

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

**OA NO 26 OF 2024
IN**

OA NO 702 OF 2023(PB)

IN THE MATTER OF:

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

..... Applicant

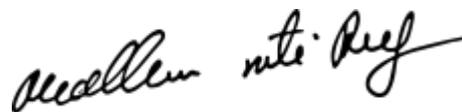
Vs

ANDHRA PRADESH COSTAL ZONE MANAGEMENT AUTHORITY

... Respondent

REPORT FILED BY THE PCCF 3RD RESPONDENT

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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Report filed by the 4th Respondent i.e., Prl.CCF & HoFF, Andhra Pradesh before the Hon'ble National Green Tribunal, Sourthern Zone at Chennai in O.A No. 26 of 2024 in OA 702 of 2023 (PB) filed by the Hon'ble Tribunal on its own motion SUO MOTU based on the News Item in the Hindu Dt 29.10.2023

1. It is respectfully submitted that, Managing Director, APTDC, Vijayawada has initiated a proposal for diversion of 0.55 ha (i.e., 0.2 ha for Parking + 0.35 ha for road) in forest land in Compartment No. 965, Gudlavanipalem Forest Block Shelter belt section of Visakhapatnam division for laying approach road and parking facilities at MVAAA ship (Floating Restaurant) at Tennati Park, Appughar, Visakhapatnam in favour of Managing Director, APTDC in PARIVESH portal vide FP/AP/ROAD/417873/2023 on 11.02.2023 in PARIVESH 2.0
2. It is further submitted that the 4th Respondent has forwarded the proposal to Government of Andhra Pradesh after receipt of all requisite information from DFO, Visakhapatnam, duly recommending the same in Part-III by Nodal Officer (FCA) vide this office letter no.15047/4/2020/FCA SEC PCCF/FCA-3 dt.02.08.2023 (copy enclosed).
3. Subsequently, Government of Andhra Pradesh has raised an EDS (Essential Details sought) in Parivesh Portal on dt. 17.08.2023 duly stating that, "the Proposal is falling in CRZ area. Hence, CRZ clearance in required from the APCZMA". By obtaining the following reply from Regional Director, APTDC, Visakhapatnam, Lr.No.43/RDT&ED,VSP/2023 dt.28.08.2023, the 4th Respondent replied to the above EDS raised EDS vide this office 15047/4/2020/FCA SEC PCCF/FCA-3, dt.16.10.2023 (copy enclosed) and the same was forwarded to the GoI, MoEF&CC by the State Government on 08.12.2023 in PARIVESH portal.

"We fully understand and respect the need to obtain all required clearances, including the CRZ clearance, prior to commencing construction. We are committed to following all environmental regulations and adhering to the guidelines set by the APCZMA. By obtaining the necessary approvals and clearances, we aim to ensure a sustainable and responsible development that aligns with the goals of environmental conservation. The pathway will provide convenient access for visitors to explore the MV MAA ship while preserving the natural surroundings and minimizing any potential impact on the forest ecosystem and once again, I humbly request your support in forwarding the proposal to the State Secretary along with your recommendation for the issuance of the NOC".

4. Subsequently, the MoEF & CC, GoI has raised following EDS in Parivesh portal dt.12.02.2024 forwarded by State Secretary dt.19.02.2024 duly requesting to furnish certain additional information as stated below.

"The User Agency had proposed the road through the forest area. It seems alternate route through the Tenneti Park is not explored. Also the parking in proposed for diversion in forest land is a site- specific or non site specific activity may be looked into within the ambit of Van (Sanrakshan evam Samvardhan) Adhinyam, 1980 and rules 2023".

5. Accordingly, the Nodal Officer (FCA) vide Rc.no.EFS02-15047/04/2020/FCA-3, dt.27.02.2024 & 11.05.2024 (copies enclosed) has raised the following EDS to the DFO, Visakhapatnam with a request to furnish information .
 - i. Justification report for the need for access road over an extent of 0.35 ha.
 - ii. It seems alternate route through the Tenneti Park is not explored. Also parking in proposed diversion area in forest land is a site- specific or non-site specific activity may be looked into within the ambit of Van (Sanrakshan evam Samvardhan) Adhinyam, 1980 and rules 2023.

- 6. The DFO, Visakhapatnam raised EDS "parking proposed for diversion is a site specific or non-site specific within the ambit of Van (Sanrakshan Evam Samvarhan) Adhinhiniyam, 1980 and Rules,2023" to Project Proponent on 29.07.2024.
- 7. At present, the proposal is pending with Project Proponent. Thus, no forest clearance is issued in favour of Managing Director, APTDC till to date in the subject proposal.

Pri. Chief Conservator of Forests
& Head of Forest Force

Principal Chief Conservator of Forests
Head of Forest Force,
Andhra Pradesh, Mangalagiri.