

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE**

APPEAL NO.91 OF 2020

**IN THE MATTER OF:**

VENKATAPATHI RAJA YENUMULA

APPLICANT

Versus

UNION OF INDIA & 16 ORS

RESPONDENT(S)

**REPLY STATEMENT FILED ON BEHALF OF THE 8<sup>TH</sup> RESPONDENT**

The 8<sup>th</sup> Respondent submit as follows:-

1. The 8<sup>th</sup> Respondent submits that they have perused the Application filed by the Applicant alleging illegal activities of beach sand mining, illegal digging of aqua ponds, encroachment of sea shore of Bay of Bengal in Sakhinetipalli, Malikipuram, Rajole mandals of East Godavari Districts in the State of Andhra Pradesh.
2. This Respondent submits that Para 1,2,3 and 4 are matters of facts and requires no reply from this Respondent.
3. This Respondent states that the Government of Andhra Pradesh has framed new sand mining policy as per G.O.Ms.No.70, dated 04.09.2019 and has issued operational guidelines to be implemented by M/s. Andhra Pradesh Mineral Development Corporation and District Collectors. Sand mining in the state has to be carried out in compliance with the A.P Sand Mining Policy and the Sustainable Sand Mining Guidelines issued by MOEF&CC. This Respondent submits that the Coastal Aquaculture Authority (CAA) has published "Guidelines for Regulating Coastal Aquaculture" which are annexed to CAA Rules, 2005. Aqua/ shrimp farms have to be established and operated in compliance with CAA guidelines.

4. With regard to Para 5 (i) to (ix) of the application, it is alleged that Beach sand mining, digging of aqua ponds near Bay of Bengal is taking place in the absence of EC and NOC/Consent from the MoEF&CC and Andhra Pradesh Pollution Control Board. In this regard, this Respondent submits that leases for sand mining are issued by State Department of Mines and Geology and State Mineral Development Corporation, Environmental Clearance for sand mining is issued by MoEF&CC. This Respondent further submits that Coastal Aquaculture Authority and State Fisheries Department are empowered for regulating aqua farms, and Consent is issued by State Pollution Control Board (SPCB) so as to prevent water or air pollution. This Respondent states that the Department of Mines and Geology & State Mineral Development Corporation and State Pollution Control Board are responsible for ensuring compliance of conditions stipulated in Mining lease and EC/Consent, respectively, and CAA and State Fisheries department are responsible for implementation of CAA Rules, 2005. Hence it is submitted that this Respondent has no role to play in issuing the lease or EC for mining lease and issuing license or Consent for aqua farms.
5. This Respondent submits that concerned state authorities are required to take appropriate action against illegal mining and unauthorized aqua farms under the provisions of applicable laws/rules if there is any violation.
6. This Respondent submits that with regard to "Facts in brief" submitted by the Applicant, the facts mentioned therein are matters of record and requires no further reply from this Respondent.
7. This Respondent states that this Hon'ble Tribunal by order dated 01.07.2020 constituted joint committee to look in to the allegations made by the Applicant. In compliance of the order dated 01.07.2020 the committee filed a report during January, 2021 to this Hon'ble National Green Tribunal.
8. This Respondent state that the Department of Mines & Geology, State Mineral Development Corporation, and District Collectorate are the regulatory authorities for implementation of AP Sand Mining Policy and Coastal Aquaculture Authority and State Fisheries Department are responsible for regulating aqua farming.

Hence it is respectfully prayed that CPCB may be deleted / dispensed from the array of Respondents. However, this Respondent will abide by the order/directions passed by this Hon'ble Tribunal.

Dated at Chennai on this the 23<sup>rd</sup> day of February 2021.



Counsel for 8<sup>th</sup> Respondent

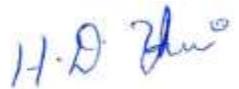
8<sup>th</sup> Respondent



### VERIFICATION

I, H D Varalaxmi, working as Scientist 'E' and posted as Regional Director (Chennai), Central Pollution Control Board of the 8<sup>th</sup> Respondent herein do hereby state that what is stated in paragraph 1 to 8 above are true to the best of my knowledge , belief and information.

Verified at Chennai on this the 23<sup>rd</sup> day of February 2021.



8<sup>th</sup> Respondent

