

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

Miscellaneous Application No. 3 of 2023
in
Original Application No.91 of 2020

IN THE MATTER OF:

VENKATAPATHI RAJA YENUMULA

..... Applicant

Vs

UNION OF INDIA & OTHERS

.... Respondents

REPORT FILED BY THE APCZMA – R7

DATE - 28.09.2024



M/s MADHURI DONTI REDDY
ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
A.P. POLLUTION CONTROL BOARD

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 63831 21322,
Email: reddymadhuri09@gmail.com

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

Miscellaneous Application No. 3 of 2023 (SZ)

And

Original Application No. 91 of 2020 (SZ)

Venkatapathi Raja Yenumula	Versus	Applicant(s)
Union of India, Rep. by its Secretary, MoEF&CC, New Delhi and Ors.		Respondent(s)
	And	
Venkatapathi Raja Yenumula	Versus	Applicant(s)
Union of India, New Delhi and Ors.		Respondent(s)

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It is certified that all the documents contained in the above annexure are true copies.

Date:

REPORT OF ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY (APCZMA) IN THE MATTER OF HON'BLE NGT ORDER DATED 04.09.2024 IN M.A. NO. 3 OF 2023 (SZ) AND O.A. NO. 91 OF 2023 (SZ):

The matter was heard by the Hon'ble NGT on 04.09.2024 and issued orders in M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ), directed as following:

1. *Though the order was passed as early as on 18.07.2022 and the Miscellaneous Application was filed on 11.03.2023, even after a passage of two years, the State Authorities have not complied with the directions given in the Original Application.*
2. *The learned counsel appearing for the authorities would request some more time to comply with the orders. Accordingly, the time is granted till 30.09.2024 to comply with the order and to file their compliance report, failing which, the MoEF&CC will be directed to cause an inspection and find out the reason for the Green Tribunal Act, 2010. failure of the authorities for not implementing the order. If the order is not complied with, appropriate action will be taken against the concerned officials under Section 26 of the National*
3. *Post the matter on 30.09.2024 for final hearing.*

The copy of the Hon'ble NGT order dated 04.09.2024 is submitted as **Annexure-1.**

In compliance with the Hon'ble NGT order dated 04.09.2024, the following are submitted:

1. An action taken report of the Andhra Pradesh State Coastal Zone Management Authority was submitted to Hon'ble NGT on 21.09.2023 in M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ) as Hon'ble NGT directed *Andhra Pradesh State Coastal Zone Management Authority and the Coastal Aquaculture Authority to file the report within 2 (Two) weeks* vide order dated 08.09.2023. The report is submitted as **Annexure-2.**

2. The EFS&T Dept., Govt. of AP, issued Memo dt. 05.12.2023, to take appropriate immediate action by the DLCs through concerned dept., in respect of any violation of CRZ Rules. Authorization of various departments to take action against violation cases in CRZ limits is as follows:

S. No.	Violation in CRZ area	The department that has to take immediate action as per the powers vested with them as per relevant provisions of their Acts and Rules, based on the recommendations of the DLCs
1	In respective of any kind of construction which are in violation of CRZ rules	Local bodies as per A.P. Building Rules
2	In respective of any forest area, mangrove, eco-sensitive, wild life	Forest and Wildlife Dept.
3	Industries	APPCB
4	Heritage sites	Archaeological Survey of India
6	Aqua culture	Revenue Dept.
7	Illegal Mining including (sand mining and sand bars etc.)	Department of Mines and Geology
8	Other than above	Collector and District Magistrate (Chairman of DLC)

The Copy of the Memo dt. 05.12.2023 is submitted as **Annexure-3**.

3. EFS&T Dept. vide memo dated 15.03.2024 with respect to directions issued by the Hon'ble NGT (SZ) vide order dated 18.07.2022 in OA No. 91 of 2020 regarding "illegal beach sand mining and operation of shrimp farms (Aqua farms) along the coastal stretch of Bay of Bengal touching the adjoining villages of the erstwhile East Godavari District of Andhra Pradesh, without getting any necessary permission or clearances from the respective departments" and to strictly comply the statutory provisions,

regulating the aquaculture activities and sand mining in coastal zone area and other area in accordance with directions issued by the Hon'ble NGT in several matters and also strictly comply the guidelines issued by the MoEF&CC. A copy of the memo dated 15.03.2024 is submitted as **Annexure-4**.

4. APCZMA vide letter dated 08.05.2024 communicated the above memo dated 15.03.2024 issued by EFS&T Dept. to the Chairman & Member Convener, District Level Committee (DLC) of Dr. B. R. Ambedkar Konaseema District and requested to verify as per the directions issued by the Hon'ble NGT and communicate the report to the APCZMA. A copy of the APCZMA letter dated 08.05.2024 is submitted as **Annexure-5**.
5. In this regard, EE, AP Pollution Control Board, Kakinada (the Member Convener, DLC, Dr. B. R. Ambedkar Konaseema District) communicated a report dated 24.09.2024 to APCZMA, wherein, the following were reported:

"Furtherance to the Hon'ble NGT order dated 04.09.2024, the Collector and District Magistrate Dr.B.R.Ambedkar Konaseema District along with the Joint Collector and the Additional District Magistrate Dr.B.R.Ambedkar Konaseema District convened the meeting on 06.09.2024 with RDO Amalapuram, RDO Ramachandrapuram, JD Fisheries, EE,APPCB, DTO, Royalty Inspector Mines& Geology , MPDO Malkipuram, Sakhinetipalli, AD, Survey land records, EE, APEPDCL Amalapuram, Tahsildars Razole, Malkipuram, Sakhinetipalli, Mandal surveyors sakhinetipalli, DEE drains, Razole, on the directions of the Hon'ble NGT order dt 04.09.2024.

The Collector and District Magistrate Dr. B. R. Ambedkar Konaseema District issued directions that a 5 member team, Village surveyor, VRO, Fisheries Assistant, Energy Assistant and with officials from the irrigation department, shall be constituted to visit the aquaculture farms in the coastal villages of Mamidikuduru, Malkipuram and Sakhinetipalli Mandals, to verify the details of illegal aquaculture farms.

The Collector and District Magistrate has enquired the Joint Director,

Fisheries Department, about the follow up action after the meeting of the District Level Committee held on 31.08.2023. On 31.08.2023, the JD, Fisheries was directed to conduct resurvey of entire coastal area as alleged in O.A.No.91 of 2020, to be carrying the un-authorized aqua culture farms and to categorize the illegal farms in violation of CRZ and illegal farms in violation of Coastal Aquaculture Act. The JD, fisheries is also directed to implement disconnection of power supply orders to the illegal farms. The JD, Fisheries informed that they have identified 406 no. of illegal farms and issued notices in the Mandals of Malkipuram, Mamidikuduru and Sakhinetipalli.

Further, the APPCB officials inspected the villages in the application for verification of the illegal beach sand mining and illegal aqua farms and found no illegal beach sand mining. However, aqua culture ponds near to coast within the CRZ were observed.

EE, AP Pollution Control Board, Kakinada report dated 24.09.2024 is submitted as **Annexure-6**.

It is submitted for kind consideration and the APCZMA will abide by all such directions as this Hon'ble Tribunal may deem fit and appropriate.


29/9/24
Member Secretary
APCZMA

Item No.19:**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Miscellaneous Application No. 03 of 2023(SZ)

IN

Original Application No. 91 of 2020 (SZ)

IN THE MATTER OF:

Venkatapathi Raja Yenumula,
Andhra Pradesh.

...Applicant(s)

Versus

Union of India,
Rep by its Secretary,
MoEF&CC, New Delhi and Ors.

...Respondent(s)

Date of hearing: 04.09.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Sravan Kumar.

For Respondent(s): Mr. G.M. Syed Nurullah Sheriff for R1.
Mrs. Madhuri Donti Reddy for R3 to R7, R9 to R15, R17.

ORDER

1. Though the order was passed as early as on 18.07.2022 and the Miscellaneous Application was filed on 11.03.2023, even after a passage of two years, the State Authorities have not complied with the directions given in the Original Application.
2. The learned counsel appearing for the authorities would request some more time to comply with the orders. Accordingly, the time is granted till 30.09.2024 to comply with the order and to file their compliance report, failing which, the MoEF&CC will be directed to cause an inspection and find out the reason for the failure of the authorities for not implementing the order. If the order is not complied with, appropriate action will be taken against the concerned officials under Section 26 of the National Green Tribunal Act, 2010.
3. Post the matter on **30.09.2024** for final hearing.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

M.A. No. 03/2023(SZ) in
O.A. No. 91/2020(SZ)
04th September, 2024. AD.

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

Miscellaneous Application No. 3 of 2023 (SZ)

And

Original Application No. 91 of 2020 (SZ)

Venkatapathi Raja Yenumula	Versus	Applicant(s)
Union of India, Rep. by its Secretary, MoEF&CC, New Delhi and Ors.	And	Respondent(s)
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It is certified that all the documents contained in the above annexure are true copies.

Date:

REPORT OF ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY (APCZMA) IN THE MATTER OF HON'BLE NGT ORDER DATED 08.09.2023 IN M.A. NO. 3 OF 2023 (SZ) AND O.A. NO. 91 OF 2023 (SZ):

It is to submit that the Hon'ble NGT in M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ) vide order dated 08.09.2023 directed *Andhra Pradesh State Coastal Zone Management Authority and the Coastal Aquaculture Authority to file the report within 2 (Two) weeks*. In this regard, the action taken report of the Andhra Pradesh State Coastal Zone Management Authority (APCZMA) is as follows:

1. The EFS&T (SEC.I) Dept., Govt. of A.P., vide G. O. Rt. No. 135, dated. 21.12.2022 constituted DLCs, as per the provisions of CRZ Notification 2011. The concerned Collector & District Magistrate is the Chairman and the Regional Officer, APPCB is the Member Convener of the of the District level Committee (DLC). The Government vide G. O. Rt. No. 32, dated 22.05.2023, issued orders stipulating the functions of the DLCs as provided in the CRZ notification, 2011 for effective functioning of DLCs as stated below:
 - a) To assist APCZMA in enforcement of the CRZ Notification as amended from time to time.
 - b) *To identify violations of the provisions of the CRZ Notification and to make appropriate recommendations to the APCZMA for taking further necessary action on the identified violations.*
 - c) The DLC may be convened as and when necessary as per the approval accorded by the Chairman of the DLC.
 - d) The Member convener of the DLC shall be responsible (i) convening and conduct of the meetings as per the instructions of the chairman, DLC (ii) maintaining the records and correspondence of the proceedings of the DLC meetings (iii) submit quarterly reports on the DLC meetings conducted, violations identified and the follow-up action initiated as per the directions of the APCZMA.

The copies of the G. O. Rt. No. 135, dated. 21.12.2022 and G. O. Rt. No. 32, dated 22.05.2023, are herewith submitted as annexure-A.

2. The Collector & District Magistrate, Chairman of the District level Committee (DLC) constituted District Level Committee vide orders dated 12.05.2023 for Dr. B. R. Ambedkar Konaseema District in accordance with the CRZ notification, 2011. The copy of the proceedings dated 23.05.2023 are herewith submitted as annexure-B.

3. APCZMA addressed a letter to the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District on 20.07.2023 requesting to review with the concerned Stakeholder Departments in District Level Committee and furnish appropriate recommendations along with the *details of the unauthorized aquaculture units carried out operations without obtaining permission or license and illegal sea sand mining units in the coastal zone identified for causing damage to the Environment to the APCZMA, for taking further action. The copy of the letter is submitted as annexure-C.*
4. In obedience of the APCZMA letter dated 20.07.2023, the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District conducted meeting with the concerned departments on 31.08.2023. The Regional Officer, APPCB and the Member Convener of the of the District level Committee (DLC) on 14.09.2023, communicated the minutes of the DLC meeting held on 31.08.2023 @ 10:30 AM at O/o. The Collector & the District Magistrate, Dr. B. R. Ambedkar Konaseema District, Amalapuram. The copy of the minutes are submitted as annexure-D.
5. As per the minutes, it was noted that the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District has reviewed the directions 46 (I, II, III, VI) issued in Hon'ble NGT order dated 18.07.2022 in OA No. 91 of 2020 (SZ) in the DLC meeting conducted on 31.08.2023.
6. The action for Hon'ble NGT directions in OA No. 91 of 2020 (SZ) vide order dated 18.07.2022 directed by the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District is submitted below:

46 (I) Andhra Pradesh Aqua Culture Authority, Fisheries Department and the District Collector of the respective Districts are directed to take appropriate action against those persons who are operating illegal/unauthorised aqua culture farms in the Coastal Zones or other areas without obtaining necessary permission or license from the respective authorities including removal of those units, disconnection of electricity, if any, given, imposing environmental compensation and initiating prosecution as has been directed by the Special Bench in Mr. A. Paramasivan vs. TNPCB, Chennai & Ors.-O.A. No. 82 of 2016 and connected matters.

Action: The committee opined to direct the JD, fisheries to conduct resurvey of entire coastal area as alleged in O.A.No.91 of 2020, to be carrying the unauthorized aqua

culture farms and to categorize the illegal farms in violation of CRZ and illegal farms in violation of Coastal Aquaculture Act. The JD, fisheries is also directed to implement disconnection of power supply orders to the illegal farms.

46 (II) The Department of Mines and Geology and the Andhra Pradesh Pollution Control Board, State Coastal Zone Authority and the District Collector of the respective districts are directed to monitor illegal sea shore sand mining and take action against those persons who are committing such mischief strictly in accordance with law including imposition of environmental compensation for illegal sand mining conducted in those prohibited areas apart from initiating prosecution and recovery of penalties provided under the respective mining rules.

Action: The committee opined to direct the Mines & Geology and Special Enforcement Bureau to monitor illegal sea shore sand mining and to take necessary action.


46 (III) The Mines and Geology Department and the State Coastal Zone Management Authority are directed to implement the directions issued by this Tribunal in respect of removal of sand bars in various decisions including *Janajagriti Samithi vs. Union of India & Ors.-O.A. No. 26 of 2013* and connected cases and *Gutha Gunasekhar and Ors. vs. Union of India and Ors.-O.A. No. 137 of 2021* and strictly adhere to the sustainable sand mining policy of 2016 and Regulation of Maintenance and Enforcement of Guidelines, 2020 issued by MoEF&CC in respect of these aspects.

Action: The committee opined to direct Mines & Geology Department to take necessary action.

46 (VI) The Coastal Zone Management Authority and the Fisheries Department, the Aqua Culture Authority and Director of Mines, Andhra Pradesh State Pollution Control Board are directed to take steps to recover the environmental compensation from those persons who are involved in unauthorized aqua culture activity without obtaining permission or license and conducting illegal sea sand mining activities in the coastal zone, apart from initiating prosecution and seizure of vehicles as done by them as huge amount is lost to the Government on account of such illegal activity and such persons should be dealt with in accordance with law as damage caused to environment including its cost of restoration has to be recovered from them by imposing environmental.

Action: The committee opined to direct the JD, fisheries to take steps to levy penalty to those persons who are involved in unauthorized aqua culture activity without obtaining permission or license.

7. The Regional Officer, APPCB and the Member Convener of the of the District level Committee (DLC) addressed letters to the O/o. the Superintendent of Police, Department of Fisheries and Department of Mines and Geology on 13.09.2023 for taking necessary action. The copies of the letters are herewith submitted as annexure-E.
8. Further, it is to submit that as per the G. O. Rt. No. 32, dated 22.05.2023, the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District has to identify violations of the provisions of the CRZ Notification and to make appropriate recommendations to the APCZMA for taking further necessary action on the identified violations. Accordingly, the APCZMA will take further necessary action in the matter.


Member Secretary
APCZMA & APPCB
C.M.

Item No.06:

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

(Through Video Conference)

Miscellaneous Application No. 03 of 2023(SZ)

in

Original Application No. 91 of 2020 (SZ)

IN THE MATTER OF:

Venkatapathi Raja Yenumula,
Andhra Pradesh.

...Applicant(s)

Versus

Union of India,
Rep. by its Secretary,
MoEF&CC, New Delhi and Ors.

...Respondent(s)

Date of hearing: 08.09.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Sravan Kumar.

For Respondent(s): Mr. G.M. Syed Nurullah Sheriff for R1.
Mr. Basu represented
Mrs. Madhuri Donti Reddy for R4 to R7, R9 to R16.
Mr. R. Thirunavukarasu for R8.

ORDER

1. Today, the reports of Respondents No.5, 13 and 14 are filed.
2. The reports of the Andhra Pradesh Pollution Control Board, Andhra Pradesh State Coastal Zone Management Authority and the Coastal Aquaculture Authority are yet to be filed.
3. Let the above mentioned authorities file their respective reports within 2 (Two) weeks.
4. Post the matter on 25.09.2023 for final hearing.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

M.A. No.03/2023 (SZ) in
O.A. No.91/2020 (SZ)
08th September 2023. Mn.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

E.F.S.&T. Department - APCZMA - Committees - Constitution of District Level Committees (DLCs) in the Coastal Districts of Andhra Pradesh in accordance with CRZ Notification 2011 - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.1) DEPARTMENT

G.O.Rt.No.135

Dated:21.12.2022.

Read:-

From the Member Secretary, APCZMA, Vijayawada, Lr.No.6/CRZ/EFS&T/2021,
Dated : 01.12.2022.

&&&&&

In the letter read above, the Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada has stated that as per para 6 (c) of the CRZ Notification, 2011, District Level Committees (DLCs) are to be reconstituted in the coastal districts of Andhra Pradesh. He has also stated that the Ministry of Environment, Forest & Climate Change (CRZ) has directed all the Coastal States in this regard.

2. The Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada has requested the Government to constitute District Level Committees for the 13 Coastal Districts of Andhra Pradesh, i.e., (1) Srikakulam District; (2) Vizianagaram District; (3) Visakhapatnam District; (4) Anakapalli District; (5) Kakinada District; (6) Konaseema District; (7) West Godavari District; (8) Eluru District; (9) Krishna District; (10) Bapatla District; (11) Prakasam District; (12) Nellore District; (13) Tirupathi District under the Chairmanship of Collector & District Magistrate containing atleast 3 representatives of local traditional coastal communities including fisher folk.

3. Government, after careful examination of the matter, here by constitute District Level Committees for the following 13 Coastal Districts of Andhra Pradesh as per para 6 (c) of the CRZ Notification, 2011 under the chairmanship of the concerned Collector & District Magistrate with the following composition:

1	Collector & District Magistrate	Chairman
2	District Panchayat Officer	Member
3	Municipal Commissioners of coastal towns concerned	Member
4	VC & MD of Urban Development Authority with coastal jurisdictions	Member
5	Assistant Director, Fisheries	Member
6	Regional Officer, APPCB	Member - Convenor
7	Representatives from local communities (to be decided by the Collector & District Magistrate)	3 Members

4. The Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada and the District Collectors shall take further action in the matter.

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

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Member Secretary, A.P. Coastal Zone Management Authority, Vijayawada.
The District Collectors of coastal districts.

Copy to:

The PS to M. (Energy, EFS&T, M&G).

The PS to Spl. CS (EFS&T).

SF / SC (Computer No. 1930107).

// FORWARDED::BY ORDER //

SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

E.F.S. & T. Department – APCZMA – District Level Committees (DLCs) in the Coastal Districts of Andhra Pradesh in accordance with CRZ Notification 2011 – Functions of District Level Committees – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.VI) DEPARTMENT

G.O.Rt.No.32

Dated:22.05.2023

Read the following:-

1. G.O.Rt.No.135, EFS&T (Sec.I) Dept., dated 21.12.2022.
2. From the Member Secretary, APCZMA, Lr.No.11/APCZMA/ DLCs/ 2022-865, dt.18.01.2023.

&&&&

ORDER:

In the G.O. 1st read above, orders have been issued constituting District Level Committees (DLCs) in all the 13 Coastal Districts of Andhra Pradesh, with the following composition:

1.	Collector & District Magistrate	Chairman
2.	District Panchayat Officer	Member
3.	Municipal Commissioners of coastal towns concerned	Member
4.	VC & MD of Urban Development Authority with coastal jurisdictions	Member
5.	Assistant Director, Fisheries	Member
6.	Regional Officer, APPCB	Member – Convenor
7.	Representatives from local communities (to be decided by the Collector & District Magistrate)	3 Members

2. In the letter 2nd read above, the Member Secretary, APCZMA, as per the decision taken by the APCZMA in its meeting held on 24.12.2022 at Vijayawada, has sent a proposal to Government to issue orders clearly stipulating the functions of the DLCs as provided in the CRZ notification, 2011 for effective functioning of the DLCs.

3. Government, after careful examination of the matter, hereby issue orders stipulating the functions of DLCs as provided in the CRZ notification, 2011 for effective functioning of the DLCs as stated below:

- To assist APCZMA in enforcement of the CRZ Notification as amended from time to time.
- To identify violations of the provisions of the CRZ Notification and to make appropriate recommendations to the APCZMA for taking further necessary action on the identified violations.
- The DLC may be convened as and when necessary as per the approval accorded by the Chairman of the DLC.
- The Member convenor of the DLC shall be responsible (i) convening and conduct of the meetings as per the instructions of the Chairman, DLC (ii) maintaining the records and correspondence of the proceedings of the DLC meetings (iii) submit quarterly reports on the DLC meetings conducted, violations identified and the follow-up action initiated as per the directions of the APCZMA.

4. The Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada shall take further action accordingly.

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

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Chairman, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada.

The Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Vijayawada.

Copy to:-

The Member Secretary, A.P. Pollution Control Board, Vijayawada.


The PS to Hon'ble Minister (E, FS&T, M&G),

The PS to Spl. CS (E, FS&T, M&G),

The PS to Spl. Secy., (EFS&T).

SF/SC

//Forwarded::By Order//


SECTION OFFICER

**Proceedings of the Collector & District Magistrate
Dr.B.R.Ambedkar Konaseema District**

Procd.No. APCZMA/DLC-I/PCB/RO-KKD/2023-288

Date: 23.05.2023

Sub : APCZMA - Constituted District Level Committee (DLC) for Dr.B.R.Ambedkar Konaseema District in accordance with CRZ Notification, 2011 - Orders - Communicated - Reg.

- Ref:**
1. CRZ notification 2011 issued by MoEF & CC, New Delhi vide S.O. 19 (E), dated 06.01.2011.
 2. G.O.Rt.No.135 issued by E.F.S & T Department, Govt of Andhra Pradesh on 21.12.2022.
 3. The Member Secretary, APCZMA, Vijayawada vide Lr.No.11/APCZMA/DLCs/2022-867, Dated: 18.01.2023.
 4. Note orders of the Collector & District Magistrate, Dr.B.R.Ambedkar Konaseema District dt. .03.2023.

1. As per the paragraph 6 (C) of the Coastal Regulation Zone (CRZ) Notification, 2011, dated 06.01.2011, the State Government is primarily responsible for enforcing and monitoring of the provisions of the notification and the State Government shall constitute District Level Committees (DLCs) under the Chairmanship of the Collector & District Magistrate of the concerned District containing at least 3 representatives of local traditional coastal communities including fisher folk.
2. The Environment Forest Science & Technology Department, Govt. of Andhra Pradesh, vide G.O. Rt. No. 135, Dt: 21.12.2022 has constituted District Level Committees (DLCs) in all the reconstituted 13 Coastal Districts of Andhra Pradesh as per Para 6 (C) of the CRZ Notification, 2011 under the chairmanship of the Collector & District Magistrate with the following.

1.	Collector & District Magistrate,	Chairman
2.	District Panchayat Officer,	Member
3.	Municipal Commissioner,	Member
4.	VC & MD Of Urban Development Authority with coastal jurisdictions.	Member
5.	Assistant Director, Fisheries,	Member
6.	Regional Officer, APPCB	Member - Convenor
7.	Representatives from local communities (to be decided by the Collector & District Magistrate)	3 Members

3. In compliance to the G.O.Rt.No.135 of E.F.S: & T Department, Govt of Andhra Pradesh on 21.12.2022, and the Member Secretary, APCZMA letter dated 18.01.2023, the Collector & District Magistrate, Dr.B.R.Ambedkar Konaseema District, the District Level Committee for Dr.B.R.Ambedkar Konaseema District as per Para 6 (C) of the CRZ Notification, 2011 is hereby constituted with the following members:

1.	Collector & District Magistrate, Dr.B.R.Ambedkar Konaseema District	Chairman
2.	District Panchayat Officer, Dr.B.R.Ambedkar Konaseema District	Member
3.	Municipal Commissioner, Amalapuram	Member
4.	Regional Deputy Director of Town & Country Planning, Rajamahendravaram	Member

	(As no Urban Development Authority existing)	
5.	Joint Director of Fisheries, Amalapuram	Member
6.	Regional Officer, APPCB, Kakinada	Member - Convenor
7.	Sri Pemmada Babu Rao, S/o. Govinda Raju, Bhairavapalem.	Member
8.	Sri Oleti Satish, S/o. Sathi Raju Balusatippa.	Member
9.	Sri Sangani Pothuraju, S/o. Sathi Raju, Gachakayalapara.	Member

The District Level Committee (DLC) shall discuss on CRZ matters at District Level and follow the instructions of the Andhra Pradesh Coastal Zone Management Authority (APCZMA), Andhra Pradesh, Ministry of Environment Forests & Climate Change (MoEF & CC), Govt of India time to time.

Sd/-

Collector & District Magistrate
Dr.B.R.Ambedkar Konaseema District

To
District Panchayat Officer, Dr.B.R.Ambedkar Konaseema District,
Municipal Commissioner, Amalapuram,
Regional Deputy Director of Town & Country Planning, Rajamahendravaram,
Joint Director of Fisheries, Amalapuram,
Sri Pemmada Babu Rao, S/o. Govinda Raju, Bhairavapalem,
Sri Oleti Satish, S/o. Sathi Raju Balusatippa,
Sri Sangani Pothuraju, S/o. Sathi Raju, Gachakayalapara.

//t.c.f.b.o//

Nawrudhi Asatok

ENVIRONMENTAL ENGINEER

o/c



Andhra Pradesh Coastal Zone Management Authority
(APCZMA), Andhra Pradesh
Ministry of Environment Forests & Climate Change
Government of India
Paryavaran Bhavan, APIIC Colony Road, Gurunanak Colony,
Autonagar, Vijayawada-520007



Letter No. OA No. 91 of 2020/APCZMA/Legal/2020- 324

Date:20.07.2023

From
The Member Secretary
APCZMA,
Vijayawada, A.P.

To
The Collector & District Magistrate,
Chairman of District Level Committee,
Dr. B. R. Ambedkar Konaseema District.

Sir,

Sub : CRZ - APCZMA –M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ) in the Hon'ble NGT, Chennai filed by Sri Venkatapathi Yenumula Raju, S/o Venkatratnam, Dr. B.R. Ambedkar Konaseema District against massive illegal aqua ponds, illegal beach sand mining, damage caused to coastal area and resulting flooding adjoining villages of Pallipalem village, Antravedi Devasthanam and other villages in Malkipuram and Sakhinetipalli mandals of Dr. B.R. Ambedkar Konaseema District– Status report - Requested– Reg.

Ref : 1) Hon'ble NGT, Chennai order in OA. No. 91 of 2020 dated 08.07.2022.
2) Hon'ble NGT, Chennai M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ) received from Hon'ble NGT to APPCB on 16.05.2023.
3) Hon'ble NGT, Chennai M.A No. 3 of 2023 (SZ) in O.A. No. 91 of 2020(SZ) Order dated 30.05.2023.

It is to inform that, Sri Venkatapathi Raja Yenumula of H.No. 2-232. Kesavadasupalem Razolu Taluka, Sakhinetipalli Mandal, East Godavari District, Andhra Pradesh has filed an Original Application No. 91 of 2020 in the Hon'ble National Green Tribunal, Southern Zone, Chennai (Sothern Bench). The main contention of the application is that along the coastal stretch of Bay of Bengal touching the adjoining villages of Pallipalem, Gogunnamatam of Rajole Mandalam, Kesavadasupalem, Chintalamori, Sankaraguptam, Padmatipalem, Turpupalem, Gollapalem, Karavaka, Kesinipally in Malikipuram and Sakhinetipalli mandals of East Godavari District of Andhra Pradesh, there are large scale illegal beach sand mining is undertaken. The applicant also stated that apart from this there are shrimp farms (Aqua farms) being conducted along the beach without getting any necessary permission or clearances from the respective departments.

The Hon'ble NGT, Southern Zone, Chennai (Sothern Bench) in the matter of Original Application No. 91 of 2020 (SZ) vide order dated 01.07.2020 has constituted a Joint Committee and the Committee filed the report on 23.03.2021 to the Hon'ble NGT.

The applicant filed objections to the Joint Committee in the form of reply wherein he had pointed out the various irregularities in not carrying out the directions issued by this Tribunal in respect of sand mining and aquaculture activities and also the directions of the Hon`ble Apex Court and requested Tribunal to issue further directions as follows:

- A. Direct the Chief Secretary of Andhra Pradesh to make the District Administration accountable for the implementation of the directions passed by this Hon`ble Tribunal in the present case as well as earlier judgments,
- B. Direct the Joint Inspection Committee to assess the damage caused to sand mounds in East Godavari district and its effects on coastal villages in the region.

The Hon`ble NGT disposed the application of O.A. No. 91 of 2020(SZ) vide order dated 18.07.2022 with the direction that "the Coastal Zone Management Authority and the Fisheries Department, the Aqua Culture Authority and Director of Mines, Andhra Pradesh State Pollution Control Board are directed to take steps to recover the environmental compensation from those persons who are involved in unauthorized aqua culture activity without obtaining permission or license and conducting illegal sea sand mining activities in the coastal zone, apart from initiating prosecution and seizure of vehicles as done by them as huge amount is lost to the Government on account of such illegal activity and such persons should be dealt with in accordance with law as damage caused to environment including its cost of restoration has to be recovered from them by imposing environmental compensation taking into those aspects as well. When vehicles are seized by the authority, then they are directed to strictly follow the direction given by the Principal Bench to insist for deposit of 50 per cent of market value of the vehicle seized while releasing the vehicle".

The petitioner in O.A.No.91 of 2020 has filed M.A No. 3 of 2023 (SZ) in O.A.No.91 of 2020 (SZ) to implement the order dated 18.07.2022. The prayers of the Appellant in M.A No. 3 of 2023 (SZ) in O.A.No.91 of 2020 (SZ) are:

- i. Take action according to the Section 26 to 28 of the National Green Tribunal Act, 2010 against the violators of for non compliance and willful disobedience of the Judgment dated 18.07.2022 passed by Hon`ble Tribunal in O.A.No.91 of 2020,
- ii. Direct the respondent authorities to fix the responsibility for noncompliance of the judgment passed by Hon`ble Tribunal.
- iii. Impose exemplary penalty on the violations for violating the judgment of the Hon`ble Tribunal as per section 24 of NGT Act 2010.

The Hon`ble NGT vide order dated 30.05.2023 (uploaded in the website on 23-06-2023), adjourned the case to 28.07.2023.

Further it is to submit that the EFS&T (SEC.I) Dept., Govt. of A.P., vide G. O. Rt. No. 135, dated. 21.12.2022 constituted DLCs, as per the provisions of CRZ Notification 2011. The concerned Collector & District Magistrate is the Chairman and the Regional Officer, APPCB is the Member Convenor of the of the District level Committee (DLC). The

Government vide G. O. Rt. No. 32, dated 22.05.2023, issued orders stipulating the functions of the DLCs as provided in the CRZ notification, 2011 for effective functioning of DLCs as stated below:

- a) To assist APCZMA in enforcement of the CRZ Notification as amended from time to time.
- b) To identify violations of the provisions of the CRZ Notification and to make appropriate recommendations to the APCZMA for taking further necessary action on the identified violations.
- c) The DLC may be convened as and when necessary as per the approval accorded by the Chairman of the DLC.
- d) The Member convener of the DLC shall be responsible (i) convening and conduct of the meetings as per the instructions of the chairman, DLC (ii) maintaining the records and correspondence of the proceedings of the DLC meetings (iii) submit quarterly reports on the DLC meetings conducted, violations identified and the follow-up action initiated as per the directions of the APCZMA.

The Collector & District Magistrate, Chairman of the District level Committee (DLC) constituted District Level Committee vide orders dated 12.05.2023 for Dr. B. R. Ambedkar Konaseema District in accordance with the CRZ notification, 2011.

In view of the M.A No. 3 of 2023 (SZ) order in O.A.No.91 of 2020 (SZ) filed by the Appellant regarding implementation of the Hon'ble NGT order dated 18.07.2022, the Collector & District Magistrate, Chairman of District Level Committee, Dr. B.R. Ambedkar Konaseema District is requested to review with the concerned Stakeholder Departments in District Level Committee and furnish appropriate recommendations along with the *details of the unauthorized aquaculture units carried out operations without obtaining permission or license and illegal sea sand mining units in the coastal zone* identified for causing damage to the Environment to the Member Secretary, APCZMA, for taking further action.

Yours faithfully,



Member Secretary
APCZMA & APPCB

Copy to the Environmental Engineer, APPCB, Regional Office, Kakinada Member Convenor for District Level Committee of Dr. B.R. Ambedkar Konaseema District is requested to pursue with the Collector & District Magistrate, Dr. B.R. Ambedkar Konaseema District for submission of report to APCZMA.

MINUTES OF THE DISTRICT LEVEL COMMITTEES (DLC) MEETING HELD ON 31.08.2023 AT 10.30 AM AT O/o THE COLLECTOR & DISTRICT MAGISTRATE, DR. B.R. AMBEDKAR KONASEEMA DISTRICT, AMALAPURAM.

The following members of the District Level Committee attended the Meeting:

- | | | |
|---|---|-------------------|
| 1. The Collector & District Magistrate,
Dr.B.R.Ambedkar Konaseema District | - | Chairman |
| 2. District Panchayat Officer,
Dr.B.R.Ambedkar Konaseema District | - | Member |
| 3. Municipal Commissioner, Amalapuram | - | Member |
| 4. Assistant Deputy Director of Town &
Country Planning., Rajamahendravaram
(As no Urban Development Authority
existing) | - | Member |
| 5. Joint Director of Fisheries, Amalapuram | - | Member |
| 6. Regional Officer, APPCB, Kakinada | - | Member – Convener |
| 7. Sri Pemmada Babu Rao, S/o. Govinda
Raju, Bhairavapalem. | - | Member |
| 8. Sri Oleti Satish, S/o. Sathi Raju
Balusatippa. | - | Member |
| 9. Sri Sangani Pothuraju, S/o. Sathi Raju,
Gachakayalapara. | - | Member |

At the outset, the Collector and District Magistrate, Chairman of the District Level Committee, Dr.B.R.Ambedkar Konaseema District has welcomed all the members of the Committee and directed the EE, RO, APPCB to brief the members on the purpose of the meeting.

The EE, RO, APPCB has submitted that District Level Committee was constituted by the Collector & District Magistrate, Dr.B.R. Ambedkar Konaseema District in obedience of the G.O.Rt.No.135, dated 21.12.2022, EFS&T Dept., GoAP, relating to the CRZ notification, 2011. He further briefly explained about Hon'ble NGT order dated 18.07.2022 in O.A. No. 91 of 2020(SZ) filed by Sri Venkatapathi Yenumula Raju, S/o Venkatratnam, Dr. B.R. Ambedkar Konaseema District against illegal aqua ponds, illegal beach sand mining in the villages of Pallipalem village, Gogunnamatam of Razole Mandal and other villages in Malikipuram and Sakhinetipalli mandals of Dr. B.R. Ambedkar Konaseema District. He informed that the APCZMA, Vijayawada addressed letter to conduct the DLC meeting and to review with the concerned stakeholder departments in connection with O.A. No. 91 of 2020(SZ).

The collector & District Magistrate has explained the members about the directions of the Hon'ble NGT order dated 18.07.2022 in O.A.No. 91 of 2020(SZ).

46 (I) *Andhra Pradesh Aqua Culture Authority, Fisheries Department and the District Collector of the respective Districts are directed to take appropriate action against those persons who are operating illegal/unauthorised aqua culture farms in the Coastal Zones or other areas without obtaining necessary permission or license from the respective authorities including removal of those units, disconnection of electricity, if any, given, imposing environmental compensation and initiating prosecution as has been directed by the Special Bench in Mr. A. Paramasivan vs. TNPCB, Chennai & Ors.-O.A. No. 82 of 2016 and connected matters.*

Action: The committee opined to direct the JD, fisheries to conduct resurvey of entire coastal area as alleged in O.A.No.91 of 2020, to be carrying the unauthorised aqua culture farms and to categorize the illegal farms in violation of CRZ and illegal farms in violation of Coastal Aquaculture Act. The JD, fisheries is also directed to implement disconnection of power supply orders to the illegal farms.

46 (II) *The Department of Mines and Geology and the Andhra Pradesh Pollution Control Board, State Coastal Zone Authority and the District Collector of the respective districts are directed to monitor illegal sea shore sand mining and take action against those persons who are committing such mischief strictly in accordance with law including imposition of environmental compensation for illegal sand mining conducted in those prohibited areas apart from initiating prosecution and recovery of penalties provided under the respective mining rules.*

Action: The committee opined to direct the Mines & Geology and Special Enforcement Bureau to monitor illegal sea shore sand mining and to take necessary action.

46 (III) *The Mines and Geology Department and the State Coastal Zone Management Authority are directed to implement the directions issued by this Tribunal in respect of removal of sand bars in various decisions including Janajagriti Samithi vs. Union of India & Ors.-O.A. No. 26 of 2013 and connected cases and Gutha Gunasekhar and Ors. vs. Union of India and Ors.-O.A. No. 137 of 2021 and strictly adhere to the sustainable sand mining policy of 2016 and Regulation of Maintenance and Enforcement of Guidelines, 2020 issued by MoEF&CC in respect of these aspects.*

Action: The committee opined to direct Mines & Geology Department to take necessary action.

46 (VI) *The Coastal Zone Management Authority and the Fisheries Department, the Aqua Culture Authority and Director of Mines, Andhra Pradesh State Pollution Control Board are directed to take steps to recover the environmental compensation from those persons who are involved in unauthorised aqua culture activity without obtaining permission or license and conducting illegal sea sand mining activities in the coastal zone, apart from initiating prosecution and seizure of vehicles as done by them as huge amount is lost to the Government on account of such illegal activity and such persons should be dealt with in accordance with law as damage caused to environment including its cost of restoration has to be recovered from them by imposing environmental.*

Action: The committee opined to direct the JD, fisheries to take steps to levy penalty to those persons who are involved in unauthorised aqua. culture activity without obtaining permission or license.

While concluding the meeting, the Collector & District Magistrate, and the Chairman of the District Level Committee directed the Fisheries Department and Department of Mines & Geology to take necessary action.

[Signature]
Environmental Engineer,
A.P. Pollution Control Board
Regional Office, Kakinada,

[Signature]
Collector and District Magistrate,
Chairman of the District Level Committee, (2/5)
Dr.B.R.Ambedkar Konaseema District.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE
Plot No.2, IDA, RAMANAYYAPET, KAKINADA-533005



Bh.L. Sundeep Reddy,
Environmental Engineer.

Ph: 0884 -2374066
E-mail:rokkd-ee1@appcb.gov.in
Website:appcb.ap.nic.in.

Lr.No.1/APCZMA/DLC/RO-KKD/2023- 988

Date: 13 .09.2023

To
Addl. Superintendent of Police (SEB),
O/o The Superintendent of Police,
S.S. Naidu Layout,
Amalapuram,
Dr. B.R. Ambedkar Konaseema District

Sir,

Sub:- DLC committee constitution in accordance with CRZ Notification, 2011 - Meeting conducted on 31.08.2023 - Implementation of Hon'ble NGT order in O.A.No.91 of 2020 filed by Sri Venkatapathi Yenumula Raju and Ors, S/o Venkatratnam, Dr. B.R. Ambedkar Konaseema District against large scale illegal shrimp farms & sand mining in Dr. B.R. Ambedkar Konaseema District - Recommendation of the committee - Letter to the Special Enforcement Bureau department to take necessary action - Reg.

- Ref:-**
1. Hon'ble NGT order in O.A.No.91 of 2020 dated 18.07.2022.
 2. Committee constituted Procd. No. APCZMA/DLC-I/PCB/RO-KKD/2023-255, dated 17.05.2023.
 3. APCZMA Lr.No.O.A.No. 91 of 2020/APCZMA/Legal/2020, dated 20.07.2023.
 4. DLC meeting held on 31.08.2023.

Your kind attention is invited to the reference 1st cited, regarding the Hon'ble NGT order dated 18.07.2022 in O.A. No. 91 of 2020(SZ) regarding the illegal shrimp farms & sand mining in the villages of Pallipalem village, Gogunnamatam of Razole Mandal and other villages in Malikipuram and Sakhinetipalli mandals of Dr. B.R. Ambedkar Konaseema District.

Vide reference 2nd cited, the District Level Committee (DLC) was constituted for Dr. B.R. Ambedkar Konaseema District in accordance with CRZ Notification, 2011.

Vide reference 3rd cited, APCZMA addressed letter to conduct the DLC meeting and to review with the concerned stakeholder departments in connection with O.A. No. 91 of 2020(SZ).

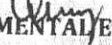
Vide reference 4th cited, DLC meeting was conducted on 31.08.2023 and the committee recommended to address the Mines & Geology department & Special Enforcement Bureau, Dr. B.R. Ambedkar Konaseema District for monitoring illegal sea shore sand mining and

implementation of the Hon'ble NGT directions (para no. 46 (II)) vide order dated 18.07.2022. (Order enclosed).

In this regard, the Special Enforcement Bureau is directed to monitor illegal sea shore sand mining as alleged in O.A.No.91 of 2020.

Sd/-
COLLECTOR & DISTRICT MAGISTRATE
CHAIRMAN OF THE DLC
DR. B.R. AMBEDKAR KONASEEMA DISTRICT
AMALAPURAM

//T.C.F.B.O//


ENVIRONMENTAL ENGINEER
APPCB, REGIONAL OFFICE, KAKINADA
MEMBER CONVENER, DLC



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE
Plot No.2, IDA, RAMANAYYAPET, KAKINADA-533005



Bh.L. Sundeep Reddy,
Environmental Engineer.

Ph: 0884-2374066
E-mail: rokhd-ee1@appcb.gov.in
Website: appcb.ap.nic.in

Lr.No.1/APCZMA/DLC/RO-KKD/2023-988

Date: 13.09.2023

To
The District Mines & Geology Officer,
District Mines & Geology Office,
AIMS Engineering College,
Government Offices Complex,
2nd floor, Mummidiavaram,
Dr. B.R. Ambedkar Konaseema District.

Sir,

Sub:- DLC committee constitution in accordance with CRZ Notification, 2011 - Meeting conducted on 31.08.2023 - Implementation of Hon'ble NGT order in O.A.No.91 of 2020 filed by Sri Venkatapathi Yenumula Raju and Ors, S/o Venkatratnam, Dr. B.R. Ambedkar Konaseema District against large scale illegal shrimp farms & sand mining in Dr. B.R. Ambedkar Konaseema District - Recommendation of the committee - Letter to the Mines & Geology department to take necessary action - Reg.

- Ref:-**
1. Hon'ble NGT order in O.A.No.91 of 2020 dated 18.07.2022.
 2. Committee constituted Procd. No. APCZMA/DLC-I/PCB/RO-KKD/2023-255, dated 17.05.2023.
 3. APCZMA Lr.No.O.A.No. 91 of 2020/APCZMA/Legal/2020, dated 20.07.2023.
 4. DLC meeting held on 31.08.2023.

Your kind attention is invited to the reference 1st cited, regarding the Hon'ble NGT order dated 18.07.2022 in O.A. No. 91 of 2020(SZ) regarding the illegal shrimp farms & sand mining in the villages of Pallipalem village, Gogunnamatam of Razole Mandal and other villages in Malikipuram and Sakhinetipalli mandals of Dr. B.R. Ambedkar Konaseema District.

Vide reference 2nd cited, the District Level Committee (DLC) was constituted for Dr. B.R. Ambedkar Konaseema District in accordance with CRZ Notification, 2011.

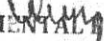
Vide reference 3rd cited, APCZMA addressed letter to conduct the DLC meeting and to review with the concerned stakeholder departments in connection with O.A. No. 91 of 2020(SZ).

Vide reference 4th cited, DLC meeting was conducted on 31.08.2023 and the committee recommended to address the Mines & Geology department, Dr. B.R. Ambedkar Konaseema District for monitoring illegal sea shore sand mining and implementation of the Hon'ble NGT directions (para no. 46 (II & III)) vide order dated 18.07.2022. (Order enclosed).

In this regard, the Mines & Geology is directed to monitor illegal sea shore sand mining as alleged in O.A.No.91 of 2020.

Sd/-
COLLECTOR & DISTRICT MAGISTRATE
CHAIRMAN OF THE DLC
DR. B.R. AMBEDKAR KONASEEMA DISTRICT
AMALAPURAM

//T.C.F.B.O//


ENVIRONMENTAL ENGINEER
APPCB, REGIONAL OFFICE, KAKINADA
MEMBER CONVENER, DLC



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE
Plot No.2, IDA, RAMANAYYAPET, KAKINADA-533005



Bh.L. Sundeep Reddy,
Environmental Engineer.

Ph: 0884 -2374066
E-mail:rokkd-ee1@appcb.gov.in
Website:appcb.ap.nic.in.

Lr.No.1/APCZMA/DLC/RO-KKD/2023-988

Date: 13.09.2023

To
The Joint Director,
Fisheries Department,
AIMS College,
Mummidiavaram,
Dr. B.R. Ambedkar Konaseema District.

Sir,

Sub:- DLC committee constitution in accordance with CRZ Notification, 2011 - Meeting conducted on 31.08.2023 - Implementation of Hon'ble NGT order in O.A.No.91 of 2020 filed by Sri Venkatapathi Yenumula Raju and Ors, S/o Venkatratnam, Dr. B.R. Ambedkar Konaseema District against large scale illegal shrimp farms & sand mining in Dr. B.R. Ambedkar Konaseema District - Recommendation of the committee - Letter to the fisheries department to take necessary action - Reg.

- Ref:-**
1. Hon'ble NGT order in O.A.No.91 of 2020 dated 18.07.2022.
 2. Committee constituted Procd. No. APCZMA/DLC-I/PCB/RO-KKD/2023-255, dated 17.05.2023.
 3. APCZMA Lr.No.O.A.No. 91 of 2020/APCZMA/Legal/2020, dated 20.07.2023.
 4. DLC meeting held on 31.08.2023.

Your kind attention is invited to the reference 1st cited, regarding the Hon'ble NGT order dated 18.07.2022 in O.A. No. 91 of 2020(SZ) regarding the illegal shrimp farms & sand mining in the villages of Pallipalem village, Gogunnamatam of Razole Mandal and other villages in Malikipuram and Sakhinetipalli mandals of Dr. B.R. Ambedkar Konaseema District.

Vide reference 2nd cited, the District Level Committee (DLC) was constituted for Dr. B.R.Ambedkar Konaseema District in accordance with CRZ Notification, 2011.

Vide reference 3rd cited, APCZMA addressed letter to conduct the DLC meeting and to review with the concerned stakeholder departments in connection with O.A. No. 91 of 2020(SZ)

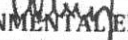
Vide reference 4th cited, DLC meeting was conducted on 31.08.2023 and the committee recommended to address JD, Fisheries for implementation of the Hon'ble NGT directions (para no. 46 (I & VI)) in O.A. No. 91 of 2020(SZ) order dated 18.07.2022. (Order enclosed).

In this regard, the JD, fisheries is directed to conduct resurvey of entire coastal area as alleged in O.A.No.91 of 2020, to be carrying the unauthorised aqua culture farms and to categorize the illegal farms in violation of CRZ and illegal farms in violation of Coastal Aquaculture Act. The JD, fisheries is also directed to implement disconnection of power supply orders to the illegal farms.

Also the JD, fisheries is directed to take steps to levy penalty to those persons who are involved in unauthorised aqua culture activity without obtaining permission or license.

Sd/-
COLLECTOR & DISTRICT MAGISTRATE
CHAIRMAN OF THE DLC
DR. B.R. AMBEDKAR KONASEEMA DISTRICT
AMALAPURAM

//T.C.F.B.O//


ENVIRONMENTAL ENGINEER
APPCB, REGIONAL OFFICE, KAKINADA
MEMBER CONVENER, DLC

GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.VI) DEPARTMENT

Memo No.EFS01-ENV/125/2023-SEC.VI (2089460),

Dt: 05.12.2023

Sub:- E.F.S. & T. Dept. - APCZMA – Authorization to the DLCs to take action in case of violation in CRZ areas - Orders issued.

Ref:- 1) G.O.Rt.No.135, E.F.S. & T. (Sec.I) Dept., dated 21.12.2022.
2) G.O.Rt.No.32, E.F.S. & T. (Sec.VI) Dept., dated 22.05.2023.
3) From Member Secretary, APPCB, Lr.No.11/APCZMA/DLCs/2022-546 dated: 09.10.2023.

&&&&

The attention of the Member Secretary, APPCB, Vijayawada is invited to the reference 3rd cited wherein he has requested the Government to authorise the District Level Committees (DLCs) to take action in case of violation of CRZ Rules, so as to enable DLCs to take immediate action for CRZ violations.

2. Government after careful examination of the matter and in continuation of the Government Orders issued vide references 1st and 2nd cited, hereby accord approval authorizing the DLCs for immediate action for CRZ violations as under:

a) Appropriate immediate action shall be taken by the DLCs through the concerned department, as in the table below, in respect of any violation of CRZ Rules:

Table: Authorization of various departments to take action against violation cases in CRZ limits

S.No.	Violation in CRZ area	The department that has to take immediate action as per the powers vested with them as per relevant provisions of their Acts and Rules, based on the recommendations of the DLCs
1.	In respect of any kind of construction which are in violation of CRZ rules	Local bodies (as per A.P. Building Rules)
2.	In respect of any forest area, mangrove, eco-sensitive areas, wild life areas	Forest and Wildlife Department.
3.	By Industries	APPCB
4.	Around and in Heritage sites	Archaeological Survey of India / Department of Archaeology and Museums
5.	Aqua culture	Revenue Dept./ Fisheries Department
6.	Illegal mining including sand mining and /or disturbing sand dunes /sand bars etc	Department of Mines and Geology
7.	Other than above	Collector and District Magistrate (Chairman of DLC)

....2/-

-2-

b) Further, the DLCs can also submit report to the APCZMA for taking further action, under Section 5, 10 & 19 of the Environment (Protection) Act, 1986, in addition to the action initiated by them through the concerned department as per tabular statement above. The APCZMA shall examine the same and issue necessary orders.

3. The MS, APPCB & APCZMA shall take further necessary action in the matter accordingly.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The MS, APPCB, Vijayawada
The MS, APCZMA, Vijayawada
The District Collectors of Coastal Districts
Copy to:
The OSD to Hon'ble Minister (EFS&T, M&G)
The PS to Spl. CS to Govt., EFS&T
The PS to Spl. Secy to Govt., EFS&T
SF/SC (Computer No. 2089460)

// FORWARDED:: BY ORDER //


SECTION OFFICER



GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.VI) DEPARTMENT

Memo.No.EFS01-ENV-98/2023/Sec.VI (2070431)-3,

Dt.15.03.2024

Sub: E.F.S.&T. Dept. - Hon'ble NGT (SZ) orders dated:18.07.2022 in OA No.91/2020 - Request for compliance - Reg.

Ref: Hon'ble NGT orders, dated 18.07.2022 in O.A.No.91/2020.

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A copy of the reference cited is sent herewith to the concerned authorities in the address entry, wherein the Hon'ble NGT (SZ) has issued certain directions regarding "illegal beach sand mining and operation of shrimp farms (Aqua farms) along the coastal stretch of Bay of Bengal touching the adjoining villages of the erstwhile East Godavari District of Andhra Pradesh, without getting any necessary permission or clearances from the respective departments" and to strictly comply the statutory provisions, regulating the aquaculture activities and sand mining in coastal zone areas and other areas in accordance with directions issued by the Hon'ble NGT in several matters and also strictly comply with the guidelines issued by the MoEF & CC in this regard as mentioned below:

Sl. No.	Implementing authority/Department	Direction
1.	Andhra Pradesh Aqua Culture Authority, Fisheries Department and the District Collector, Kakinada/BR Ambedkar Konaseema District	To take appropriate action against those persons who are operating illegal/unauthorized aqua culture farms in the Coastal Zones or other areas without obtaining necessary permission or license from the respective authorities including removal of those units, disconnection of electricity, if any, given, imposing environmental compensation and initiating prosecution as has been directed by the Special Bench in Mr. A. Paramasivan vs. TNPCB, Chennai & Ors.-O.A. No. 82 of 2016 and connected matters.
2.	The Department of Mines and Geology; the Andhra Pradesh Pollution Control Board,; State Coastal Zone Authority and the District Collector Kakinada/BR Ambedkar Konaseema District District Collector Kakinada/BR Ambedkar Konaseema District	To monitor illegal sea shore sand mining and take action against those persons who are committing such mischief strictly in accordance with law including imposition of environmental compensation for illegal sand mining conducted in those prohibited areas apart from initiating prosecution and recovery of penalties provided under the respective mining rules.
3.	The Mines and Geology Department and the State Coastal Zone Management Authority	To implement the directions issued by this Tribunal in respect of removal of sand bars in various decisions including Janajagriti Samithi vs. Union of India & Ors.-O.A. No. 26 of 2013 and connected cases and Gutha Gunasekhar and Ors. vs. Union of India and Ors.-O.A. No. 137 of 2021 and strictly adhere to the sustainable sand mining policy of 2016 and Regulation of Maintenance and Enforcement of Guidelines, 2020 issued by MoEF & CC in respect of these aspects.

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Sl. No.	Implementing authority/Department	Direction
4.	The Andhra Pradesh Pollution Control Board	To take appropriate action against those persons, who are responsible for causing pollution to the water, soil and air by conducting such illegal activities by taking action including imposition of environmental compensation and initiating prosecution apart from taking other actions as provided under the respective statutes in accordance with law.
5.	The A.P. Coastal Zone Management Authority the Fisheries Department, the Aqua Culture Authority and Director of Mines, Andhra Pradesh State Pollution Control Board	To take steps to recover the environmental compensation from those persons who are involved in unauthorised aqua culture activity without obtaining permission or license and conducting illegal sea sand mining activities in the coastal zone, apart from initiating prosecution and seizure of vehicles as done by them as huge amount is lost to the Government on account of such illegal activity and such persons should be dealt with in accordance with law as damage caused to environment including its cost of restoration has to be recovered from them by imposing environmental compensation taking into those aspects as well. When vehicles are seized by the authority, then they are directed to strictly follow the direction given by the Principal Bench to insist for deposit of 50 percent of market value of the vehicle seized while releasing the vehicle

3. They are, therefore, requested to take necessary action in the matter and submit report of action taken.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Fisheries/Member-Convenor,
Andhra Pradesh Aquaculture Development Authority,
Poranki, Vijayawada. (w.e.)
The Collector & District Magistrate, Kakinada District. (w.e.)
The Collector & District Magistrate,
Dr. B.R. Ambedkar Konaseema District. (w.e.)
The Director of Mines and Geology, Vijayawada. (w.e.)
The Member Secretary, APPCB, Vijayawada. (w.e.)
The Member Secretary, APCZMA, Vijayawada. (w.e.)

// FORWARDED:: BY ORDER //


SECTION OFFICER



Andhra Pradesh Coastal Zone Management Authority (APCZMA),
Andhra Pradesh
Ministry of Environment Forests & Climate Change
Government of India
Paryavaran Bhavan, APIIC Colony Road, Gurunanak Colony,
Autonagar, Vijayawada-520007



Letter No. 11/APCZMA/DLCs/2022-

Dated: 08.05.2024

From The Member Secretary APCZMA, Vijayawada, A.P.	To 1) The District Collector, Srikakulam District; 2) The District Collector, Vizianagaram District; 3) The District Collector, Visakhapatnam District; 4) The District Collector, Anakapalli District; 5) The District Collector, Kakinada District; 6) The District Collector, Dr. B R Ambedkar Konaseema District; 7) The District Collector, West Godavari District; 8) The District Collector, Eluru District; 9) The District Collector, Krishna District; 10) The District Collector, Bapatla District; 11) The District Collector, Prakasam District; 12) The District Collector, SPSR Nellore District; 13) The District Collector, Tirupathi District
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Sir,

Sub : APCZMA - EFS&T Dept. - Authorization to the DLCs - Hon'ble NGT (SZ) order dated 18.07.2022 in OA No. 91 of 2020 - Communicated for report - Reg.

Ref :

1. G.O.Rt. No. 135, E.F.S. & T. (Sec.I) Dept., dated 21.12.2022.
2. G.O.Rt. No. 32, E.F.S. & T. (Sec.VI) Dept., dated 22.05.2023.
3. Hon'ble NGT (SZ) order dated 18.07.2022 in OA No. 91 of 2020.
4. Memo No. EFS01-ENV-98/2023-SEC.VI (2070431)-3, dt. 15.03.2024.

You are aware that the APCZMA has communicated the various orders issued by the Environment Forest Science & Technology (EFS&T) Department with respect to constitution, functions and authorization of District Level Committees (DLCs) to deal with the applicants who have violated the provisions under CRZ Rules; vide references 1st and 2nd cited.

In continuation of the above, the EFS&T Department vide reference 4th cited issued a memo dt. 15.03.2024 with respect to directions issued by the Hon'ble NGT (SZ)

vide order dated 18.07.2022 in OA No. 91 of 2020 regarding "illegal beach sand mining and operation of shrimp farms (Aqua farms) along the coastal stretch of Bay of Bengal touching the adjoining villages of the erstwhile East Godavari District of Andhra Pradesh, without getting any necessary permission or clearances from the respective departments" and to strictly comply the statutory provisions, regulating the aquaculture activities and sand mining in coastal zone area and other area in accordance with directions issued by the Hon'ble NGT in several matters and also strictly comply the guidelines issued by the MoEF&CC vide reference 4th cited. A copy of the same is enclosed.

In view of the above, it is requested to verify as per the directions issued by the Hon'ble NGT and communicate the report to the APCZMA, for taking further necessary action.


 Member Secretary
 APPCB & APCZMA
 2/2 9.12

Encl: Memo dated 15.03.2024 issued by EFS&T Dept., Govt. of A.P.

Copy to:

1. The Joint Chief Environmental Engineers, ZO: Vijayawada; ZO: Visakhapatnam.
2. The Environmental Engineers, RO: Srikakulam; RO: Vizianagaram; RO: Vishakhapatnam; RO: Eluru; RO: Vijayawada; RO: Ongole; RO: Prakasam; RO: Nellore and RO: Tirupathi for information and to take necessary action.
3. The Environmental Engineer, RO: Kakinada (Member Convener, DLC- Dr. B R Ambedkar Konaseema District) requested to submit an action taken report in connection with M.A. No. 03 of 2023 in O.A. 91 of 2020 by 20.05.2024 as *Matter stands adjourned to 22.05.2024* as per the Hon'ble NGT Order dated 21.03.2024.

GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.VI) DEPARTMENT

Memo.No.EFS01-ENV-98/2023/Sec.VI (2070431)-3,

Dt.15.03.2024

Sub: E.F.S.&T. Dept. - Hon'ble NGT (SZ) orders dated:18.07.2022 in O.A.No.91/2020 - Request for compliance - Reg.

Ref: Hon'ble NGT orders, dated 18.07.2022 in O.A.No.91/2020.

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	The Department of Mines and Geology; the Andhra Pradesh Pollution Control Board; State Coastal Zone Authority and the District Collector Kakinada/BR Ambedkar Konaseema District Collector Kakinada/BR Ambedkar Konaseema District	To monitor illegal sea shore sand mining and take action against those persons who are committing such mischief strictly in accordance with law including imposition of environmental compensation for illegal sand mining conducted in those prohibited areas apart from initiating prosecution and recovery of penalties provided under the respective mining rules.
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5.	The A.P. Coastal Zone Management Authority the Fisheries Department, the Aqua Culture Authority and Director of Mines, Andhra Pradesh State Pollution Control Board	To take steps to recover the environmental compensation from those persons who are involved in unauthorised aqua culture activity without obtaining permission or license and conducting illegal sea sand mining activities in the coastal zone, apart from initiating prosecution and seizure of vehicles as done by them as huge amount is lost to the Government on account of such illegal activity and such persons should be dealt with in accordance with law as damage caused to environment including its cost of restoration has to be recovered from them by imposing environmental compensation taking into those aspects as well. When vehicles are seized by the authority, then they are directed to strictly follow the direction given by the Principal Bench to insist for deposit of 50 percent of market value of the vehicle seized while releasing the vehicle

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NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Fisheries/Member-Convenor,
Andhra Pradesh Aquaculture Development Authority,
Poranki, Vijayawada. (w.e.)
The Collector & District Magistrate, Kakinada District. (w.e.)
The Collector & District Magistrate,
Dr. B.R. Ambedkar-Konaseema District. (w.e.)
The Director of Mines and Geology, Vijayawada. (w.e.)
The Member Secretary, APPCB, Vijayawada. (w.e.)
The Member Secretary, APCZMA, Vijayawada. (w.e.)

// FORWARDED:: BY ORDER //

(Signature)
SECTION OFFICER

**REPORT IN THE MATTER OF HON'BLE NGT, CHENNAI ORDERS DT. 04.09.2024 IN
M.A. NO. 3 OF 2023(SZ) IN O.A. NO. 91 OF 2020(SZ) FILED BY SRI VENKATAPATHI
YENUMULA RAJU, S/O Y. TIRUPATHIRAO, DR. B.R. AMBEDKAR KONASEEMA
DISTRICT, ANDHRA PRADESH.**

1. Preamble

The Original Application (O.A) No. 91 of 2020 (SZ) was filed by Sri Venkatapathi Yenumula Raju, S/o Y. Tirupathirao, Dr. B.R. Ambedkar Konaseema District in the Hon'ble National Green Tribunal (NGT), Chennai against illegal aqua ponds, illegal beach sand mining, damage caused to coastal area and the damage caused to coastal areas flooding adjoining villages of Pallipalem village, Antravedi Devasthanam and other coastal villages in Malkipuram, Sakhinetipalli and Mamidikuduru mandals of Dr. B.R. Ambedkar Konaseema District.

The Hon'ble NGT vide orders dated 18.07.2022 disposed the case with directions to the regulatory authorities. The petitioner in O.A.No.91 of 2020 has filed M.A No. 3 of 2023 (SZ) in O.A.No.91 of 2020 (SZ) to implement the order dated 18.07.2022.

The Andhra Pradesh Pollution Control Board (APPCB) addressed letter to the JD Fisheries, Dr.B.R. Ambedkar Konaseema District and the Deputy Director, Mines & Geology Department, Kakinada on 26.07.2022, 23.11.2022, 21.02.2023 and 29.03.2023 to take necessary action as per the orders of the Hon'ble NGT in O.A.No.91 of 2020, dated 18.07.2022.

Regarding the illegal beach sand mining the DD, Mines & Geology, Kakinada has addressed letter that 3 vehicles were seized (1-JCB & 2-Tractors). Further, the vehicle owners were issued notices to pay the penalty as per APMMC Rules, 1966 and deposit and 50% of the market value of the said vehicles in the form of bank guarantee. Whereas, the aggrieved approached the Hon'ble High Court and it was informed that as per the Hon'ble High Court directions the DD, Mines & Geology, Kakinada after collecting the penalty from the petitioners, has requested the Station House Officer, Sakhinetipalli to release the vehicles.

The Hon'ble NGT vide orders dated 18.07.2022 directed the APPCB to levy environmental compensation to the illegal aqua culture ponds.

The APPCB filed the report in the Hon'ble NGT dated 08.09.2023 in M.A. NO. 3 OF 2023(SZ) IN O.A. NO. 91 OF 2020(SZ) as follows:

"It is to submit that the Coastal Aqua Culture comes under purview of Coastal Aquaculture Authority. The Statement of Objects and Reasons for the Coastal Aquaculture Authority Act, 2005 (Act No 24 of 2005) states among other things as follows:

"The Supreme Court in Writ Petition (Civil) No. 561 of 1994 has held that aquaculture is an industry and hence it is covered by the prohibition imposed by the sub-paragraph (1) of paragraph 2 of the notification of the Government of India in the Ministry of Environment and Forests (Department of Environment, Forests and Wildlife) No. S.O. 114(E), dated the 19th February, 1991 issued under sub-sections (1) and (2) of Section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986. The Supreme Court has further directed that an Aquaculture Authority shall be established to regulate aquaculture in coastal areas. The intention of the Government was not to treat coastal aquaculture as a prohibited activity within the meaning of the said notification. The effect of this judgment is to close all aquaculture farms, except traditional and improved traditional, in the coastal areas. The activity mainly utilises saline areas along the coastline, which areas are not suitable for other activities and provides employment to approximately three lakh workers. Larger investment of public and private funds has also been made in the farming activity. If these forms are closed down, it may lead to about three lakh workers being rendered unemployed. Hence, it was considered necessary to save the employment of the workers and also the investment already made in this economic activity and to provide for future growth of aquaculture farming in a manner, which is consistent with the requirement of safeguarding the environment. In order to achieve the above objects and to clear all doubts, it was decided to amend the said notification to clarify that aquaculture was not intended to be a prohibited activity within the meaning of that notification".

It is to submit that the Coastal Aquaculture Authority was established under the Coastal Aquaculture Authority Act, 2005 for regulating activities connected with coastal aquaculture in coastal areas and for matters connected therewith or incidental thereto to ensure that coastal aquaculture does not cause any detriment to the coastal environment and the concept of responsible aquaculture is followed.

The CAA Act, 2005 and its amendment in 2023 has been enacted by the Parliament to provide for the regulation of farms alone empowering Coastal Aquaculture Authority to register and regulate coastal aquaculture farms.

The aquaculture ponds are not under the purview of the consent management of the Pollution Control Board and the existing Central Pollution Control Board (CPCB) guidelines on the levy of Environmental Compensation (as per the directions of the Hon'ble NGT, Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.) is for the industries, HCFs etc.,

In view of the above, it is requested to exempt the APPCB from the responsibility of levy of Environmental Compensation to the aquaculture ponds".

The APPCB vide report dt. 08.09.2023 requested the Hon'ble NGT to exempt the APPCB from the responsibility of levy of Environmental Compensation to the aquaculture ponds.

The matter was heard by the Hon'ble NGT on 04.09.2024 and issued orders granting the time till 30.09.2024 to comply with the order and to file their compliance report, failing which, the MoEF&CC will be directed to cause an inspection and find out the reason for the failure of the authorities for not implementing the order. If the order is not complied with, appropriate action will be taken against the concerned officials under Section 26 of the National Green Tribunal Act, 2010. The Hon'ble NGT posted matter on 30.09.2024.

Furtherance to the Hon'ble NGT order dated 04.09.2024, the Collector and District Magistrate Dr.B.R.Ambedkar Konaseema District along with the Joint Collector and the Additional District Magistrate Dr.B.R.Ambedkar Konaseema District convened the meeting on 06.09.2024 with RDO Amalapuram, RDO Ramachandrapuram, JD Fisheries, EE,APPCB, DTO, Royalty Inspector Mines& Geology , MPDO Malkipuram, Sakhinetipalli, AD, Survey land records, EE, APEPDCL Amalapuram, Tahsildars Razole, Malkipuram, Sakhinetipalli, Mandal surveyors sakhinetipalli, DEE drains, Razole, on the directions of the Hon'ble NGT order dt 04.09.2024.


The Collector and District Magistrate Dr.B.R.Ambedkar Konaseema District issued directions that a 5 member team Village surveyor, VRO, Fisheries Assistant, Energy Assistant and with officials from the irrigation department, shall be constituted to visit the aquaculture farms in the coastal villages of mamidikuduru, malkipuram and sakhinetipalli mandals, to verify the details of illegal aquaculture farms.

The Collector and District Magistrate has enquired the Joint Director, Fisheries Department, about the follow up action after the meeting of the District Level Committee held on 31.08.2023. On 31.08.2023, the JD, Fisheries was directed to conduct resurvey of entire coastal area as alleged in O.A.No.91 of 2020, to be carrying the unauthorised aqua culture farms and to categorize the illegal farms in violation of CRZ and illegal farms in violation of Coastal Aquaculture Act. The JD, fisheries is also directed to implement disconnection of power supply orders to the illegal farms. The JD, Fisheries informed that they have identified 406 no of illegal farms and issued notices in the mandals of Malkipuram, Mamidikuduru and Sakhinetipalli.

Further, the APPCB officials inspected the villages in the application for verification of the illegal beach sand mining and illegal aqua farms and found no illegal beach sand mining. However, aqua culture ponds near to coast within the CRZ were observed.

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

Date: 24.09.2024
Place: Kakinada


Environmental Engineer
A.P. Pollution Control Board
Regional Office: Kakinada