

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

OA No 215 OF 2016

IN THE MATTER OF:

SRI. GUNTU BOYINA KUMAR

..... Applicant

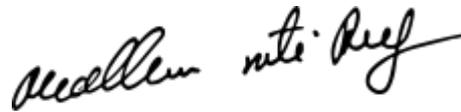
Vs

STATE OF ANDHRA PRADESH & OTHERS

.... Respondents

COMPLIANCE REPORT FILED BY THE APPCB

DATE- 12.08.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

Original Application No.215 of 2016 (SZ)

IN THE MATTER OF:

Sri Guntu Boyina Kumar,
Kommadi, Visakhapatnam District

.....APPLCANT

VERSUS

State of Andhra Pradesh and
3 others (The District Collector Visakhapatnam,
The Vice-Chairman & Housing Commissioner A.P.
Housing Board, Greater Visakhapatnam Municipal
Corporation Rep By Its Commissioner)

...RESPONDENTS

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Place: Visakhapatnam
Dt. 12.08.2024


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

Report on the Hon'ble NGT, Chennai order dated 06.11.2023 in O.A. No. 215 of 2016 (SZ) in the matters of damage to water body due to construction activity, Kommadi Village, Visakhapatnam District

It is to submit that O.A. No. 215 of 2016 (SZ) was filed in Hon'ble NGT, Chennai Sri. Guntu Boyina Kumar, Kommadi, Visakhapatnam District in the matters of damage to water body due to construction activity, Kommadi Village, Visakhapatnam District.

In this connection, the APPCB has submitted the report dt.02.11.2023 to the Hon'ble NGT, Chennai. The Hon'ble Tribunal heard the matter on 06.11.2023 and issued certain directions.

The extract of the order dt.06.11.2023 is placed below:

" 4. In such circumstances, we only direct the learned counsel for the APPCB to produce the photographs of the land identified and the work commenced that would be completed in 10 months as per the report.

5. For the said purpose, the matter is adjourned to 15.12.2023."

The copy of the Hon'ble Tribunal order dt. 06.11.2023 is attached as **Annexure-I**.

In compliance with the above directions, the APPCB has requested the District Collector, Anakapalli District to instruct the concerned to furnish a status report on the construction of new water pond in the identified land at Sy. No.20 P of Devarapalli Village and Mandal, Anakapalli District for onward submission to the Hon'ble NGT.

A report was submitted to the Hon'ble NGT on 20.12.2023 by stating that the Revenue Divisional Officer, Anakapalli District has submitted the report dt.13.12.2023 stating that out of sanctioned amount of Rs. 38,18,615/-, an amount of Rs. 15,42,280/- was paid under wages, jungle clearance work, bench cutting work and earth work. The worked extent is Ac. 6.00 ct and work was stopped on 03.12.2023 due to rains. The entire work will be completed within 10 months. Report of the RDO, Anakapalli is herewith enclosed as **Annexure-II**.

Further, it is to submit that the MPDO, Devarapalli submitted a brief report on beilala metta tank work in Devarapalli Mandal informed that the works was restarted on 26.05.2023 and the remaining quantities (1973.70 Cum earth work) are not feasible to execute as the area is covered with thick jungle and rocky soil / rocky bed (Panuku in Local Language) and work will be closed soon after social

audit process completed in the next financial year 2025-26. It is also informed that bund plantation taken up this year under MGNREGS bund plantation programme. Copy of the MPDO, Devarapalli report is enclosed as **Annexure-III**. Latest Photographs of the land are enclosed as **Annexure-IV**.

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

Place: Visakhapatnam
Dt. 12.08.2024


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

Item No.1:-

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

(Through Video Conference)

Original Application No. 215 of 2016(SZ)

IN THE MATTER OF:

Guntu Boyina Kumar Kommadi

...Applicant(s)

The State of Andhra Pradesh
Rep. by its Secretary,
Revenue Department,
Secretariat, Hyderabad and Ors.

...Respondent(s)

Date of hearing: 06.11.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

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

ORDER

1. This Tribunal had passed the final order on 14.04.2022, wherein it is specifically mentioned that *“The suitability of the alternative pond will be determined by the District Magistrate, Visakhapatnam in coordination with SEIAA, Andhra Pradesh and the State PCB. The said Committee will also be at liberty to co-opt any other Expert/Institution.”*
2. In this regard, the Andhra Pradesh Pollution Control Board has filed a report dated 02.11.2023, in which, it is stated that the District Collector & Magistrate - Vishakhapatnam has requested the Executive Engineer - APPCB to give a suitable suggestion by visiting the proposed project with regard to the environmental impact/pollution impact to the engineering officials while forming the new water body in the land measuring 14 Acres in Sy. No.20 P of Devarapalli Village and Mandal. The APPCB officials inspected the proposed site on 13.04.2022 and submitted the report on 21.04.2022 to the Collector & District Magistrate, Visakhapatnam with a copy to the Collector & District Magistrate, Anakapalli, as the proposed site identified for the development of the new water pond is located in Anakapalli District after the bifurcation of the districts.
3. Now, the learned counsel appearing for the APPCB is seeking to accept its report and close this Original Application. However, it is stated that for completion of the said work, it will take 10 months.

4. In such circumstances, we only direct the learned counsel for the APPCB to produce the photographs of the land identified and the work commenced that would be completed in 10 months as per the report.
5. For the said purpose, the matter is adjourned to **15.12.2023**.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O. A. No.215/2016 (SZ)
06th November, 2023. Mn.



Latest Status Report in compliance to the orders of Hon'ble National Green Tribunal, Chennai in OA No.215/2016 (SZ)

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It is submitted that, Sri. Guntu Boyina Kumar, Kommadi, Visakhapatnam District filed an application before the Hon'ble National Green Tribunal, Chennai in O.A. No. 215 of 2016 against damage to the water body because of construction activity taken place in survey no. 83 of Kommadi Village, Visakhapatnam District.

The Hon'ble National Green tribunal has issued the following directions duly adjourning the case on 15-12-2023.

"The learned counsel appearing for the APPCB is seeking to accept its report and close this Original Application. However, it is stated that for completion of the said work, it will take 10 months.

In such circumstances, we only direct the learned counsel for the APPCB to produce the Photographs of the land identified and the work commenced that would be completed in 10 months as per the report.

For the said purpose, the matter is adjourned to 15-12-2023"

In this regard, the District Collector, Anakapalli has directed to submit the status report on implementation of the orders of the Hon'ble National Green Tribunal dt.6-11-2023 of the Hon'ble National Green Tribunal, southern Zone, Chennai, in O.A.No.215/2016.

Further, the Additional Programme Officer, Devarapalli has reported that, Out of the sanctioned amount Rs. 38,18,615/- , an amount of Rs. 15,42,280/- was paid under wages up to 3-12-2023 for Jingle Clearance work done - 5264 M, Bench cutting work done -750 RMT, and the Earth work done- 5257CUM and worked extent is Ac.6.00ct and work was stopped on 3-12-2023 due to Rains and the entire work will be completed within 10months.

In view of the above, it is submitted that, I am personally monitoring the execution of entire work as I was appointed as a nodal officer for the above work. Further, the report of the Additional Programme Officer, Devarapalli and the photographs of the land identified and the work commenced are herewith submitted for kind perusal.

Hence, it is submitted that the above status report may kindly be apprised to the Hon'ble National Green Tribunal, Southern Zone Bench, Chennai.


Revenue Divisional Officer,
Anakapalli

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application OA No.215/2016 (SZ)**

IN THE MATTER OF

Sri. Guntu Boyina Kumar,
Kommadi,
Visakhapatnam District

...Applicant(s)

Versus

The State of Andhra Pradesh, Hyderabad and Ors.

... Respondent(s)

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4	Latest photographs of the land	4-5

Place: Anakapalli
Date: 13-12-2023


Revenue Divisional Officer,
Anakapalli



Latitude: 17.999118
Longitude: 82.966225
Elevation: 109.48±5 m
Accuracy: 8.0 m
Time: 12-13-2023 13:43
Note: NGT Tank

Powered By NoteCam



**A BRIEF REPORT ON NGT BEILALA METTA TANK WORK IN
DEVARAPALLI Dt:13/12/2023**

MANDAL NAME	DEVARAPALLI
GP NAME	DEVARAPALLI
WORK NAME	BEILALA METTA TANK NGT
W I D	0203007004/WC/19185020022393
TECHNICAL SANCTION DATE	08-06-2022
TECHNICAL SANCTION NUMBER	0203007004/2022-2023/652135/TS DATED: 08-06-2022,
ADMINISTRATIVE/FINANCIAL SANCTION DATE	09-06-2022
ADMINISTRATIVE/FINANCIAL SANCTION NUMBER	0203007004/2022-2023/652135/AS DT: 09-06-2022
SANCTION AMOUNT (LAKH.RS)	38,18,615.00
EXPENDITURE PAID (LAKH.RS)	15,42,280.00
NUMBER OF PERSON DAYS GENARATED	5762
WAGE PAID (LAKH.RS)	15,42,280.00
WAGE SEEKERS ATTEND THE WORK	462
WORK STARTED DATE	26-05-2023
WORKING LAST DATE (DUE TO RAIN)	03-12-2023
JINGLE CLEARANCE WORK DONE	5264 M
BENCH CUTTING WORK DONE	750 RMT
EARTH WORK DONE	5257 CUM
SURVEY NUMBER	20
TOTAL EXTENT(in Acres)	14.00 Acres
WORKED EXTENT(in Acres)	6.00 Acres


**ADDITIONAL PROGRAMME OFFICER
DEVARAPALLI**

A BRIEF REPORT ON BEILALA METTA TANK WORK IN DEVARAPALLI MANDAL

MANDAL NAME	DEVARAPALLI		
GP NAME	DEVARAPALLI		
WORK NAME	BEILALA METTA TANK		
SURVEY NUMBER	20		
TOTAL EXTENT (In Acres)	14		
Worked Area (In Acres)	6.8		
WORK ID	0203007004/WC/19185020022393		
TECHNICAL SANCTION DATE	6/8/2022		
TECHNICAL SANCTION NUMBER	0203007004/2022-2023/652135/TS		
ADMINISTRATIVE/FINANCIAL SANCTION DATE	6/9/2022		
ADMINISTRATIVE/FINANCIAL SANCTION NUMBER	0203007004/2022-2023/652135/AS		
Sanctioned Amount (Rs)	Rs : 38,18,615/-		
Expenditure Paid (Rs)	Rs : 23,85,164/-		
No of Persondays Generated	8857		
Wage Expenditure (Rs)	Rs : 23,85,164/-		
Wage Seekers Attend the Work	425		
Work Started Date	5/26/2023		
Work Closed Date :	After Social Audit Work Will be Closed		
TASK Name	Estimated (Qty)	Execution (Qty)	Balance (Qty)
Jungle Clearance	44000 Sqm	5864 Sqm	38136 Sqm
Bench Cutting	3200 Rmt	840 Rmt	2360 Rmt
Earth Work	9600 Cum	7626.3 Cum	1973.70 Cum
Water Stroged Capacity Improved	76,26,330 Lts		
REMARKS	<p>1) The Remaining Quantities are not feasible to execute as the area is covered with thick Jungle and Rocky Soil / Rocky Bed (PANUKU in Local Language) and Work will be closed soon after Socail Audit process completed in the next financial year- 2025-26</p> <p>2) Bund plantation taken up this year under MGNREGS bund plantation programme</p>		

[Signature]


 PROGRAMME OFFICER / MPDO
 DEVARAPALLI

Annexure-IV

Photographs of the present status of the tank







