have taken action to implement the orders of the Hon'ble NGT as follows.

Para	Action taken
85 (I)	Construction activities in CRZ-1(A) area have already been stopped prior to receipt of orders from the Hon'ble NGT in O.A. No. 65/2020 and 74/2020 as the Hon'ble High Court ordered statusquo in W.P. No. 8221/2020, dated 23.04.2020 and subsequently the proposal for providing house sites in the area was dropped.
85 (II)	All attempts to convert the land use are dropped consequent on receipt on statusquo orders from the Hon'ble High Court in W.P. No. 8221/2020, dated 23.04.2020 and the proposal for providing house sites in the area was dropped.
85 (III)	Issued directions to the Commissioner, Kakinada Municipal Corporation in this office letter L2/70/2019, dated 18.11.2022, to implement the orders by restoring the creak. Accordingly, the Commissioner, Kakinada Municipal Corporation taken action and removed the obstruction to the creak for free flow of Sea water in the creak.
85 (IV)	Issued directions to the Superintending Engineer, R&B, Kakinada and the Project Director, NHAI, Rajamahendravaram in this office letter L2/70/2019, dated 18.11.2022 to provide sufficient box type vents for access of the saline water for the mangroves existed beyond the ADB roadto protect the mangroves. The SE, R&B, Kakinada informed that the particular location come under the jurisdiction of Project Director, NHAI, Rajamahendravaram and he has to take action for formation of box type vents. Then, the PD, NHAI was reminded in this office letter L2/70/2019, dated 04.03.2023 to take immediate action to comply the directions of the Hon'ble NGT. The PD, NHAI, Rajamahendravaram in his letter Ref. No. 11013/4/NHAI/PIU/RJY/2022/29298, dated 14.03.2023 informed that the saline water is crossing the ADB road in two locations at Km 5+036 & 10+562 and as a part of four laning it is proposed to construct two minor bridges at these locations. He has also furnished the drawings of the proposed crossings and formation of vents being provided to cater the saline water crossings.

85 (V)	<p>With regard to arranging interim compensation as ordered by the Hon'ble NGT, the Commissioner, Municipal Corporation, Kakinada submitted a proposal to the Government for release of the amount so as to deposit the same with the APCZMA and the Government in G.O.Rt.No.1192 Finance (FMU-EFS&amp;T, MA&amp;UD, CRDA) Department, Dated 28.03.2023 issued a budget release order for an amount of Rs.5,00,00,000/- (Rupees five crore) as additional funds in relaxation of treasury control orders pending reappropriation of funds by way of adjustment in the final modification of BE 2022-2023 towards grant to Kakinada Municipal Corporation for payment to APCZMA in lieu of damage caused for mangroves covered in existing site as per the orders of NGT dated 29.09.2022.</p>
85 (VI)	<p>With regard to this, the Chairman, AP CZMA was addressed in this office letter L2/70/2019, dated 13.03.2023 for communication on formation of the committee and action taken so as to file compliance report before the Hon'ble NGT. The Member Secretary, APCZMA vide letter No OA No. 65 of 220 &amp;74 of 2020 /APCZMA/Legal/2022 Dt 27.03.2023 informed as follows</p> <ol style="list-style-type: none"> <li>1. APCZMA, vide reference 3rd &amp; 4th cited, addressed letters to the concerned Organizations like M/s. National Coastal Zone Management Authority (NCZMA); M/s. M. S. Swaminathan Research Foundation; M/s. East Godavari Estuarine Ecosystem Foundation/Chief Conservator of Forests, Rajahmundry; M/s. Salim Ali Centre for Ornithology and Natural History, Coimbatore &amp; M/s. National Centre for Sustainable Coastal Management, Chennai requesting to submit the Nominee details to the Joint Committee.</li> <li>2. The Committee inspection is not yet completed. The nominee details from the M/s. NCZMA &amp; from the M/s. East Godavari Estuarine Ecosystem Foundation are not yet received and the APCZMA is following it up. As soon as the nominations are received, the Committee inspection will be taken-up</li> <li>3. In this regard, the APCZMA addressed a letter to the Standing Counsel of the APCZMA, the Hon'ble NGT, SZ, Chennai requesting to appraise the Honb'le NGT to permit further 8 weeks time to submit the Committee report.</li> </ol>

Other directions	All these instructions issued in Paras 85 (VII), 85 (VIII), 85 (XII) to 85 (XIV) have to be complied soon after formation of the committee and submission of Joint Committee Report as ordered by the Hon'ble NGT.
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Regarding the adverse news item published in Eenadu Daily dated 22.02.2023 in which it is alleged that subject land converted into lorry stand violating the orders of the Hon'ble NGT, it is to submit that immediately I have instructed the Commissioner, Kakinada Municipal Corporation to inspect the subject land and take all necessary steps to prevent any such encroachments and to report facts. The Commissioner, Kakinada Municipal Corporation has reported that he has taken action as instructed and submitted the following aspects.

1. It is a fact that some unknown persons have tried to illegally trespass into the subject land.
2. After receiving the information, the Commissioner, Kakinada Municipal Corporation along with the Forest, Revenue and Municipal Town Planning officials inspected the subject lands on 21.02.2023 and took preventive measures by installing CC cameras in and around subject site.
3. To avoid any trespassing and encroachment into the land, security personnel provided for vigilant and to watch the situation round the clock (24/7).
4. A complaint was lodged against the culprits with the police to initiate action for trespassing into the Government property.
5. Kakinada Municipal Corporation has lifted the unauthorized gravel dumped by unknown persons and the site was restored to its original position/ level.
6. Provided caution boards exhibited and also wall writings made permanently on walls existing at entrance of the site.
7. Trench was excavated across the approach road at entrance of the site to prevent entry of anybody to the subject lands and now nobody can access to the site with any vehicle.
8. The Kakinada Municipal Corporation has started Mangrove plantation work initially with 10,000 Mangrove plants procured from Forest Nursery of Koringa through DFO, Kakinada District. The photograph taken during the planting.
9. The plants, so planted are being irrigated with saline water as directed by the Forest Department to protect them. The photograph taken during the watering is attached herein.

To ensure the above execution of works, I have personally inspected the subject lands on 24.03.2023 and I have noticed that the Commissioner, Kakinada Municipal Corporation has taken all necessary steps as directed by me in pursuance of the directions of the Hon'ble NGT.

During the inspection, I have noticed & ensured the following things.

1. The gravel dumped by the unauthorized persons was removed.
2. The land brought to its original level.
3. The caution boards exhibited with permanent writings on walls.
4. Necessary security personnel provided for watch and vigilance and CC cameras also installed.
5. A trench with 2 feet width and 6 feet depth was excavated across the approach road and no vehicle can access the subject lands.
6. Mangrove plants planted as informed by the Municipal Commissioner are standing alive.

In the above circumstances, I submit that in pursuance of the orders of the Hon'ble NGT, as instructed, the Commissioner, Kakinada Municipal Corporation has taken action to prevent any further trespasses into the subject lands and also planted around 10,000 mangrove plants in the subject lands and maintaining them in true spirit.

As regards, further steps to be taken, I submit that the same could be followed as and when ordered by the Hon'ble NGT, after the committee formed by the Hon'ble NGT with AP CZMA authorities submit its assessment report on environmental restoration.

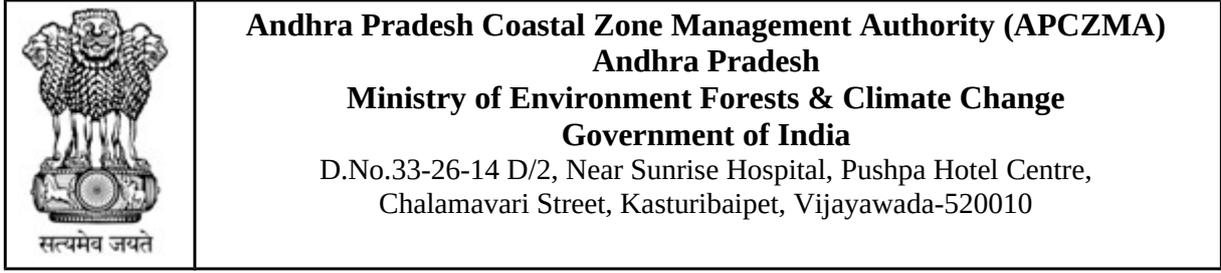
Therefore, it is prayed that this Hon'ble National Green Tribunal, SZ, Chennai may be pleased to record this action taken report.

This is submitted for kind information.

Signed at Kakinada on this the 28<sup>th</sup> day of March, 2023.



**Collector & District Magistrate,  
Kakinada District, Kakinada**



**Letter No. OA No.65 of 2020 & 74 of 2022/APCZMA/Legal/2022- 27/03/2023**

**To**  
**Dr. Kritika Shukla, I.A.S.,**  
**The Collector & District Magistrate,**  
**Kakinada District,**  
**Kakinada.**

**Madam,**

Sub : APCZMA – Implementation of the Hon’ble NGT, SZ, Chennai vide Orders dated 29.09.2022 in O.A. No. 65 of 2020 (SZ) & 74 of 2020 (SZ) – Constitution of the Committee – Submission of the Committee report – Status communicated – Reg.

- Ref :
1. Common Judgment passed by NGT (SZ) in O.A.No. 65 of 2020 (SZ) & 74 of 2020 (SZ), dt: 29.09.2022.
  2. EFS&T Dept., Govt. of A.P. Memo. No. EFS01-ENV/52/2021-SEC-I, dated: 20.12.2022.
  3. APCZMA letters dated: 04.01.2023 addressed to the Organizations requesting for Nominee details to the Joint Committee.
  4. APCZMA letters dated: 07.03.2023 addressed to the Chief Conservator of Forests, Rajahmundry requesting for nominee M/s. East Godavari Estuarine Ecosystem Foundation to the Joint Committee
  5. Dr. Kritika Shukla, I.A.S., the Collector & District Magistrate, Kakinada District letter dated: 13.03.2023.

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With reference to the letter 5<sup>th</sup> cited, it is to inform that in response to the orders issued by the Hon’ble NGT, SZ, Chennai vide reference 1<sup>st</sup> cited, a Committee was constituted to submit a detailed report regarding to assess the environmental compensation and the amount required for restoration of the damage caused to the mangroves & plan of action etc. As per the directions, the Committee has to submit a report to the Chief Secretary to Government, State of Andhra Pradesh within a period 6 (Six) months from the date of issue of judgment orders i.e. by 29.03.2023 with the following responsibilities:

- to assess the environmental compensation and the amount required for restoration of the damage caused to the mangroves,
- to ascertain the total area of mangroves which was in existence on the basis of the study (if any) earlier conducted by any of the institutions like M.S. Swaminathan Research Foundation or East Godavari Estuarine Ecosystem Foundation and also on the basis of the Forest Cover Map that has been prepared by the Forest Department in respect of this area and thereafter,
- to assess the compensation for the destruction caused to mangroves and its impact on environment taking into account its direct and indirect value base, its significance in protection of environment, role in mitigating impacts of climate change, coastal zone protection and economic growth that is likely to be obtained by its existence and loss of ecological services lost on account of such destruction and also
- to identity the methodology for restoration of the mangroves to its original position and

- expenses required for restoration,
- to identify the agency under whose supervision the restoration work will have to be carried out and after assessing the amount,
  - to prepare a plan for the entire 58 Acres, where the forest cover was found including the mangrove forest for conversion into a mangrove forest and if so, they may also suggest the methodology by which it can be converted into a full-fledged mangrove forest to improve the coastal environment in that area and if such methodology is suggested, then the same is also directed to be carried out by the State of Andhra Pradesh in its letter and spirit.

In this regard, the APCZMA, vide reference 3<sup>rd</sup> & 4<sup>th</sup> cited, addressed letters to the concerned Organizations like M/s. National Coastal Zone Management Authority (NCZMA); M/s. M. S. Swaminathan Research Foundation; M/s. East Godavari Estuarine Ecosystem Foundation/Chief Conservator of Forests, Rajahmundry; M/s. Salim Ali Centre for Ornithology and Natural History, Coimbatore & M/s. National Centre for Sustainable Coastal Management, Chennai requesting to submit the Nominee details to the Joint Committee.

The Committee inspection is not yet completed. The nominee details from the M/s. NCZMA & from the M/s. East Godavari Estuarine Ecosystem Foundation are not yet received and the APCZMA is following it up. As soon as the nominations are received, the Committee inspection will be taken-up.

In this regard, the APCZMA addressed a letter to the Standing Counsel of the APCZMA, the Hon'ble NGT, SZ, Chennai requesting to appraise the Honb'le NGT to permit further 8 weeks time to submit the Committee report. A copy of the same is enclosed for information.

This is for information.

Yours sincerely,  
**Pravin Kumar Ias**  
**Member Secretary**  
**APCZMA**

Copy submitted to:

1. The Spl. Chief Secretary, EFS&T Dept., Govt. of A.P., Velagapudi, A.P. for kind information.
2. The Spl. Secretary to Govt., EFS&T Dept., Govt. of A.P., Velagapudi, A.P. for the kind information and necessary action.
3. The PA to Chief Secretary, Govt. of A.P., Velagapudi, A.P. for kind information.

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

MA & UD Department – Kakinada Municipal Corporation – Administrative Sanction for an amount of Rs.5,00,00,000/- (Rupees Five Crores only) as Assistance to Kakinada Municipal Corporation - Orders - Issued.

**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (K) DEPARTMENT**

**G.O.RT.No.209**

**Dated: 28.03.2023**

**Read the following:**

1. From the Commissioner, Kakinada Municipal Corporation, Lr.RoC.No.3945/ 2017/G1, dt:24.02.2023
2. G.O.Rt.No.1192, Finance (FMU-EFS&T & MA&UD) Department, dt:28.03.2023.

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**ORDER:**

In the reference 2<sup>nd</sup> read above, the Government in Finance (FMU-EFS&T, MA&UD, CRDA) Department have issued Budget Release Order for an amount of Rs.5,00,00,000/- (Rupees Five Crores only) as additional funds in relaxation of treasury control and quarterly regulation orders pending re-appropriation of funds by way of adjustment in the final modification of BE 2022-23 towards grant to Kakinada Municipal Corporation for payment to APCZMA in lieu of damage caused for Mangroves covered in existing site as per the orders of NGT dt:29.09.2022, under the following Head of Account:

(Rupees In Lakhs)

S.No	Head of Account	Charged/ Voted	Provision in BE 2022-23	Additional Amounts Sanctioned	Amount Reappropriated	Total Provision in BE 2022-23	Amount already Authorized	Amount Authorized Now	Balance Amount Available
Scheme Name : Assistance to Kakinada Municipal Corporation Procedure of Drawal of Funds : Adjustment to PD Account Drawing Officer : Concerned DDO									
1	2217 80191111 9310312	V	0.00	500.00	0.00	500.00	0.00	500.00	0.00
<b>Total</b>			<b>0.00</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>	<b>0.00</b>

2. Therefore, the Government hereby accord Administrative Sanction, for an amount of Rs.5,00,00,000/- (Rupees Five Crores only) as additional funds during the C.F.Y 2022-23 towards grant to Kakinada Municipal Corporation for payment to APCZMA in lieu of damage caused for Mangroves covered in existing site as per the orders of NGT dt:29.09.2022, under the Head Of Account shown at Para -1 above.

3. The Assistant Secretary to Government, Municipal Administration & Urban Development Department, Andhra Pradesh, Secretariat, Velagapudi shall draw the amount sanctioned in para-2 above by preferring Bill with the Concerned PAO and adjust the same to the P.D. Account of the Kakinada Municipal Corporation. The concerned authority shall prepare Form-102 along with all relevant documents duly signed by the competent authority and to submit the same to the Concerned DDO for adjustment of the said amounts.

(P.T.O.)

:: 2 ::

4. The Commissioner, Kakinada Municipal Corporation, Kakinada shall take further necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Y.SRILAKSHMI**  
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The Commissioner, Kakinada Municipal Corporation, Kakinada

**Copy to:**

The Asst. Secretary to Govt., & Drawing and Disbursing Officer,  
MA&UD Dept., A.P., Secretariat, Velagapudi.

The Commissioner & Director of Municipal Administration, Mangalagiri, AP  
The Finance (FMU, I&I, EF & MA) Department.

The Pay and Accounts Officer, Vijayawada.

The OSD to Chief Secretary to Government, AP Secretariat

The PS to SPI.CS to Government, MA&UD Department.

SF/SCs.

**//FORWARDED :: BY ORDER//**

  
**SECTION OFFICER**

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Budget Estimates 2022-23 - Budget Release Order for Rs. 5,00,00,000 /- (Rupees Five crore) as ADDITIONAL FUNDS to Municipal Administration and Urban Development Secretariat - Orders - Issued

**FINANCE ( FMU- EFS&T, MA&UD, CRDA ) DEPARTMENT**

**G.O.Rt.No: 1192**

**Dated:28-03-2023**

**Read the following:-**

- 1 . G.O.Ms.No.45 , Finance (Budget-I) Department , 01-04-2022
- 2 . MA&UD Department , e-File No: MAU01-MUNA/116/2023-K -MAU01 (Computer No: 2010232) , 07-03-2023

\*\*\*\*\*

**ORDER:-**

In pursuance of the orders issued in references read above, the commissioner Municipal Administration and Urban Development Secretariat is hereby issued a Budget Release Order for an amount of 5,00,00,000 /- (Rupees Five crore) as additional funds in relaxation of treasury control orders pending reappropriation of funds by way of adjustment in the final modification of BE 2022-23 towards grant to Kakinada Municipal Corporation for payment to APCZMA in lieu of damage caused for Mangroves covered in existing site as per the orders of NGT dt.29.09.2022.

(Rs.in Lakhs)

S.No	Head of Account	Charged/ Voted	Provision in BE 2022-23	Additional Amounts Sanctioned	Amount Reappro- riated	Total Provision in BE 2022-23	Amount Already Authorised	Amount Authorised Now	Balance Amount Available
<b>Scheme Name:</b> Assistance to Kakinada Municipal Corporation									
<b>Procedure of Drawal of Funds:</b> Adjustment to PD Account									
<b>Drawing Officer:</b> Concerned DDO									
1	2217801911119310312	V	0.00	500.00	0.00	500.00	0.00	500.00	0.00
<b>Total</b>			<b>0.00</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>	<b>0.00</b>

The (Municipal Administration and Urban Development Secretariat) Shall take necessary action for issue of administrative sanction as per instructions issued in U.O Note No. 29875-A/1283/A1/BG.I/2006, Finance (BG.I) Department, dt.25.11.2006.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**GULZAR N**

**SECRETARY TO GOVERNMENT**

To

The Municipal Administration and Urban Development Department, A.P. Secretariat, Velagapudi.

The Director of Treasuries & Accounts, Mangalagiri.

The Director of Works and Accounts, Mangalagiri.

The Pay & Accounts Officer, Mangalagiri.

The Principal Accountant General (A&E), Vijayawada.

The CEO, APCFSS, Mangalagiri.

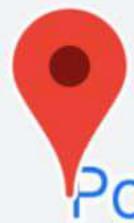
The Commissioner, Municipal Corporation, Kakinada.

The EFS&T Department, Secretariat.

SC/SFs ( Computer No: 2014399)

//FORWARDED BY ORDER//

  
**SECTION OFFICER.**



Port Gate



**Kakinada, Andhra Pradesh, India**  
W7V4+MVG, Kakinada Port, Kakinada, Andhra Pradesh  
533001, India  
Lat 16.946153°  
Long 82.257752°  
13/12/22 11:03 AM









GPS Map Camera



Warehouse  
Google



**Kakinada, Andhra Pradesh, India**

W7V4+MVG, Kakinada Port, Kakinada, Andhra Pradesh

533001, India

Lat 16.946118°

Long 82.257685°

13/12/22 09:44 AM