

Before the Hon'ble National Green Tribunal Principal Bench

Original Application No.331 of 2023(PB)

Sri Atluri Srinivasa Rao Rtd

.....Applicant

Versus

State of Andhra Pradesh

.....Respondent

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Place: Guntur
Date: 28.07.2023


Environmental Engineer,
APPCB, RO,
Guntur.

Joint Inspection of Flower Market at Sy.no.39-1 &40, Tadepalli village, Vijayawada club road at Krishna River Flood bank in the village limit of Tadeplli , Guntur district by the officials of District Magistrate, Guntur, Irrigation Department, Andhra Pradesh and A.P.Pollution Control Board in accordance with the Hon'ble National Green Tribunal, Principal Bench, New Delhi orders on 29.05.2023 on the letter of Petition dated 02.02.2023 sent by Sri Atluri Srinivasa Rao in OA No.331/2023 on 11.07.2023.

- Sub :- Hon'ble National Green Tribunal (NGT), Prinnicipal Bench, New Delhi in O.A.No.331 of 2023 (PB) in the matter of Atluri Srinivasa Rao Rtd., Vs State of Andhra Pradesh pertaining to Flower Market at Sy.no.39-1 &40, Tadepalli village, Guntur district- Hon'ble NGT orders dt.29.05.2023 - Nomination to Joint Committee -Joint Inspection carried out with the officials of District Magistrate, Guntur, Irrigation Department, Andhra Pradesh and A.P.Pollution Control Board - Submission of report - Reg.
- Ref : 1. Hon'ble NGT Principal Bench, New Delhi vide O.A. No.331/2023, dt.29.05.2023.
2. FileNo.REVGNT-CSEC0MIS(MISC)/249/2023-SUP(C)-COLGNT, dt.10.07.2023 of the Collector & District Magistrate, Guntur.

&&&

The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide in OA No.331/2023 , dt.29.05.2023 issued instructions to the District Magistrate, Guntur, Irrigation Department, Andhra Pradesh and A.P.Pollution Control Board to visit the site of Flower Market , collect relevant information and if finds any violation of Environmental Laws and norms, would take appropriate action in accordance with law within two months, vide reference 1st cited..

In the reference 2nd cited, the Collector & District Magistrate, Guntur has informed that the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi vide O.A No.331/2023, dt.29.05.2023 constituted a Committee comprising District Magistrate, Irrigation department and State PCB who shall visit the site (Flower Market, Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road), collect relevant information and finds any violation of environmental laws and norms, would take appropriate remedial action in accordance with law within two months. The action taken may take into consideration of permitting trade activities in the river flood plain

zone and proper management of waste (Solid and Liquid) and further preventing any environmental degradation.

The Collector & District Magistrate, Guntur has constituted the Joint Committee for Joint inspection of Flower Market, Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road with the following Officials and directed to submit the Inspection report before 15.07.2023.

1. Sub-Collector, Tenali, Guntur district
2. Superintendent Engineer, Irrigation, Guntur.
3. Executive Engineer, APPCB, Regional Office, Guntur.

In this regard, I along with the Executive Engineer, River Conservancy, Krishna Central Division, Vijayawada (on behalf of Superintendent Engineer, Irrigation, Guntur) and Executive Engineer, APPCB, Regional Office, Guntur have inspected the Flower Market, Sy.No.39-1 & 40, Tadepalli village on 11.07.2023.

Details of the Site:

- The Flower Market with 80 Nos. petty shops was constructed on the name of Raithu Mitra whole sale Flower Market at Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road at Krishna River Right Flood bank in the village limits of Tadepalli, Guntur district in 64 cents.
- The Flower Market has not yet started the activity of sale of flowers. Expected to commence the operations in the 3rd week of July, 2023 on the occasion of Sravanamasam.
- The Flower market is surrounded by 'Adventura' go-fasting track is situated in between the below directions:

North :	One Godown followed by residential houses
South :	Agricultural lands
East :	Repalle Karakatta followed by River Breeze Apartments
West :	Gowthami School

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- The latitudes and longitudes of the Flower market are (N16°28'45.97464", E80°37'25.90212"), (N16°28'46.45812", E80°37'25.16412"), (N16°28'49.11624", E80°37'26.904") and (N16°28'48.58212", E80°37'27.70788").
- It is noticed that the subject site located between the Karakatta (River Bed) and river stream and falls under the Sy.No.39, 40 of Tadepalli Village of Tadepalli Mandal. As per the RSR of the Tadepalli Village, the details of the Sy.No. are shown below:

Sy.No	Extent (Ac.cts)	Classification	Remarks
39	1.61	Government – Dry	The subject land is Patta land located between River Bund and River Stream
40-A	1.52	Government – Dry	
40-B	5.00	Government – Dry	

Observations of Irrigation Officials:

- The Executive Engineer & River Conservator, Krishna submitted that the said Flower Market Construction works beside the Krishna Right Flood Bank towards River side are being taken up without any permission from the River Conservator, Krishna.
- The Assistant Executive Engineer, River Conservancy (RC) Section, Vallabhapuram issued notice as per River Conservancy Act 1884 to Sri J.V. Krishna Reddy S/o J. Venkateswara Reddy, Tadepalli, instructing to stop the construction and to remove the unauthorized construction part build.
- The unauthorized construction is being continued despite of the notices issued by the Irrigation Department.

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- Further, the residents living near Tadepalli Karakatta complained to the Commissioner, Tadepalli Municipal Corporation through Spandana Complaint No.GNT20221212138, dt.12.12.2022.
- In response to the Spandana Complaint the Deputy City Planner replied that there were no permissions given for setting up of flower market in the river bed in Tadepalli Village limits.
- Further stating that the authorized construction beside Krishna Right Flood Bank on river side is being continued despite of the three notices issued with an intention to establish flower market at the said location.
- As the said construction is objectionable in river conservancy point of view which might obstruct free flow of water, threatens the safety of flood bank and might pollute the river.
- The authorities of Tadepalli-Mangalagiri Municipal Corporation took action on unauthorized construction and dismantled certain ongoing construction works such as partition walls.

Observations of the Pollution Control Board:

- The Pollution Control Board, Guntur submitted that the Flower market was constructed without obtaining permission from competent Authorities and the constructed area falling under River Conservancy Zone.
- The Flower market laid 24ft CC road towards Krishna River and also provided drainage towards Krishna River side.
- The Flower market has constructed 4 number of wash rooms with septic tank followed by soak pit for disposal of domestic waste water.
- Disposing of unsold and spoiled flowers in to River would affect the aquatic environment as the unsold and spoiled flowers would contribute organic matter in to the water which results high Bio Chemical Oxygen demand (BOD) which depletes the Dissolved Oxygen (DO) in the river water thus results effect of aquatic

environment. Hence, operation of Flower market in the River Conservancy Zone may not be suggested.

Observations of Tahsildar, Tadepalli:

- The Tahsildar, Tadepalli submitted that the field inspection reveals that the subject site located between the Karakatta (River Bed) and river stream and falls under the Sy.No.39, 40 of Tadepalli Village of Tadepalli Mandal.
- After verification of the available records, the subject site is patta land and the flower market construction is already completed and trading of flowers is going on in it.
- Based on the information furnished by the flower merchants, they have not paid any land conversion fee as on 13.07.2023, but constructed the flower market in the subject site.

Writ Petitions:

A writ petition was filed in Hon'ble AP High Court in W.P No.5412/2023 by Sri J.V.Krishna Reddy and 79 others keeping the Principal Secretary (Municipal and Urban Development Department), Commissioner (Tadepalli Municipal Corporation), Town Planning Officer (Mangalagiri, Tadepalli Municipal Corporation) as 1st, 2nd, 3rd respondents and Assistant Executive Engineer, RC Section, Vallabhapuram as 4th respondent and prayed the Hon'ble High Court to issue directions not to demolish the temporary sheds of the petitioners constructed at Sy.No.39/1 and 40, abutting to Aventura Sports Club, Vijayawada Club Road, Tadepalli and Sri Chippada Leela Venkata Maruthi Rao S/o Narayana Rao filed a W.P.(PIL) No.35/2023 before the Hon'ble High Court of A.P regarding the same issue. The case is currently under purview of Hon'ble High Court of Andhra Pradesh. Action will be initiated as per law on the unauthorized construction & Operation of Flower Market subjected to outcome of WP No.5412/2023 of Hon'ble of Andhra Pradesh.

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In view of the above circumstances, it is found that:

1. The construction is illegal and has been done without any permission from Mangalagiri Tadepalli Municipal Corporation or River Conservancy Department or CRDA.
2. No conversion applied from Revenue Department.
3. Construction is within Krishna River Flood Zone.
4. As per the farmers of Flower Market case, they are operating 10-15 shops out of 80 currently.
5. No drainage connection provided for constructed toilets.
6. Possibility of pollution of the river is there due to dumping of flower waste in the future.
7. Action will be initiated against the unauthorized construction & Operation of Flower Market subjected to outcome of WP No.5412/2023 of Hon'ble High court of Andhra Pradesh.
8. As per farmers of the association, the Writ Petition is a motivated WP filed by Vijayawada Flower Market farmers to stop competition.


(M. Narayana)

Environmental engineer,
A.P. Pollution Control
Board. Regional Office,
Guntur



(Sri P.V.R. Krishna Rao),
Executive Engineer(FAC)
Krishna Central Division,
Vijayawada -2



(Smt Geetanjali Sharma, IAS)
Sub Collector,
Tenali

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ANNEXURE - I

Item No. 16

Court No. 2

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

Original Application No. 331/2023

Atluri Srivasa Rao Rtd.

Applicant

Versus

State of Andhra Pradesh

Respondent

Date of hearing: 29.05.2023

**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. The dispute raised in this matter relates to Mangalgirol-Tedapalli, Municipal Corporation which is in State of Andhra Pradesh and therefore the cause title of the application shall be corrected and instead of State of Karnataka it shall be registered as State of Andhra Pradesh. The Registry may make necessary correction the cause title.
2. This Original Application has been registered under Section 14 & 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 02.02.2023 sent by Atluri Srivasa Rao.
3. The grievance raised is that a flower market has been raised at river front side of RL Gautami River. About 80 shops have been constructed wherein unsold and spoiled flowers are thrown and treated unscientifically emanating bad odour, causing air pollution etc. The said flowers are also

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being thrown in the river causing water pollution. There is also illegal cutting of trees in the nearby area affecting environment, ecology and variety of bio-diversity.

4. In our view, this issue can be looked into, at the first instance by the local authorities and for the purpose whereof we constitute a joint Committee comprising State PCB, District Magistrate, Vijaywada and Irrigation Department, Andhra Pradesh who shall visit the site, collect relevant information and if finds any violation of environmental laws and norms, would take appropriate remedial action in accordance with law within two months. **The action taken may take into consideration of permitting trade activities in the river flood plain zone and proper management of waste (solid and liquid) and further preventing any environmental degradation.**

5. State PCB, shall be the nodal agency for coordination and compliance of this order.

6. With the above directions, the application is disposed of.

7. A copy of this order be forwarded to State PCB, District Magistrate, Vijaywada and Irrigation Department, Andhra Pradesh by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 29, 2023
Original Application No. 331/2023
A

ANNEXURE - II

Photographs Taken During Joint Inspection of Flower Market at Sy.No.39-1 & 40, Tadepalli(V&M), Guntur District pertaining to O.A No.331/2023 of Hon'ble NGT, Principle Bench, New Delhi on 11.07.2023.

Photo	Description
	<p>Flower Market along with 24 Feet CC Road.</p>
	<p>View of Inside Flower Market</p>



Top View of the Flower Market

11-Jul-2023 6:22:50 pm
16°28'46.386"N 80°37'25.152"E
Tadepalli-522501
India



View of Flower Market Shops

11 Jul 2023 5:51:54 pm



During the Joint Inspection



During the Joint Inspection



During the Joint Inspection



During the Joint Inspection

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Annexure - III

ఆంధ్రప్రదేశ్ ప్రభుత్వము

జలవనరుల శాఖ

అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్ వారి కార్యాలయము,
రివర్ కన్ట్రోల్స్ సెక్షన్, వల్లభాపురం.

నోటీసు నెం. 12 VLB తేది. 26.03.2022.

విషయము:

ఆర్.సి. యాక్ట్-1884- కృష్ణానది కుడి వరద కరకట్ట కీ.మీ.21.500 నుండి
కీ.మీ.21.700 మధ్య అనధికారముగా నిర్మాణము చేయుచున్న అక్రమ కట్టడమును/
నిర్మాణమును తొలగించుట - గురించి.

గుంటూరుజిల్లా మంగళగిరి-తాడేపల్లి మున్సిపల్ కార్పొరేషన్ పరిధిలో కృష్ణానది కుడి వరద కరకట్ట
కీ.మీ. 21.500... నుండి కీ.మీ. 21.700 మధ్య కృష్ణా నది కుడి కరకట్ట ఎడమ వైపు అక్రమ
నిర్మాణమును శ్రీ/శ్రీమతి J.V. కృష్ణారెడ్డి
తండ్రి/భర్త..... J. వెంకటేశ్వర రెడ్డి అను మీరు పట్టా భూమిలో / ప్రభుత్వ భూమిలో
అక్రమ నిర్మాణ పనులు చేపట్టుట గమనించడమైనది. మీరు ప్రభుత్వ అధికారి (రివర్ కన్ట్రోలర్,
విజయవాడ) వారి ముందస్తు అనుమతి పొందకుండా అక్రమ నిర్మాణము నిర్మించడం రివర్ కన్ట్రోల్స్
యాక్టు - 1884 ప్రకారం నేరము.

కావున ఈ నోటీసు అందిన వెంటనే మీరు చేయుచున్న నిర్మాణమును నిలుపుదల చేసి, ఇప్పటి వరకు చేసిన
నిర్మాణమును పూర్తిగా తొలగించవలసినదిగా కోరడమైనది. అట్లు చేయని యెడల మీపై ఆర్.సి. యాక్ట్-1884 ప్రకారం
చట్టపరమైన చర్యలు తీసుకొనబడునని ఇందుమూలంగా తెలియజేయడమైనది.

టు,

J.V. కృష్ణారెడ్డి,
S/o. J. వెంకటేశ్వర రెడ్డి,
D.No. 12-464/1,
తాడేపల్లి, గుంటూరు జిల్లా.

ఇట్లు
A. G. K. 26/3/22
అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్
ఆర్.సి. సెక్షన్, వల్లభాపురం @ మున్నంగి.

ముట్టెకతి J.V. కృష్ణారెడ్డి

27-3-2022

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ఆంధ్రప్రదేశ్ ప్రభుత్వము

జలవనరుల శాఖ

అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్ వారి కార్యాలయము,
రివర్ కన్ట్రోల్స్ సెక్షన్, వల్లభాపురం.నోటీసు నెం. 55^{VLB} తేదీ 29.12.2022

విషయము:

ఆర్.సి. యాక్ట్-1884- కృష్ణానది కుడి వరద కరకట్ట కీ.మీ. 2-500 నుండి
కీ.మీ. 2-700 మధ్య అనధికారముగా నిర్మాణము చేయుచున్న అక్రమ కట్టడమును/
నిర్మాణమును తొలగించుట - గురించి.

గుంటూరుజిల్లా మంగళగిరి-తాడేపల్లి మున్సిపల్ కార్పొరేషన్ పరిధిలో కృష్ణానది కుడి వరద కరకట్ట కీ.మీ.
2-500 నుండి కీ.మీ. 2-700 మధ్య కృష్ణా నది కుడి కరకట్ట ఎడమ వైపు అక్రమ నిర్మాణమును

శ్రీ/శ్రీమతి J. V. కృష్ణారెడ్డి తండ్రి/భర్త J. వెంకటేశ్వరరెడ్డి

అను మీరు పట్టా భూమిలో / ప్రభుత్వ భూమిలో అక్రమ నిర్మాణ పనులు చేపట్టుట గమనించడమైనది. మీరు
ప్రభుత్వ అధికారి (రివర్ కన్ట్రోల్స్, విజయవాడ) వారి ముందస్తు అనుమతి పొందకుండా అక్రమ నిర్మాణము
నిర్మించడం రివర్ కన్ట్రోల్స్ యాక్టు - 1884 ప్రకారం నేరము.కావున ఈ నోటీసు అందిన వెంటనే మీరు చేయుచున్న నిర్మాణమును నిలుపుదల చేసి, ఇప్పటి వరకు చేసిన
నిర్మాణమును పూర్తిగా తొలగించవలసినదిగా కోరడమైనది. అట్లు చేయని యెడల మీ పై ఆర్.సి. యాక్ట్-1884 ప్రకారం
చట్టపరమైన చర్యలు తీసుకొనబడునని ఇందుమూలంగా తెలియజేయడమైనది.

టు,

J. V. కృష్ణారెడ్డి,
S/o. J. వెంకటేశ్వర రెడ్డి,
D. No. 12-464/1,
వాడేపల్లి, గుంటూరు జిల్లా.

ఇట్లు

A. Q. B. 29/12/22
అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్
ఆర్.సి. సెక్షన్, వల్లభాపురం @ మున్నంగి.శ్రీమతి కృష్ణారెడ్డి
29-12-22

J. V. కృష్ణారెడ్డి

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ఆంధ్రప్రదేశ్ ప్రభుత్వము

జలవనరుల శాఖ

అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్ వారి కార్యాలయము,
రివర్ కన్ట్రోల్స్ సెక్షన్, వల్లభాపురం,
జలవనరుల శాఖ.

నోటీసు నెం.3^{v1b}

తేదీ.28.01.2023.

విషయము : ఆర్.సి. యాక్ట్-1884- కృష్ణానది కుడి వరద కరకట్ట కి.మీ.2.500 నుండి కి.మీ.2.700 మధ్య
అనధికారముగా నిర్మాణము చేయుచున్న అక్రమ కట్టడమును/ నిర్మాణమును తొలగించుట - గురించి
సూచిక : 1) ఈ కార్యాలయపు నోటీసు నెం. 12 v1b తేదీ . 26 .03.2022.
2) ఈ కార్యాలయపు నోటీసు నెం. 55 v1b తేదీ . 29 .12.2022.

గుంటూరుజిల్లా మంగళగిరి-తాడేపల్లి మున్సిపల్ కార్పొరేషన్ పరిధిలో కృష్ణానది కుడి వరద కరకట్ట
కి.మీ.2.500 నుండి కి.మీ.2.700 మధ్య కృష్ణా నది కుడి కరకట్ట ఎడమ వైపు అక్రమ నిర్మాణమును శ్రీ జె.వి. కృష్ణా రెడ్డి, తండ్రి
జె. వెంకటేశ్వర రెడ్డి అను మీరు పట్టా భూమిలో పై తెలిపిన ఈ కార్యాలయపు నోటీసులను భేదాభిప్రాయము చేయుచూ మీ నిర్మాణ
పనులు కొనసాగించున్నారు. సదరు విషయము పై రివర్ కన్ట్రోల్స్ యాక్టు - 1884 ప్రకారం మీ పై తగు చర్యలు ఎందుకు
తీసుకొనకూడదో తెలియపరచవలెను.

కావున ఈ నోటీసు అందిన వెంటనే మీరు చేయుచున్న నిర్మాణమును నిలుపుదల చేసి, ఇప్పటి వరకు చేసిన నిర్మాణమును
పూర్తిగా తొలగించవలసినదిగా కోరడమైనది. అట్లు చేయని యెడల మీపై ఆర్.సి. యాక్ట్-1884 ప్రకారం చట్టపరమైన చర్యలు
తీసుకొనబడునని ఇందుమూలంగా మరియొక పర్యాయము తెలియజేయడమైనది.

టు,

జె.వి. కృష్ణా రెడ్డి,

తండ్రి. జె. వెంకటేశ్వర రెడ్డి,

డోర్. నెం.12-464/1,

తాడేపల్లి, గుంటూరు జిల్లా.

ఇట్లు

అసిస్టెంట్ ఎగ్జిక్యూటివ్ ఇంజనీర్
ఆర్.సి.సెక్షన్,వల్లభాపురం@ మున్నంగి.

ఈ నోటీసు నాకు ముద్ద వశ. 28-1-23

28-1-23

File No.APPCB-13024/10/2023-LEGAL SEC-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD

Dr. YSR Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Auto Nagar, Vijayawada-520007
e-mail: hopcblegal@gmail.com



Lr.No.107-OA-331 of 2023/APPCB/Legal/NGT(PB)/2023- 16/06/2023-172

To

1. The Collector & District
Magistrate,
Guntur District,
Guntur -522004
collector_gntr@ap.gov.in

2. Superintending Engineer,
Irrigation Circle,
Water Resources
Department,
Opp. District Collectorate,
Irrigation Compound,
Guntur - 522004

Sir,

Sub: APPCB - Legal - Hon'ble NGT, New Delhi - O.A. No. 331 of
2023(PB) in the matter of Atluri Srinivasa Rao Rtd., Vs State of
Andhra Pradesh - Tribunal order dt. 29.05.2023 - Nomination to
Joint Committee - Requested - Reg.

19.06.2023
DESPATCH

Ref: Hon'ble NGT, New Delhi Order dt. 29.05.2023 in O.A. No. 331 of
2023(PB).

It is to inform that the Hon'ble National Green Tribunal (NGT), New Delhi registered the Original Application (O.A.) No. 331 of 2023(PB) filed by Sri Atluri Srinivasa Rao, Tadepalli, Guntur District regarding raising of flower market at river front side of RL Gautami River. It was also stated that about 80 shops have been constructed wherein unsold and spoiled flowers are thrown and treated unscientifically emanating bad odour, causing air pollution etc. The said flowers are also being thrown in the river causing water pollution (Letter petition copy enclosed).

The Hon'ble NGT, in its order dt. 29.05.2023, constituted a Joint Committee comprising of State PCB; District Magistrate, Vijayawada and Irrigation Department, Andhra Pradesh and directed to visit the site, collect relevant information and if finds any violation of environmental laws and norms, would take appropriate remedial action in accordance with law within two months. The action taken may take into consideration of permitting trade activities in the river flood plain zone and proper management of waste (solid and liquid) and further preventing any environmental degradation. **The State PCB shall be the nodal agency for coordination and compliance of the order.** Copy of the Hon'ble Tribunal order dt. 25.05.2023 is herewith enclosed for information.

The construction activity area mentioned in the letter petition is located in Guntur District.

In view of the above, Environmental Engineer (EE), Andhra Pradesh Pollution Control Board (APPCB), Regional Office (RO): Guntur (Sri

File No. APPCB-13024/10/2023-LEGAL SEC-APPCB

M.Narayana), Mobile No. 9866776738; Email: rogtr-ee1@appcb.gov.in has been nominated to represent APPCB in the above committee.

The Collector and District Magistrate, Guntur and the Water Resources Department, Irrigation Circle, Guntur are requested to communicate their nominations to the above joint committee to the EE, APPCB, RO: Guntur for necessary co-ordination and compliance.

It may please be noted that the Hon'ble NGT is imposing cost for non-submission of Committee reports within specified time.

Yours faithfully,

B Sreedhar Ias

MEMBER

Encl: Hon'ble NGT Order dt.29.05.2023

SECRETARY

and letter Petition dt 02.02.2023

Copy to:

1. The Joint Chief Environmental Engineer, APPCB, ZO: Vijayawada for information and necessary action. He is instructed to sanction the expenditure from the ZO funds to RO: Guntur and book expenditure under the Environmental Compensation(EC) Head of Account.
2. The Environmental Engineer, APPCB, RO: Guntur for information and compliance. He is directed to coordinate with the Committee Members for committee inspections and ensure e-filing of the committee's report to the Registrar, Principal Bench, NGT, New Delhi within two months as directed by the Hon'ble Tribunal without fail. *Please note that the Hon'ble NGT is imposing cost for non-submission of Committee reports within specified time.*

Signed by B Sreedhar Ias

Date: 16-06-2023 14:59:47

Reason: Approved

File No. REVGNT-CSEC0MIS(MISC)/249/2023-SUP(C)-COLGNT

E-7623945

SP
237208396From
Sri M.Venu Gopal Reddy, I.A.S.,
Collector & District Magistrate,
GunturTo
The Hon'ble Member
A.P. Pollution Control Board,
Dr. YSR Paryavaran Bhavan,
APIIC Colony Road,
Gurunanak Colony, A utto Nagar,
Vijayawada-5200007

Sir,

JCEE
Legal

Sub: APPCB-Legal- Hon'ble NGT, New Delhi-O.A No.331 of 2023(PB) in the matter of Atluri Srivaasa Rao Rtd., Vs State of Andhra Pradesh-Tribunal order dt.29.05.2023- Nomination to Joint Committee-Nomination to conduct Joint Inspection - Report submitted-Reg.

Ref:-

1. Member, A.P. Pollution Control Board, Vijayawada, letter Rc.No.107-OA-331 of 2023/APPCB/Legal/NGT(PB)/2023 dt.16.06.2023.
2. Hon'ble NGT Order dated 29.05.2023 in OA.331 of 2023.

@@@

SAC

I invite kind attention to the references cited.

- BE-legal
1. In the reference 1st cited, the member A.P. Pollution Control Board, Vijayawada while communicating a copy of the order dated 29.05.2023. in O.A. 331 of 2023 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi, on the petition filed by Atluri Srivasarao R/o of Tadepalli stated that
2. The Hon'ble NGT, in its order dt. 29.05.2023, constituted a Joint Committee comprising of State PCB; District Magistrate, Vijayawada and Irrigation Department, Andhra Pradesh and directed to visit the site, collect relevant information and if finds any violation of environmental laws and norms, would take appropriate remedial action in accordance with law within two months. The action taken may take into consideration of permitting trade activities in the river flood plain zone and proper management of waste (solid and liquid) and further preventing any environmental degradation. The State PCB shall be the nodal agency for coordination and compliance of the order. Copy of the Hon'ble Tribunal order dt.25.05.2023 is herewith enclosed for information.
3. The construction activity area mentioned in the letter petition is
- Full
13/07
- AEE
MR
17/07/22

File No.REVGNT-CSECOMIS(MISC)/249/2023-SUP(C)-COLGNT

located in Guntur District.

4. In view of the above, Environmental Engineer (EE), Andhra Pradesh Pollution Control Board (APPCB), Regional Ofce (RO): Guntur (Sri M.Narayana), Mobile No. 9866776738; Email: rogtr-eel @appcb.gov.in has been nominated to represent APPCB in the above committee.
5. The Collector and District Magistrate, Guntur and the Water Resources Department, Irrigation Circle, Guntur are requested to communicate their nominations to the above joint committee to the EE, APPCB, RO: Guntur for necessary co-Ordination and compliance.

In obedience to the orders of the Hon'ble NGT, the Sub Collector, Tenali is hereby nominated to the Joint Committee for conducting Joint Inspection of the place along with the SE, Irrigation, Guntur (representative of the Irrigation Department), and EE, A.P.Pollution Control Board, Guntur and for submission of Joint Inspection report before 15-07-2023.

Yours faithfully,

For Collector, Guntur

Copy to the Sub Collector, Tenali for taking urgent necessary action as per the above directions.

Copy to the Tahsildar, Tadepalli for urgent necessary action.

Copy to the SE, Irrigation Circle, Guntur for urgent necessary action.

Copy to the Executive Engineer, APPCB, Regional Office, Guntur for urgent necessary.

Email

322/LP/2023
24
06/02/23

Public Grievance

42
42

Dear Sir, It is noticed that construction of a flower market is going on in front of RL gautami river breeze just 150 mts away from Vijayawada club, constructing and creating hurdles for traffic as well as future garbage issues to our apartment residents. it is also issue partain to river authority against their guidelines and rules. It it is requesting you please take necessary action in the interest of public and stop the illegal construction along the river shore please. Thanking you Sir, Atluri SrivasaRao Rtd. Dy.G.M ONGC, 401, RL Gowtami River Breeze Vijayawada club road tadepalli 522501 mobile number 9490 168 050

From : asrao5555@gmail.com

Thu, Feb 02, 2023 11:29 AM

Subject : Dear Sir, It is noticed that construction of a flower market is going on in front of RL gautami river breeze just 150 mts away from Vijayawada club, constructing and creating hurdles for traffic as well as future garbage issues to our apartment residents. it is also issue partain to river authority against their guidelines and rules. It it is requesting you please take necessary action in the interest of public and stop the illegal construction along the river shore please. Thanking you Sir, Atluri SrivasaRao Rtd. Dy.G.M ONGC, 401, RL Gowtami River Breeze Vijayawada club road tadepalli 522501 mobile number 9490 168 050

To : Public Grievance <publicgrievance-ngt@gov.in>

Attache
α

On Thu, 2 Feb 2023 at 11:13 AM, NagaValli K <valli.gaya3@gmail.com> wrote:

To
The
Chairman,
National Green Tribunal

Sir/Madam,

Ref : 1) Spandana complaint Number : GNT2022121386, dated 12- 12-2022 and Reply from Mangalgiri-Tadepalli municipal corporation .

2) Construction activity area location on Google map, Google search no. 16.480299,80.624483.

Several permissions are required for constructions in the Tadepalli Municipality area.

Complaint was given on the current construction activity, which can be observed on Google map (live) by typing numbers in the search row as 16.480299, 80.624483 and enclosed photos. This is beside Adventura Go-Karting.

This location is earmarked as Riverbund, Green zone area, just aside of Tadepalli Karakatta Road.

Constructions are being done without taking permissions from CRDA, Municipality, Town planning authorities or from other authorities like NGT, Irrigation depts. of central Govts. [(vide 1)].

It is learnt that a flower market with 80 petty shops are coming up in a vacant place beside Adventura and Good News School and opp. Riverbreeze Apartments on Vijayawada Club Road due to which Green belt riverbund area will become a purely market and business area with echo-unfruitful establishments. It is sure as Construction activity is happening in a war footing pace.

The reply received by Deputy city planner from SPANDANA states that permissions were not given.

Due to the logistics and other activities relating to these 80 shops and the already narrow road will become more congested and heavy Traffic jam may be a regular feature on this narrow road. Several trucks, loaded tractors, several auto rickshaws will move in and out, day and night, towards these marketing shops.

Unsold and spoiled flowers may stink and become environmentally hazardous material. It is expected that such garbage will also be dropped in riverbed area. Continuing this, the location will attract more such establishments and this will become a precedent for others and overtime, environment in riverbed will be seriously hit.

Cutting down trees, plants, carrying deforestation activities are damaging Environment, Ecology and variety of Biodiversity.

It will be threat for old people, school children, RTC buses, other vehicles, also for walkers on road can be difficult to move and risky.

As per the latest National River protection Act, National Environmental Tribunal Act, National Green Tribunal Act, Biodiversity Act, Central and state govts banned all construction activities except for growing plants, trees on this water body area for flood protection, pollution prevention in Tadepalli Municipality area.

We earnestly request you to prevent development of flower market/construction of structures for the market activity and thereby direct respective authorities for conserving and developing greenbelt environment in this location of riverbank area for the safety and security of public .

Thanking you,

Handwritten notes and signatures on the right side of the page:

- Top right: "88-43" (circled), "check all" (circled), "14 on" (written).
- Middle right: "Smiles" (written), a circle with a checkmark and an 'X' (circled).
- Bottom right: "FAL" (written), "Indra" (written), "S. S. S." (written), and a large 'X' (written).

AA

Encl:

- 1) Mangalgiri Tadepalli municipal corporation letter, dated: 12-12-2022.
 - 2) Construction photos.
-