

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

ORIGINAL APPLICATION No.91 of 2020

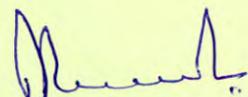
IN THE MATTER OF:

Venkatapathi Raja Yenumula
H. No.2-232, Kesavadasupalem
RAZOLU Taluka, Sakhinetipalli Mandal,
East Godavari District, Andhra Pradesh-533 252,
Mobile No.9528345678 +44 7837 200953,
Mail id: rajavr. smile@ gmail.com

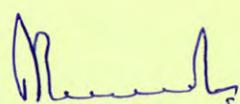
..... APPLICANT

VERSUS

- 1. Union of India**
Through its Secretary,
Ministry of Environment, Forest and C.C.,
Indira Priyadarshini Bhavan,
Jorbagh, New Delhi-110 003.
Mail: Secy-moef@nic.in
Phone: 011-24695262, 24695265.
- 2. Union of India**
Through its Secretary,
Ministry of Mines,
Sastry Bhavan,
New Delhi-110 001.
Mail: secry-mines@nic.in
Phone: 011-23385173.
- 3. National Institute of Oceanography**
Rep. by its Regional Director,
176, Lawsons Bay Colony,
Vishakhapatnam-530 017.
Mail: gpsmurty@nio.org
Phone: 8912543525.
- 4. State of Andhra Pradesh**
Rep. by its Chief Secretary,
Interim Government Complex,
Velagapudi, Guntur District.
Andhra Pradesh-522 503.
Mail: cs@ap.gov.in
Phone: 08632444461.


**ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office, KAKINADA**

5. **State of Andhra Pradesh**
Rep.by its Principal Secretary,
Department of Mines and Geology,
Interim Government Complex,
Velagapudi, Guntur District.
Andhra Pradesh-522 503.
Mail.directormines@yahoo.co.in
Phone: 08662882170.
6. **State of Andhra Pradesh**
Rep.by its Principal Secretary,
Department of Agricultura and Animal Husbandry,
Secretariat, Velagapudi, Guntur District,
Andhra Pradesh-522 503.
Mail: comag@nic.in
Phone: 88866 14898.
7. **Andhra Pradesh Coastal Zone Management Authority**
Rep. by its Chairman,
Chalamavari Street, Kasturibaipeta,
Vijayawada-520 010.
Mail:apczma2016@gmail.com
Phone: 0866-2463200.
8. **Central Pollution Control Board**
Thogh Member Secretary,
PariveshBhawan, CBD-cum-Office Complex,
East Arjun Nagar, Delhi-110 032.
Mail: mscb@cpcb.nic.in
Phone: 22307078.
9. **Andhra Pradesh Pollution Control Board**
Rep. by its Member Secretary,
D. No. 33-26-14/D2,
Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamavari Street, Kasturibaipet,
Vijayawada, Andhra Pradesh-520 020.
10. **Andhra Pradesh Special Enforcement Bureau (Liquor & Sand)**
Rep. by its Director General of Police/Ex Offio
Chief Secretary/Commissioner,
Andhra Pradesh Police Headquarters,
Mangalagiri, Guntur District, AP-522 502.
Mail:dgp@appolice.gov.in
Phone: 0863-2340445.
11. **Andhra Pradesh State Disaster Management Authority**
Rep. by its Managing Director,
Genious JR Towers, D. No.21/2B, Pathuru Cross Road Centre,
Manda, Guntur District, Andhra Pradesh – 522 501.
Phone: +91 8645246600,
Email id: ed-apsdma@ap.gov.in, seoc-apsdma@ap.gov.in

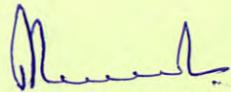

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12. **Andhra Pradesh Tourism Development Corporation**
Rep. by its Managing Director,
5th Floor, Stalin Corporate Office,
Industrial Estate, Vijayawada-520 007.
Phone: 866-2571393, 9848007025.
Mail: info@aptdc.in
13. **Commissioner of Fisheries/MD of Fisheries, AP**
Rep. by its Managing Director,
Bandar Road, Poranki, Vijayawada-521 137.
Mail: comfishap@gmail.com
Phone: 0866258455-5.
14. **District Collector and Magistrate,**
East Godavari at Kakinada,
Andhra Pradesh-533 001.
Mail: collector_egd@ap.gov.in
Phone: 0884-2365424.
15. **Superintending Engineer,**
Irrigation Circle, Dawalaiswaram,
Rajahmandry, Andhra Pradesh-533 125.
Mail: se_dowl@yahoo.co.in
Phone: 0883, 2417419.
16. **National Centre for Sustainable Costal Management (MoEF),**
Rep. by its Director,
Anna University, Chennai-600 025.
Mail: edcprojects@ncscm.org. 044-22200600.
17. State of Andhra Pradesh
Rep. by its Spl. Chief Secretary,
Department of Environment, Forest,
AranyaBhavan, K.M. Munshi Road,
Nagarampalem, Guntur-522 004. RESPONDENTS

REPLY FILED BY THE 9th RESPONDENT

I, Appikonda Ramarao Naidu, Son of late Satyam Naidu aged about 52 years, holding the post of Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office at Kakinada, do hereby solemnly affirm and sincerely state as follows:

1. I am the deponent herein and as such I am well acquainted with the facts of the case and competent to swear to this counter affidavit. I have been authorized to file this counter affidavit on behalf of the 9th respondent.


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2. This respondent denies various averments made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.

3. It is submitted that the applications for registrations of fresh water aqua culture ponds are scrutinized and site inspections conducted by Mandal Level Committee comprising of Revenue Department, Irrigation Department, Fisheries Department and Agricultural Department. The Mandal Level Committee along with its remarks forwards the applications to District Level Committee.

4. As per G.O.Ms. No. 7, issued by Animal Husbandry, Dairy Development and Fisheries Department, dated 16.03.2013, the District Level Committee (DLC) is the competent authority to permit fresh water aqua culture (Annexure-I). District Collector is the Chairperson and District Fisheries Officer is the Member Convener of the DLC. The Environmental Engineer, APPCB of the District is a Member of the Committee.

5. It is also submitted that the Government of Andhra Pradesh framed new sand mining policy as per G.O.Ms.No.70, dated 04.09.2019 (Annexure-II) and issued operational guidelines to implement scrupulously by M/s. Andhra Pradesh Mineral Development Corporation and District Collectors.

6. It is submitted that the Committee constituted by the Hon'ble National Green Tribunal visited the alleged areas mentioned by the applicant and submitted a detailed report to the Hon'ble National Green Tribunal. This answering respondent is a member in the said committee. The committee submitted detailed observations on aqua farming in the area and findings regarding beach sand mining.

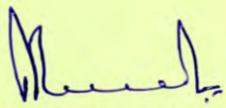

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7. It is submitted that this respondent may be permitted to raise additional grounds at the time of hearing, if necessity arises.

It is therefore prayed that this Hon'ble Tribunal may be pleased to pass such further or other orders as deemed fit and proper in the facts and circumstances of the case and thus render justice.

Dated at -----on this the day of February, 2021.

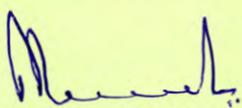
COUNSEL FOR 9th RESPONDENT


NINTH RESPONDENT
ENVIRONMENTAL ENGINEER
A.P POLLUTION CONTROL BOARD
Regional Office, KAKINADA

VERIFICATION

I, Appikonda Ramarao Naidu, the Environmental Engineer, of the Andhra Pradesh Pollution Control Board, the 9th respondent, do hereby verify that what are all stated above are true and correct to the best of my knowledge, information and belief.

Verified at ----- on this the day of February, 2021.


NINTH RESPONDENT
ENVIRONMENTAL ENGINEER
A.P POLLUTION CONTROL BOARD
Regional Office, KAKINADA