

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

OA No 99 OF 2023

IN THE MATTER OF:

Dr. M. SAKAR RAO

..... Applicant

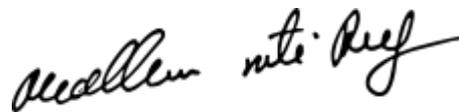
Vs

THE CHIEF SECRETARY, GOVT OF ANDHRA PRADESH & Ors

.... Respondents

REPORT FILED BY THE APPCB 4th RESPONDENT

DATE- 19.01.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH AT CHENNAI
Original Application No. 99/2023 (SZ)
[Earlier O.A. No. 311 of 2023(PB)(LP)]**

IN THE MATTER OF:

Dr. M. Sakar Rao.

.....APPLCANT

VERSUS

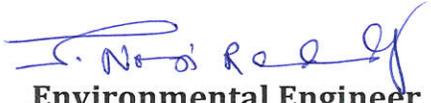
The Chief Secretary to Govt. of Andhra Pradesh, Andhra Pradesh and Ors

...RESPONDENTS

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Place: Visakhapatnam
Dt: 19.01.2024


Environmental Engineer
APPCB, Regional Office
Visakhapatnam
Environmental Engineer
A.P. Pollution Control Board
Regional Office, Visakhapatnam

Report of A.P. Pollution Control Board in compliance with the Hon'ble NGT, Southern Zone, Chennai Order dated 30.10.2023 in O.A. No. 99 of 2023 (SZ) [Earlier O.A. No. 311 of 2023(PB)(LP)] filed by Dr. M. Sakar Rao, R/o Bheemili, Visakhapatnam, Andhra Pradesh

It is to submit that Dr. M. Sakar Rao, R/o AMOH-1/(Health Officer-1), Bheemili, Visakhapatnam, Andhra Pradesh has filed a petition before the Hon'ble National Green Tribunal (NGT), New Delhi in the Original Application (O.A) No. 311 of 2023 (PB) regarding construction raised in prohibited area i.e., CRZ area of Bheemili, Visakhapatnam, Andhra Pradesh, causing environmental degradation thereby violation of provisions of Environment (Protection) Act, 1986 and the Rules framed thereunder.

The Hon'ble NGT, New Delhi in its order dated 26.05.2023 in O.A. No. 311 of 2023 (PB) constituted a Joint Committee comprising (i) Andhra Pradesh CRZMA, (ii) State PCB and (iii) District Magistrate, Visakhapatnam who shall visit the site, collect relevant information and submit a factual as well as action taken, if any, report within two months. . Copy of the Hon'ble NGT, New Delhi Order dated 26.05.2023 is enclosed as **Annexure-I**.

In this connection, the Joint Committee has submitted report dated 18.08.2023 to the Hon'ble NGT, Southern Zone, Chennai.

The Hon'ble NGT, Southern Zone, Chennai heard the matter on 30.10.2023 in O.A. No. 99 of 2023 (SZ) [Earlier O.A. No. 311 of 2023(PB)(LP)] and issued the following Order:

- i. The learned counsel appearing for the Andhra Pradesh Pollution Control Board and the State Government is directed to furnish the addresses of the violators not only of the application mentioned building but also of the other owners who have constructed in the CRZ area without appropriate permission.*
- ii. Once the addresses are furnished, the Registry is directed to send notices to the said addressees.*

Copy of the Hon'ble NGT, Southern Zone, Chennai Order dated 30.10.2023 is enclosed as **Annexure-II**.

In compliance with the above directions, the Andhra Pradesh Pollution Control Board (APPCB) has requested the Zonal Commissioner, Zone-I, Bheemili Zonal Office, Greater Visakhapatnam Municipal Corporation (GVMC), Visakhapatnam to furnish the full postal address of the owners who have constructed in the CRZ area without appropriate permission including the building in question mentioned in the petition for onward submission to the Hon'ble NGT, Southern Zone, Chennai so as to facilitate the Registry to send notices to the given addresses of the owners/violators.

The Zonal Commissioner, Zone-I, Bheemili Zonal Office, GVMC, Visakhapatnam has submitted the report dt.22.12.2023. The full postal address of the owners furnished by the Zonal Commissioner, Zone-I, Bheemili Zonal Office, GVMC, Visakhapatnam are herewith submitted as below:

Sl. No.	Name and Address	Postal Address	Latit ude	Longit ude	Extent in Sqm	Year of Constr uction	Nature of Constr uction	Permission details
1	Samudram Guest House, Bheemili Beach Road	Sri B.K.H.S Rama Raju S/o Late Venkata Lakshmi Timmaraju & J.Krishna Chaitanya Varma S/o J.V.Ranga Raju, Samudram Guest house, Opp: Grandhalayam Bheemili Beach Road, Bheemunipatnam	17.89 2273	83.454 643	1150	2010	RCC G+1	Approved Vide Proceeding No. BPS.No625/W ard-16,Dt.25-02-2011

		(M), Visakhapatnam - 531163. Phone No.9849799799.						
2	Kancharla Ravindranadh S/o Seshaya Naidu near Court building Beach road, Bheemuni patnam (The building in question)	Kancharla Ravindarnath S/o. Seshaiya Naidu T.S.No.442, Bheemili, Beach Road, Near Court Building Beach Road, Bheemuni patnam Visakhapatnam - 531163 G.P. Saipujitha w/o P.Venkatarama Prasanth D.No 1-84/16/1, Plot No. 231, Sector -IV, MVP Colony, Visakhapatnam - 530017 (The building in Question)	17.89 240	83.454 349	2290	2015	S+G+1	Applicant applied under BPS vide file No BPS2019/VIS/BHE/BHE/361 59 Dt.27.06.2019 further application is rejected due to violation of CRZ Norms
3	Narra Sitha maha lakshmi	Narra Sitha Maha Lakshmi W/O Narra Loknadh Rao (NL Rao), Near SOS Children Village, Bheemuni patnam Mandal, Visakhapatnam - 531163 Ph.No. 7382928292	17.89 2425	83.453 966	143	1994	G+2	BA.No74/94 Dt 18-07-1994
4	Municipal office Store Room	Municipal Office Store Room, Zonal Commissioner, Zone-1, Beach Road, Bheemuni patnam mandal, Visakhapatnam- 531163	17.89 2942	83.454 311	84	1999	G	-
5	Municipal office old	Municipal Office Old, Zonal Commissioner, Zone-1 Beach Road, Bheemuni patnam mandal Visakhapatnam - 531163	17.89 3124	83.453 939	503	1861	G floor Tiled roof extension with RCC building	-
6	Municipal Office new	Municipal Office New, Zonal Commissioner, Zone-1 Beach Road, Bheemuni patnam mandal Visakhapatnam - 531163	17.89 318	83.453 801	193	2011	RCC G+2	-
7	Port office	Operations Office, 2 nd floor, Port Administrative Building Beach Road Kakinada -533007	17.89 3294	83.453 49	175	1950	M terrace G+1 Building in Dilapidated stage	-
8	Central excise and Custome	Office of the Superintendent of Central Tax,	17.89 3109	83.453 546	377	1950	Tiled roof	-

	office	Bheemunipatnam GST Range, Visakhapatnam North CGST Division, 10-50-22, 1st floor, Opp: WNS Main Gate Behind Varun Bajaj Showroom, Siripuram, Visakhapatnam - 530003 Ph.No 9494706370						
9	Dantaluri Janaki Rama Raju	D.Satyanarayana Ravindra Raju, S/o Dantaluri Janaki Rama Raju, D.No 12- 26-3, Beside Cambridge School, Near Bheemili Municipal Office Bheemili Beach Road, Bheemunipatnam mandal Visakhapatnam - 531163 Ph.No.9937224433	17.89 3351	83.453 248	331	1994	RCC G+1	BA.No79/94 Dt:27-10-1994

The above information is submitted for kind consideration. The APPCB will abide by all such directions as the Hon'ble Tribunal may deem fit and appropriate.

Place: Visakhapatnam
Dt.19.01.2024


Environmental Engineer,
APPCB, Regional Office,
Visakhapatnam
Environmental Engineer
A.P. Pollution Control Board
Regional Office, Visakhapatnam

Annexure-I

Item No. 06

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 311/2023

Dr M. Sakar Rao

Applicant

Versus

State of Andhra Pradesh

Respondent

Date of hearing: 26.05.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER****Application is registered based on a complaint received by post/e-mail****ORDER**

1. This Original Application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 29.01.2023 sent by Dr. M. Sakar Rao R/o AMOH-1/ (Health Officer-1), Bheemili, Visakhapatnam, Andhra Pradesh.

2. Grievance is that there is construction raised in prohibited area i.e., CRZ area of Bheemili, Visakhapatnam, Andhra Pradesh, causing environmental degradation in violation of provisions of Environment (Protection) Act, 1986 and the Rules framed thereunder.

3. In our view, a substantial question relating to environment due to implementation of Scheduled Enactments under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate

to obtain a factual report for which purpose, we constitute a joint Committee comprising Andhra Pradesh CRZMA, State PCB and District Magistrate, Vishakhapatnam who shall visit the site, collect relevant information and submit a factual as well as action taken, if any, report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF with the Registrar, Southern Zone Bench, NGT.

4. Andhra Pradesh PCB will be nodal agency for coordination and compliance.

5. Registry is directed to transfer record of this matter to Southern Zone Bench, Chennai for further proceedings/directions in the matter.

6. A copy of this order, along with copy of complaint, be forwarded to Andhra Pradesh CRZMA, State PCB and District Magistrate, Vishakhapatnam by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 26, 2023
Original Application No. 311/2023
AB

Item No.02:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No. 99 of 2023 (SZ)
[Earlier O.A. No. 311 of 2023(PB)(LP)]

IN THE MATTER OF:

Dr. M. Sakar Rao.

...Applicant(s)

Versus

The Chief Secretary to Govt. of Andhra Pradesh,
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 30.10.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

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

ORDER

1. The learned counsel appearing for the Andhra Pradesh Pollution Control Board and the State Government is directed to furnish the addresses of the violators not only of the application mentioned building but also of the other owners who have constructed in the CRZ area without appropriate permission.
2. Once the addresses are furnished, the Registry is directed to send notices to the said addressees.
3. Let the matter be listed on **01.12.2023**.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No. 99/2023 (SZ)
30th October, 2023. AD.