

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

Original Application No. 26 of 2024

IN THE MATTER OF:

**NEWS ITEM APPEARING IN THE HINDU DATED 29.10.2023 TITLED
WILL THE TIDE TURN FOR THE SHIP THAT RAN AGROUND IN VIZAG?**

..... Applicant

Vs

**ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY
THROUGH ITS MEMBER SECRETARY & OTHERS**

.... Respondents

REPORT FILED BY THE APCZMA 1st RESPONDENT

DATE - 11.01.2025



**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.

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL Southern
Zone Bench AT CHENNAI**

Original Application No. 26 of 2024 (SZ)
Earlier OA No. 702/2023 (PB)

Andhra Pradesh Coastal Zone Management Authority

... Respondent

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

Date:

Report on the Hon'ble NGT order dated 18.10.2024 in Original Application No. 26 of 2024 (SZ), earlier OA No. 702/2023 (PB) with reference to the News item appeared in "The Hindu" dated 29.10.2023 entitled "will the tide turn for the ship that ran aground in Vizag?"

It is to submit that earlier a Suo-Motu case was filed in Hon'ble NGT, Principal Bench, New Delhi with OA No. 702 of 2023 to the News item appeared in "The Hindu" dated 29.10.2023 entitled "will the tide turn for the ship that ran aground in Vizag?".

In this regard, a report was already filed by Andhra Pradesh Coastal Zone Management Authority (APCZMA) in December, 2023.

The Hon'ble NGT, Principal Bench, New Delhi vide order dated 28.11.2023, transferred the original record of OA No. 702 of 2023 to the Southern Zone Bench, Chennai and directed to list the matter before the Southern Zone Bench, Chennai on 05.01.2024.

The proposal was placed in 59th APCZMA meeting held on 14.11.2023 and after detailed discussions, the Authority decided to seek clarification on the certain points from the proponent. The decision of the APCZMA was communicated to the project proponent vide letter dated 13.12.2023 to submit the above information for further examination of the project proposal. The copy of the APCZMA letter dated 13.12.2023 is submitted at **Annexure-I**.

The Project Proponent vide letter dated 02.02.2024 furnished the reply to the APCZMA letter dated 13.12.2023. The reply is submitted as **Annexure-II**.

As per the order dated 28.11.2023, the case was transferred to the Hon'ble NGT, Southern Zone Bench, Chennai. The OA No. 702 of 2023 is re-numbered as OA No. 26 of 2024 (SZ). The Hon'ble NGT, Southern Zone Bench vide order dated 09.02.2024 stated as following:

"1. The above case has been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.702 of 2023 (PB) based on the news item reported in 'The Hindu' dated 29.10.2023 which has been transferred to this Bench and renumbered as Original Application No.26 of 2024 (SZ).

2. Let notice be issued to the respondents through the Tribunal.

3. *The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondents No.1, 3 and 4.*

4. *Post the matter on 22.03.2024. “*

Copy of the Hon'ble NGT order dated 09.02.2024 is submitted as **Annexure-III**.

Later, case was heard on 06.05.2024, 18.07.2024 and 02.09.2024 in OA No. 26 of 2024. Copies of the orders are submitted as **Annexure-IV**. It is observed that the report of APCZMA was filed. The AP Tourism Department sought time.


The Hon'ble NGT vide order dated 18.10.2024 in OA No. 26 of 2024 (SZ), Chennai directed as following:

- “1. *The Andhra Pradesh Tourism Development Corporation (APTDC) has applied to the Andhra Pradesh Coastal Zone Management Authority (APCZMA) in the month of November, 2023 seeking approval. The APCZMA has sought for instruction on 10 points and the APTDC has reverted to the APCZMA on the same. However, the same is under consideration with the APCZMA.*
2. *So, in the regard, let APCZMA file a report as to the outcome of the application made by the APTDC.*
3. *Post the matter on 10.01.2025.”*

Copy of the order dated 18.10.2024 is submitted as **Annexure-V**.

In this connection, it is to submit that some of the members of APCZMA had resigned from the Authority. Recently, the MoEF&CC, GoI, New Delhi constituted APCZMA vide order No. S.O. 5332 (E) dated 10.12.2024. Copy of the S.O. dated 10.12.2024 is submitted as **Annexure-VI**.

The proposal and the reply furnished by the Andhra Pradesh Tourism Development Corporation (APTDC) will be processed duly placing before the newly constituted APCZMA.


Member Secretary
APCZMA



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. 495/CRZ/Proj/2023-

Dated: 13.12.2023

Sub: APCZMA - CRZ - M/s. Andhra Pradesh Tourism Development Corporation (APTDC) Ltd., Visakhapatnam - Proposal for Creation of Tourism Amenities at MV MAA Ship by APTDC, VMRDA Building, Second floor, C-Block, Siripuram, Visakhapatnam, Andhra Pradesh - CRZ Clearance under the provisions of the CRZ Notification, 2011 - Decision of APCZMA - Communicated - Reg.

Ref: 1) Proposal received from M/s. Andhra Pradesh Tourism Development Corporation (APTDC) Ltd., Visakhapatnam on 20.06.2023.
2) The proposal was placed in APCZMA meeting held on 14.11.2023.

1. M/s. Andhra Pradesh Tourism Development Corporation (APTDC) Ltd., Visakhapatnam has submitted the Proposal for Creation of Tourism Amenities at MV MAA Ship by APTDC, VMRDA Building, Second floor, C-Block, Siripuram, Visakhapatnam, Andhra Pradesh. The project cost is Rs. 394 Lakhs. The project site falls in CRZ - I B & CRZ II as per approved CZMP (Map No. AP 117) and hence, the applicant sought clearance under the provisions of CRZ Notification, 2011. Now, the proposal was placed in 59th APCZMA held on 14.11.2023.
2. The project proponent along with their consultant M/s. SV Enviro labs & Consultants, Visakhapatnam attended the meeting and explained about the proposal as following:
 - a) The General Cargo vessel MV MAA was sailing under the flag of Bangladesh when it ran aground near Visakhapatnam.
 - b) Total area of the site is 5.25 Acres (21216 Sq. m) out of which 0.55Ha (1.35908 Acres) (Shelter belt area given to forest department by Revenue department).
 - c) The proposed project site falls in CRZ - I B & CRZ II as per approved CZMP (Map No. AP 117).
 - d) The break-up of total site area of the project along with CRZ classification is as following:

S. No.	Area under CRZ Zone	Area (Sq. mtr.)
1	CRZ II	22,891.687
2	CRZ IB	847.00

- e) Latitude and Longitude details of the project are 17° 44' 50.25" N & 83° 21' 2.52" E.
- f) On the 4th of December 2021, the Vessel MV MAA was salvaged from the sea and beached near the Tenneti Park beach.
- g) M/s. Gill Marines along with APTDC entered into joint venture and established a special purpose vehicle company, M/s. Shore and Ship Resort Pvt Ltd, with the sole purpose of developing the project MV MAA ship resort.
- h) During Operation Phase, 27.5 KLD of water is required for drinking water facility, domestic, visitors, and for landscape development, met from private tankers. No surface or subsurface water is proposed for drawl.
- i) A designated pitched pathway developed from the entrance of the site to the shipwreck area, beside Tenneti Park.
- j) 70 persons can visit the ship at a time, but not proposed any washrooms in ship. Cooked food will be served in the ship and kitchen is proposed.
- k) The proposed modular STP to treat the domestic effluents.
- l) The proposed total built up area of the project is < 20,000 sq. m, the proposed project does not attract Environmental Clearance under EIA notification, 2006.

3. Authority noted the following:

- a) APTDC proposed for creation of Touristic amenities at **MV MAA** ship with the facilities:
 - Steel Support structure for the ship
 - Rain shelter Repair and strengthening of existing stone retaining wall
 - Pitched pathway extending from the existing Temple to Rain shelter
 - Public washroom with modular STP
 - Change rooms
 - Amenities/Restaurant **without kitchen**
 - Miscellaneous Developments -Life guard tower, Security fencing
- b) Temples, Parks and pathways exist in the proposed project area.
- c) The proposed Pathways, Parks development area falls under CRZ II is permissible.
- d) Proposed Tourism Project with Grounded ship is in the intertidal zone (CRZ IB).

- e) Steel supporting structures constructed on either side of the ship to ensure its stability and structural integrity.
- f) Rain shelter proposed for protection from rain and other adverse weather elements, ensuring that visitors can continue to enjoy their visit despite inclement weather condition.
- g) Adequate toilet facilities provided near the shipwreck site to cater to the needs of the visiting tourists.
- h) As per Para No. 8 (I) (ii) (g), "*construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water*" is a permitted activity.
- i) The Hon'ble NGT, New Delhi issued a notice of hearing in Suo-Motu matter in OA No. 702 of 2023 in response to the News item appearing in The Hindu dated 29.10.2023 entitled "**will the tide turn for the ship that ran aground in Vizag?**". The NGT directed APCZMA to submit a report in the matter.

4. After detailed discussions, the Authority decided to seek clarification on the following:

- a) The project proponent not submitted environmental impacts due to construction of steel structures in intertidal zones.
- b) The mitigation measures proposed during construction phase of steel structure and management of debris generated during the construction of steel structure in intertidal Zone should be submitted.
- c) The proponent shall submit the details of water requirement, wastewater & solid waste generation and disposal details.
- d) The restaurant proposed in the ship may leads to disposal of solid waste in sea and wastewater washings may also be generated, even though the restaurant without kitchen proposed.
- e) To avoid disposal of solid waste into sea, the proponent may withdraw restaurant without kitchen proposal in ship and the proposed project should be modified as visiting of ship by tourist similar to Sub-Marine project at RK beach area in Visakhapatnam.
- f) The proponent may exclude the rain shelter in the proposed project as it may lead to Food zone area in surroundings of the project.
- g) Foreshore facilities being provided by the project proponent in the proposed project site.
- h) Measures taken during natural calamities such as cyclones etc.
- i) Environmental impacts due to construction of footpath from the parking area (near Jodu Gullu) to the MV MAA ship are to be furnished.
- j) The proponent shall explore the possibility to use the existing approach from Tenneti Park.

5. After receipt of reply to the above-mentioned points, the item is to be placed before the Authority for further examination.

In view of the above, you are informed to apply your project proposal in online through "Parivesh Portal 2.0" as instructed by the MoEF&CC, GoI, New Delhi along with the above said information for taking further course of action.


Member Secretary
APPCB & APCZMA

To
M/s. A. P. Tourism Development Corporation,
Tennati Park Beach,
Jodugullapalem,
Visakhapatnam, A. P.

To,**Date: 02.02.2024**

**The Member Secretary,
AP Coastal Zone Management Authority,
APPCB, Paryavaran Bhavan,**

APIIC Colony Road, Gurunanak Colony,

Autonagar, Vijayawada, NTR District, Andhra Pradesh – 520007

Sir,

Sub: Submission of CRZ application & Clarification for our project “Creation of Touristic Amenities at MV MAA Ship by ANDHRA PRADESH TOURISM DEVELOPMENT CORPORATION at Visakhapatnam towards CZMA Approvals - Reg.

Ref: APCZMA Letter no. 495/CRZ/Proj/2023 Dt: 13.12.2023

With reference to above we here with submit application along with EIA report for our proposed project at MV MAA ship at Tenneti Park Beach, Jodugullapalem, Visakhapatnam, Andhra Pradesh.

The total net site area is 5.25Acres proposed for Ship support structures, Ship protection (Stone debris around the ship), Security/Life guard tower 2 (WPC), Storm shelter, Repair/strengthening of stone retaining wall (Hill side) and face lifting of stairway coming from Tenneti park, Pitched pathway, Life guard tower (Steel), Drowning prevention system (DPS), Public washroom/changing –port cabin modules, Public washroom/toilets designed for the project, public washroom/Toilets (possible finishing), main deck consisting floating restaurant.

As per the G.O RT. No: 169 Dt: 30.10.2017 & 06.12.2017, one time processing charges of Rs. 50,000/- is being submitted vide DD No: 790626 Dt: 16.06.2023 is already submitted.

The APCZMA meeting held on 14.11.2023 and committee requested to submit the following clarifications:

- a) The Project proponent had not submitted the environmental impacts due to construction of steel structures in intertidal zones.**

ACTIVITY: STEEL SUPPORT STRUCTURE

Impacts during Construction phase:

- **Construction of Pedestal platform -0.45m x 0.45m pedestal concrete platform with 0.45m depth through water jet/digging Impacts:**
 - 1. Increase in turbidity**
 - 2. Movement of machinery (crane) impact on ambient air quality and noise environment**

3. Generation of debris
4. Possible oil spillage

Mitigation measures:

1. The construction activity is one time activity and the turbidity levels are only for temporary period and localized. However, silt curtain will be provided based on feasibility. Construction will be carried out during Low tide
2. PUC vehicles shall be used and activity shall be from dawn to dusk only.
3. Debris of 0.125cum of sand can be disposed along the coast at rocky sloping area on land ward side.
4. There would not be generate any oil spills during operation of machineries.

➤ Erection of painted steel support structure & Staircase of 13.5m height and 2.75m width.

Impacts:

1. Generation of steel debris like packed material, thermacol sheets and paper cardboard with a quantity of 50 kgs.
2. Impact of paint on marine life.
3. Movement of machinery (crane) impact on ambient air quality and noise environment

Mitigation Measures:

1. The prefabrication works will be done at workshop itself or manufacturer which is ready for erection. The waste is 50kgs is solid waste which will be disposed to GVMC as per Solid Waste Management Rules 2016.
2. The prefabricated structure will be painted at workshop itself. Anti-corrosive paints will be used. No welding at project site.
3. PUC vehicles shall be used and activity shall be from dawn to dusk only to meet 65dB.

TECHNICAL DETAILS:

The two steel support structure shall be laid on the southern side of the ship with the following dimensions

Material: Mild Steel and Galvanized Iron

Length: 10 meters

Width: 6 meters

Height: 15 meters

Depth for the foundation: 2.5 meters

- b) **The mitigation measures during construction phase of steel structure and management of debris generated during the construction of steel structure in intertidal zone should be submitted.**

Mitigation measure: The steel structure of columns basically and full welding will be carried out at workshop itself or manufacturer which is ready for erection.

Hence, there will not be any impacts during construction phase. Minor quantity of debris will be generated during erection stage which is localized.

- c) **The proponent shall submit the details of water requirement, wastewater and solid waste generation and disposal details.**

WATER REQUIREMENT

Source: Municipal water tankers

The proposed project caters 100 sitting capacity and hence water budgeting is detailed below:

S.No.	Description	Quantity (KLD)
1.	Domestic @ 75Liters/Seat for restaurant	7.5
2.	Visitors	2.0
3.	Greenbelt development	10.5
	Total	20.0

WASTE WATER GENERATION & DISPOSAL:

S.No.	Description	Quantity (KLD)
1.	Domestic	6.0
2.	Visitors	1.6
	Total	7.6

(The General Cargo vessel MV MAA (IMO: 9557331, MMSI: 405000250) was built in 2009. (13years old). It has been almost functional for 13 years and thereby strictly abiding to the rules of MARPOL convention)

The operations in the proposed restaurant will no way result in the disposal of solid or liquid wastes, as the ship is already equipped with 10 KLD STP and efficient waste collection facilities.

The liquid waste which is generated in the ship will be treated in the inbuilt STP and BOD will be 10mg/l and dispose to the GVMC Appugar STP located at a distance of 500m through tankers or utilize for green belt on beach road.

The treated water shall meet the marine disposal standards of rule 3(A) as per EPR rules 1986 and can dispose into the sea. However, we are not proposing to dispose the treated effluent after meeting standards into the sea.

SOLID WASTE GENERATION DETAILS:

S.No.	Description	Quantity	Disposal
1.	Domestic waste (Municipal)	30.0 Kg/day	To GVMC collection bins
2.	Used Batteries	2Nos./Year	To APPCB authorized agencies
3.	Waste Oil	50 LPA	To APPCB authorized agencies
4.	STP sludge	5Kgs/month	Septic tank cleaning agencies will be collecting the sludge periodically

The domestic wastes shall be segregated as per the solid waste management rules, 2016 and shall be handed over to the municipalities.

2No/s of used batteries shall be generated and they shall be disposed of as per the Rule 5 (i), (ii) of the Battery Waste Management Rules, 2022.

About 50 LPA of used oil shall be generated, which comes under 5.1 of Schedule-I of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and shall be sold to the authorized APPCB vendors.

- d) The restaurant proposed in the ship may leads to disposal of solid waste in sea and waste water washings may also be generated, even though the restaurant without kitchen is proposed.

Solid Waste Management:

SOLID WASTE GENERATION DETAILS:

Source of generation of waste: Restaurant, DG sets

Quantity:

S.No.	Description	Quantity	Disposal
1.	Domestic (Municipal) waste	30.0 Kg/day	To GVMC collection bins
2.	Used Batteries	2Nos./Year	To APPCB authorized agencies

3.	Waste Oil	50 LPA	To APPCB authorized agencies
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Collection & Disposal of Waste:

The solid waste will be segregated into dry and wet waste. Segregated waste will be store in separate bins at designated locations. This waste will be dispose to GVMC.

WASTEWATER MANAGEMENT:

The operations in the proposed restaurant will no way result in the disposal of solid or liquid wastes, as the ship is already equipped with 10 KLD STP and efficient waste collection facilities.

The liquid waste which is generated in the ship will be treated in the inbuilt STP will be dispose to the Appugar STP located at a distance of 500m through tankers.

The treated water shall meet the marine disposal standards of rule 3(A) as per EPR rules 1986 and can dispose into the sea. However, we are not proposing to dispose the treated effluent after meeting standards into the sea.

- e) **To avoid disposal of solid waste into sea, the proponent may withdraw restaurant without kitchen proposal in ship and the proposed project should be modified as visiting of ship by tourist similar to sub-marine project at RK beach area in Visakhapatnam.**

Visakhapatnam has a lot of potential for sustainable tourism. Being Visakhapatnam city is crown to State of Andhra Pradesh and which is tourist prominent place and it will be more attractive restaurant and fetch revenue to Govt and relaxation to visitors. However, we have considered stringent environmental systems in order to meet all guidelines. The following are the facilities will be created to address Solid waste disposal.

Solid waste management:

- The domestic wastes shall be segregated as per the solid waste management rules, 2016 and shall be handed over to the municipalities.
 - 2No/s of used batteries shall be generated and they shall be disposed of as per the Rule 5 (i), (ii) of the Battery Waste Management Rules, 2022.
 - About 50 LPA of used oil shall be generated, which comes under 5.1 of Schedule-I of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and shall be sold to the authorized APPCB vendors.
- f) **The proponent may exclude the rain shelter in the proposed project as it may lead to food zone area in surroundings of the project.**

The rain shelter which has been one included as one of the project component, shall protect the tourists and morning walkers from the untimely rains there by enhancing the aesthetic value of the tourist spot as well.

Once the project got all statutory clearances, the rain shelter is one of the facility in the MAA ship project and it is custodian of AP tourism and as per the DPR the project will be taken up with all

facilities and installation of unauthorized food stalls and eating chambers will not entertain in the project area.

DESCRIPTION:

A Rain shelter is a greenhouse-like unit, in which, only the roof is covered with a transparent or translucent material that is impervious to rain. The structure is designed as a truss frame with a roof span of 13 meters and a height not exceeding the adjacent rock (approximately 10 meters) with all connections designed as bolted connections.

g) Foreshore facilities being provided by the project proponent in the proposed project site.

- Security/Life guard tower 2 (WPC),
- Storm shelter,
- Pitched pathway,
- Lifeguard tower (Steel),
- Drowning prevention system (DPS),

h) Measures taken during natural calamities such as cyclones etc.

- Providing escape routes in the project area.
- The cyclone contingency plan will come into force as soon as the storm warning issued by concerned department i.e., IMD/AP Disaster Management. Follow up cyclone information in radio / website for cyclone updates an facility will be closed.
- Cordon off the affected area
- Arrange evacuation of premises in consultation with Security Department
- Restrict movement of vehicles

i) Environmental Impacts due to construction of footpath from the parking area (near Jodugullu) to the MV MAA ship are to be furnished.

The proposed footpath will thereby serve as a free mode of movement for the pedestrians with its 20 feet dimensions capable of handling the peak capacities as well. Also the pathway is located on the CRZ-II classified area and shall be made from the pre-fabricated blocks with negligible damage to the existing landscape. It will also ensure any sort of sand settlement owing to proper maintenance.

Impact due to the levelling of site for construction of Footpath. 2800Sq m of land will be developed for construction of foot path with paver blocks.

There are no sand dunes. The foot path will be provided with drains for free flow of rain water.

j) The proponent shall explore the possibility to use the existing approach from Tenneti park.

The approach from the Tenneti Park is becoming more congested over the period of time due to increasing touristic footfall and also has been subjected to wear and tear. The existing approach road from Tenneti park is on hill slope with steps. It is not convenient for the public to use the same.

Hence, the Proposed approach shall aid in promoting the aesthetic value of the area along by serving as a touristic amenity.

In this regard, we request you to kindly consider our application for the CZMA Recommendations with permissible clause as per CRZ notification 2011.

Thanking You,

Yours Truly

AP TOURISM DEVELOPMENT CORPORATION



SRINIVAS PANI

(Executive Director)

Item No.27:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.26 of 2024 (SZ)

Earlier O.A. No. 702/2023 (PB)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the News Item in The Hindu Dt. 29.10.2023 titled *"Will the tide turn for the ship that ran aground in Vizag?"*

With
Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary
Vijayawada and Ors.



...Respondent(s)

Date of hearing: 09.02.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

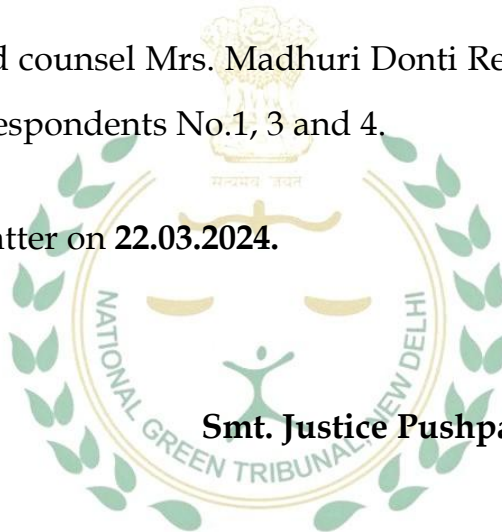
HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R3 & R4.

ORDER

1. The above case has been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.702 of 2023 (PB) based on the news item reported in '*The Hindu*' dated 29.10.2023 which has been transferred to this Bench and renumbered as Original Application No.26 of 2024 (SZ).
2. Let notice be issued to the respondents through the Tribunal.
3. The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondents No.1, 3 and 4.
4. Post the matter on **22.03.2024**.



Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.26/2024 (SZ),
09th February, 2024. Mn.

Item No.4:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

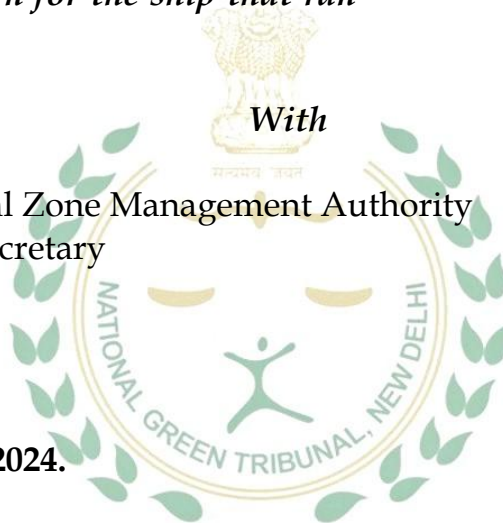
Original Application No.26 of 2024 (SZ)

Earlier O.A. No. 702/2023 (PB)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based
on the News Item in The Hindu Dt. 29.10.2023
titled *"Will the tide turn for the ship that ran
aground in Vizag?"*

With
Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary
Vijayawada and Ors.



...Respondent(s)

Date of hearing: 06.05.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R3 & R4.

ORDER

1. Today, the report of the Andhra Pradesh State Coastal Zone Management Authority (Respondent No.1) is filed.
2. The learned counsel appearing for the Andhra Pradesh Tourism Development Corporation (APTDC) seeks time to file the report.
3. Post the matter on **18.07.2024**.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.26/2024 (SZ),
06th May, 2024. Mn.



Item No.08:-

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

(Through Video Conference)

Original Application No.26 of 2024 (SZ)

Earlier O.A. No. 702/2023 (PB)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based
on the News Item in The Hindu Dt. 29.10.2023
titled *"Will the tide turn for the ship that ran
aground in Vizag?"*

With

Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary
Vijayawada and Ors.

...Respondent(s)

Date of hearing: 18.07.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R3 to R5.

ORDER

1. The report of the Andhra Pradesh Coastal Zone Management Authority (APCZMA) is filed.
2. However, the Project Proponent which is the Andhra Pradesh Tourism Development Corporation (APTDC)/Respondent No.5 has not yet filed its report despite passage of six months. So, time is granted till 02.09.2024 to file their reply.
3. Post the matter on **02.09.2024**.



Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.26/2024 (SZ),
18th July, 2024. Mn.

Item No.27:-

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

Original Application No.26 of 2024 (SZ)

Earlier O.A. No. 702/2023 (PB)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the News Item in The Hindu Dt. 29.10.2023 titled *"Will the tide turn for the ship that ran aground in Vizag?"*

With

Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary
Vijayawada and Ors.

...Respondent(s)

Date of hearing: 02.09.2024.

Matter stands adjourned to 18.10.2024.

Item No.11:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.26 of 2024 (SZ)*Earlier O.A. No. 702/2023 (PB)*

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU
based on the News Item in The Hindu
Dt. 29.10.2023 titled *"Will the tide turn
for the ship that ran aground in Vizag?"*

With

Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary
Vijayawada and Ors.



...Respondent(s)

Date of hearing: 18.10.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Suo Motu.

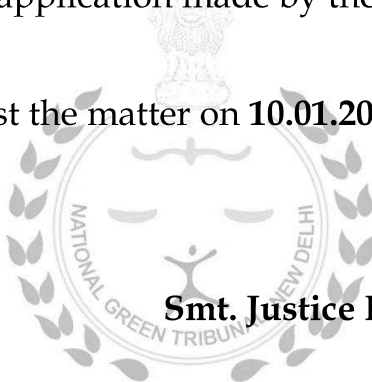
For Respondent(s): Mr. Laksh Singhvi represented
Mrs. Madhuri Donti Reddy for R1, R3 to R5.

ORDER

1. The Andhra Pradesh Tourism Development Corporation (APTDC) has applied to the Andhra Pradesh Coastal Zone Management Authority (APCZMA) in the month of November 2023, seeking approval. The APCZMA has sought for instructions on 10 points and the APTDC has reverted to the APCZMA on the same. However, the same is under consideration with the APCZMA.

2. So, in this regard, let APCZMA file a report as to the outcome of the application made by the APTDC.

3. Post the matter on 10.01.2025.



Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.26/2024 (SZ),
18th October, 2024. AD.



भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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नई दिल्ली, मंगलवार, दिसम्बर 10, 2024/अग्रहायण 19, 1946

No. 4935]

NEW DELHI, TUESDAY, DECEMBER 10, 2024/AGRAHAYANA 19, 1946

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

आदेश

नई दिल्ली, 10 दिसंबर, 2024

का.आ. 5332(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, का.आ. 4798(अ) तारीख 3 नवम्बर, 2023 के आदेश के अधिक्रमण में, उन बातों के सिवाय जिन्हें ऐसे अधिक्रमण से पहले किया गया है या करने का लोप किया गया है, राजपत्र में आदेश के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए निम्नलिखित व्यक्तियों से मिल कर बनने वाले आंध्र प्रदेश तृतीय जोन प्रबंधन प्राधिकरण (जिसे इसमें इसके पश्चात् प्राधिकरण कहा गया है) का गठन करती है, अर्थात् :-

- | | | |
|-----|--|----------------|
| (1) | सरकार के विशेष मुख्य सचिव या प्रधान सचिव या सचिव, पर्यावरण, वन, विज्ञान और प्रौद्योगिकी विभाग, आंध्र प्रदेश सरकार | अध्यक्ष पदेन ; |
| (2) | सरकार के विशेष मुख्य सचिव या प्रधान सचिव या सचिव या विशेष आयुक्त (आपदा प्रबंधन), राजस्व (आपदा प्रबंधन) विभाग, आंध्र प्रदेश सरकार | सदस्य पदेन ; |
| (3) | सरकार के विशेष मुख्य सचिव या प्रधान सचिव या सचिव या मत्स्य पालन आयुक्त, मत्स्य पालन विभाग, आंध्र प्रदेश सरकार | सदस्य पदेन ; |
| (4) | सरकार के विशेष मुख्य सचिव या प्रधान सचिव या सचिव या उद्योग आयुक्त, उद्योग और वाणिज्य विभाग, आंध्र प्रदेश सरकार | सदस्य पदेन ; |

- | | | |
|------|--|---------------------------|
| (5) | विशेष मुख्य सचिव या प्रधान सचिव या सचिव, पंचायत राज और ग्रामीण विकास विभाग, आंध्र प्रदेश सरकार | सदस्य पदेन ; |
| (6) | प्रमुख या निदेशक, स्पेस अप्लीकेशन सेंटर, आंध्र प्रदेश सरकार | सदस्य पदेन ; |
| (7) | निदेशक, नगर एवं ग्राम योजना, आंध्र प्रदेश सरकार (शहरी विकास विभाग निकाय) | सदस्य पदेन ; |
| (8) | डॉ. शेख बाशा, मुख्य वैज्ञानिक और प्रमुख, वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद - राष्ट्रीय पर्यावरण इंजीनियरिंग अनुसंधान संस्थान, हैदराबाद क्षेत्रीय केंद्र, आईआईसीटी, परिसर, तारनाका, हैदराबाद-500007 | विशेषज्ञ सदस्य ; |
| (9) | डॉ. वेदला वेंकट सूर्यहृण्य श्रीनिवास सरमा, प्रभारी वैज्ञानिक और मुख्य वैज्ञानिक, वैज्ञानिक और औद्योगिक अनुसंधान परिषद - राष्ट्रीय समुद्र विज्ञान संस्थान, 176, लॉसन्स बे कॉलोनी, विशाखापत्तनम - 530017 | विशेषज्ञ सदस्य ; |
| (10) | डॉ. सशीला लंका, सहायक प्रोफेसर (चयन ग्रेड) और प्रमुख, जैव विज्ञान और जैव प्रौद्योगिकी विभाग, कृष्णा विश्वविद्यालय, मछलीपट्टनम-521004, आंध्र प्रदेश | विशेषज्ञ सदस्य ; |
| (11) | श्री नमबदा वेंकट भास्कर राव, डी.नं.39-8-43/1, बालाभानु स्कूल के पास, मुरलीनगर, विशाखापत्तनम (शहरी), आंध्र प्रदेश-530007 | विशेषज्ञ सदस्य ; |
| (12) | इंडिया यूथ फॉर सोसाइटी, गैर-सरकारी संगठन, जिसका प्रतिनिधित्व इसके सचिव श्री नेककांति सत्य संतोषी सरथ चंद्र करते हैं। #9-26-4, एफएफ, पैला मेशन, कैनेडियन बैपटिस्ट मिशन कंपाउंड, एमवीएस ज्वेल के पीछे, विशाखापत्तनम-530003 | सदस्य, गैर सरकारी संगठन ; |
| (13) | सदस्य सचिव, आंध्र प्रदेश प्रदूषण नियंत्रण बोर्ड | सदस्य – सचिव पदेन । |

2. प्राधिकरण का मुख्यालय गुंटूर, आंध्र प्रदेश में होगा।

3. प्राधिकरण की बैठक के लिए गणपूर्ति इसके सदस्यों की कुल संख्या का एक तिहाई होगी।

4. सदस्य, एक पदेन सदस्य के अतिरिक्त, इस संबंध में केन्द्रीय सरकार द्वारा निबंधन और शर्तों के अनुसार भत्ते का भुगतान किया जाएगा।

5. हितों के किसी टकराव से बचने के लिए, सदस्य, किसी ऐसी परियोजना, जिसके लिए उन्होंने परामर्श कार्य संबंधी सेवा दी है, के मूल्यांकन की प्रक्रिया में, प्राधिकरण की बैठक से स्वयं को दूर रखेंगे।

6. प्राधिकरण, तटीय पर्यावरण की गुणवत्ता की सुरक्षा और सुधार करने तथा आंध्र प्रदेश राज्य के तटीय विनियमन क्षेत्र में पर्यावरण प्रदूषण को रोकने, कम करने और नियंत्रित करने के लिए निम्नलिखित उपाय करेगा, अर्थात् :-

- (i) यथास्थिति, भारत सरकार, अधिसूचना सं0 का0आ0 19(अ), तारीख 6 जनवरी, 2011 या अधिसूचना संख्या सा0का0नि0 37(अ), तारीख 18 जनवरी, 2019 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा जारी तटीय विनियमन जोन अधिसूचना, 2019 की अपेक्षाओं के भीतर अनुमोदित तटीय जोन प्रबंधन योजना के अनुसार परियोजना प्रस्ताव के अनुमोदन के लिए परियोजना प्रस्तावकों से प्राप्त प्रस्तावों की समीक्षा करने और आवेदन की प्राप्ति से साठ दिनों की अवधि के भीतर उक्त अधिसूचना में यथाविनिर्दिष्ट संबद्ध प्राधिकारी के परियोजना के अनुमोदन के लिए सिफारिश करना ;
- (ii) उक्त अधिसूचना में यथाविनिर्दिष्ट तटीय विनियम जोन में सभी विकासात्मक क्रियाकलापों को विनियमित करना ;
- (iii) उक्त अधिसूचना के उपबंधों को प्रवृत्त करने और निगरानी करने के लिए क्रियान्वित करना ;
- (iv) भारत का राजपत्र, संख्या का0आ0 4650(अ), तारीख 30 सितंबर, 2022 में प्रकाशित भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना में यथाविनिर्दिष्ट अधिनियम की धारा 5 के अधीन निदेश जारी करेगा ;
- (v) उक्त अधिनियम की धारा 10 के अधीन शक्ति का प्रयोग करना ;
- (vi) उक्त अधिनियम की धारा 19 के अधीन शिकायत दर्ज करना ;

- (vii) उक्त अधिसूचना के अधीन तटीय विनियमन जोन क्षेत्र और तटीय जोन प्रबंध योजना के वर्गीकरण में उपांतरण के लिए राज्य सरकार से प्राप्त प्रस्तावों की समीक्षा और उस पर राष्ट्रीय तटीय क्षेत्र प्रबंधन प्राधिकरण के लिए विशिष्ट सिफारिशें करना ; और
- (viii) स्वतः प्रेरणा से या इसके समक्ष किसी व्यक्ति द्वारा किए गए परिवाद के आधार पर उक्त अधिनियम या उसके अधीन बनाए गए नियमों या उक्त अधिसूचना के अनुपालन में असफलता या उल्लंघन के मामलों की जांच और पुनर्विलोकन करेगा ।

7. प्राधिकरण, अपने कार्यकरण में, पारदर्शिता बनाए रखने के प्रयोजन के लिए एक समर्पित वेबसाइट तैयार करेगा और अपने कृत्यों से संबंधित जानकारी इस पर डालेगा, जिसके अंतर्गत उसकी बैठक में कार्यसूची, बैठक का कार्यवृत्त, बैठक में किए गए विनिश्चय, उक्त अधिसूचना के अनुपालन में असफलता या उल्लंघन पर मामलों के लिए सिफारिशें और ऐसी अनुपालना या उल्लंघन पर की गई कार्रवाई, न्यायालय मामले, जिनमें न्यायालयों के आदेश भी हैं, और आंध्र प्रदेश सरकार की अनुमोदित तटीय जोन प्रबंध योजना भी है ।

8. प्राधिकरण, राष्ट्रीय तटीय जोन क्षेत्र प्रबंधन प्राधिकरण को छह मास में कम से कम एक बार अपने क्रियाकलापों की रिपोर्ट प्रस्तुत करेगा ।

[फा. सं. जे-17011/27/1999-आईए. III]

रजत अग्रवाल, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

ORDER

New Delhi, the 10th December, 2024

S.O. 5332(E).—In exercise of the powers conferred by section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) and in supersession of the order of the Government of India, in the Ministry of Environment, Forest and Climate Change, number S.O. 4798(E), dated the 3rd November, 2023, except as respects things done or omitted to be done before such suppression, the Central Government hereby constitutes the Andhra Pradesh Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years with effect from the date of publication of this Order in the Official Gazette, namely:-

- | | | |
|-----|---|----------------------------------|
| (1) | Special Chief Secretary or Principal Secretary or Secretary to the Government, Environment, Forest, Science and Technology Department, Government of Andhra Pradesh | Chairperson, <i>ex officio</i> ; |
| (2) | Special Chief Secretary or Principal Secretary or Secretary to the Government or Special Commissioner (Disaster Management), Revenue (Disaster Management) Department, Government of Andhra Pradesh | Member, <i>ex officio</i> ; |
| (3) | Special Chief Secretary or Principal Secretary or Secretary to the Government or Commissioner of Fisheries, Fisheries Department, Government of Andhra Pradesh | Member, <i>ex officio</i> ; |
| (4) | Special Chief Secretary or Principal Secretary or | Member, <i>ex officio</i> ; |

- Secretary to the Government or Commissioner of Industries, Industries and Commerce Department, Government of Andhra Pradesh
- (5) Special Chief Secretary or Principal Secretary or Secretary to the Government, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh Member, *ex officio*;
- (6) Head or Director, Andhra Pradesh Space Applications Centre, Government of Andhra Pradesh Member, *ex officio*;
- (7) Director, Directorate of Town and Country Planning, Government of Andhra Pradesh (Urban Development Department body) Member, *ex officio*;
- (8) Dr. Shaik Basha, Expert Member;
Chief Scientist and Head,
Council of Scientific and Industrial Research -National Environmental Engineering Research Institute,
Hyderabad Zonal Centre, IICT, Campus, Tarnaka,
Hyderabad-500007
- (9) Dr. Vedula Venkata Subrahmanya Srinivasa Sarma, Expert Member;
Scientist-In-charge and Chief Scientist, Council of Scientific and Industrial Research - National Institute of Oceanography,
176, Lawsons Bay Colony, Visakhapatnam -530017
- (10) Dr. Suseela Lanka, Expert Member;
Assistant Professor (Selection Grade) and Head,
Department of Biosciences and Biotechnology, Krishna University, Machilipatnam- 521004, Andhra Pradesh
- (11) Sri Nambada Venkata Bhaskara Rao, Expert Member;
D.No.39-8-43/1, Near Balabhanu School, Muralinagar,
Vishakhapatnam (Urban), Andhra Pradesh-530007
- (12) India Youth For Society, Non- Governmental Member, Non -government
Organisation, represented by its Secretary Sri. Nekkanti Organisation;
Satya Santoshi Sarath Chandra
#9-26-4, FF, Paila mansions,
Canadian Baptist Mission Compound, Behind MVS
Jewel, Visakhapatnam- 530003
- (13) Member Secretary, Andhra Pradesh Pollution Control Member- Secretary,
Board *ex officio*.

2. The Headquarter of the Authority shall be at Guntur, Andhra Pradesh.

3. The quorum for the meeting of the Authority shall be one- third of the total number of its Members.

4. The member, other than Member *ex officio*, shall be paid allowances as per the terms and conditions decided by the Central Government.

5. In order to avoid any conflict of interest, the Members shall recuse themselves from the meeting of the Authority, in the process of appraisal of any project, for which they have rendered any consultancy service.

6. The Authority shall take following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the Coastal Regulation Zone areas in the State of Andhra Pradesh, namely: -

(i) examine proposals received from the project proponent for approval of project proposal, in accordance with the approved Coastal Zone Management Plan prepared under the notification of the Government of India number S.O.19(E), dated the 6th January, 2011 or the notification number G.S.R. 37(E), dated the 18th January, 2019 (hereinafter referred to as the said notification), as the case may be, and make recommendation for approval of project proposal to the authority concerned, as specified in the said notification, within a period of sixty days from the date of receipt of application;

(ii) regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notification;

(iii) enforce and monitor the implementation of provisions of the said notification;

(iv) issue directions under section 5 of the said Act as specified in the notification of the Government of India, in the Ministry of Environment, Forest and Climate Change, number S.O. 4650(E), dated the 30th September, 2022;

(v) exercise powers under section 10 of the said act;

(vi) file complaint under section 19 of the said Act;

(vii) examine proposals received from the State Government for modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and making recommendations to the National Coastal Zone Management Authority under the said notification; and

(viii) inquire and review cases of failure of compliance or contravention of the said Act or rules made thereunder or the said notification, *suo-moto* or on the basis of a complaint made by any person before it.

7. The Authority shall, for the purposes of maintaining transparency in its functioning, create a dedicated website and post the information relating to its functions, including the agenda in its meeting, minutes of the meeting, decision taken in the meeting, recommendation for matters on failure of compliance or contravention of the said notification and action taken on such failure or contravention and court matter including the order of the court, and the approved Coastal Zone Management Plan of the Government of Andhra Pradesh.

8. The Authority shall furnish report of its activity at least once in six months to the National Coastal Zone Management Authority.

[F. No. J-17011/27/1999-IA.III]

RAJAT AGARWAL, Jt. Secy.