

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

OA No 99 OF 2023

IN THE MATTER OF:

Dr. M. SAKAR RAO

..... Applicant

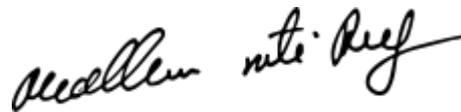
Vs

THE CHIEF SECRETARY, GOVT OF ANDHRA PRADESH & OTHERS

.... Respondents

REPORT FILED BY THE COLLECTOR 5th RESPONDENT

DATE- 11.07.2024



**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 IN CONNECTION WITH**

Original Application No. 99/2023 (SZ)

[Earlier O.A. No. 311 of 2023(PB)(LP)]

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

**Place: Visakhapatnam
Dt: 10.07.2024**

**Collector & District Magistrate,
Visakhapatnam**
10/7/2024

Report in compliance with the Hon'ble NGT, Southern Zone, Chennai vide Order dated 29.04.2024 in Original Application No. 99/2023 (SZ) [Earlier O.A. No. 311 of 2023(PB)(LP)] filed by Dr. M. Sankar Rao, R/o Bheemili, Visakhapatnam, Andhra Pradesh.

It is to submit that Dr. M. Sankar Rao, R/o AMOH-1/(Health Officer-1), Bheemili, Visakhapatnam, Andhra Pradesh has filed a grievance before the Hon'ble National Green Tribunal (NGT), New Delhi in the Original Application (O.A) No. 311 of 2023 (PB) regarding construction raised in prohibited area i.e., CRZ area of Bheemili, Visakhapatnam, Andhra Pradesh, causing environmental degradation thereby violation of provisions of Environment (Protection) Act, 1986 and the Rules framed thereunder.

The Hon'ble NGT, Chennai in its order dated 29.04.2024 in Original Application No. 99/2023 (SZ) [Earlier O.A. No. 311 of 2023(PB)(LP)], stated that "4. Let the District Collector – Visakhapatnam District file a report as to the action taken against the violators who had commenced the construction without obtaining appropriate approvals and clearance."

Copy of the Hon'ble NGT, New Delhi Order dated 29.04.2024 is submitted as **Annexure-I**.

In this regard, it is to submit that the 2nd DLC meeting was conducted on 10.07.2024 and the committee directed the Greater Visakhapatnam Municipal Corporation(GVMC), Visakhapatnam to submit action taken report on construction of buildings in CRZ area, Bheemili, Visakhapatnam, Andhra Pradesh.

The GVMC, Visakhapatnam has submitted preliminary action taken report against buildings under CRZ at Bhemilli Zone and requested to accord four (04) weeks time to submit action taken report in full shape.

Copy of report submitted by the GVMC, Visakhapatnam is herewith enclosed.

In view of the above, it is requested to accord four (04) weeks time to submit action taken report as I have taken charge as Collector & District Magistrate on 03rd of July 2024 and as Commissioner, GVMC on 10th July 2024.

Submitted.

Place: Visakhapatnam
Dt: 10.07.2024


Collector & District Magistrate,
ms **Visakhapatnam**
10/07/2024

Item No.9:-

Annexure-I

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

(Through Video Conference)

Original Application No. 99 of 2023 (SZ)

[Earlier O.A. No.311 of 2023 (PB)]

IN THE MATTER OF

Dr. M. Sankar Rao.

...Applicant(s)

With

The Chief Secretary to Govt. of Andhra Pradesh
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 29.04.2024.

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. Today, there is no representation for the applicant.
2. The report dated 25.04.2024 of the Andhra Pradesh Pollution Control Board (APPCB) is filed along with the annexure. One of the annexures is the letter dated 20.04.2024 from the District Collector of Visakhapatnam District to the Municipal Commissioner, Greater Visakhapatnam Municipal Corporation. The letter specifically mentions that in most of the cases, the proponents had commenced the construction in the CRZ area without obtaining CRZ clearance. The District Level Committee, which was constituted on 05.05.2023 by the District Collector, recommended to address a letter to all the line departments with a direction to ensure that all the projects in the CRZ area shall obtain prior approvals from Andhra Pradesh Coastal Zone Management Authority (APCZMA).
3. To be noted is that the District Collector is the Chairman of district-level CZMA and having found that many of the proponents have constructed in violation of the CRZ Regulations, independent of the committee constituted, ought to have taken immediate action. The act of the District Collector appears to be shirking his/her responsibility, as a district level Chairman of the CZMA.

4. Let the District Collector – Visakhapatnam District file a report as to the action taken against the violators who had commenced the construction without obtaining appropriate approvals and clearance.
5. For filing the report, post the report on **11.07.2024**.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.99/2023(SZ)
29th April, 2024. Mn.



GREATER VISAKHAPATNAM MUNICIPAL CORPORATION

From
The Commissioner,
Greater Visakhapatnam
Municipal Corporation,
Visakhapatnam.

To
The Collector &
District Magistrate and
Chairman, District Level
Committee, APPCB,
Visakhapatnam.

Rc.No.571/2023/TP sec/G1, dt. 10.07.2024

Sir,

Sub : GVMC – Town planning - Bheemili zone – Submission of the Action taken report against of the buildings under CRZ at Bhemilli Zone – case filed by M.Shankar Rao - Reg.

Ref : 1) Hon'ble NGT order dt.30.10.2023 in O.A.No.99/2023 (SZ) Earlier OA.No.311 of 2023(PB) (LP) filed by M.Shankar Rao,
2) Hon'ble NGT order dt.07.03.2024 in O.A.No.99/2023 (SZ) Earlier OA.No.311 of 2023(PB) (LP) filed by M.Shankar Rao,
3) Hon'ble NGT order dt.29.04.2024 in Original Application No. 99 of 2023 (SZ) [Earlier O.A. No.311 of 2023 (PB)]

Kind attention is invited to the reference 1st cited, wherein the Hon'ble NGT has directed the APPCB, Visakhapatnam and State Government to furnish the addresses of violators not only of the application mentioned building but also of the other owners who have constructed in the CRZ area without appropriate permission.

In the 2nd cited, the Hon'ble NGT has directed the APPCB, Visakhapatnam to submit action taken report against violators.

In the 3rd cited, the Hon'ble NGT has issued a directions that "Let the District Collector – Visakhapatnam District file a report as to the action taken against the violators who had commenced the construction without obtaining appropriate approvals and clearance. For filing the report, post the report on 11.07.2024."

In this connection, the following preliminary action taken report on buildings which are covered in complaint filed by M.Shankar Rao, Bheemili zone, GVMC.

Sl. No	Name and Address of the Building	Latitude	Longitude	Extent in Sq.m	Year of Construction of the building	Nature of Construction	Action taken status on subject buildings
1	Samudram Guest house, Bheemili Beach road	17.89227	83.45464	1150	2011	RCC G+1	Approved vide Proceeding No. BPS.No625/Ward-16,Dt.25.02.2011.
2	Kancharla Ravindranadh S/o	17.89240	83.45435	2290	2015	S+G+1	i) Applicant applied under BPS vide file No.BPS2019/VIS/B

Sl. No	Name and Address of the Building	Latitude	Longitude	Extent in Sq.m	Year of Construction of the building	Nature of Construction	Action taken status on subject buildings
	Seshaya Naidu near Court building Beach road, Bheemunipat nam						HE /BHE/ 36159 Dt.27.06.2019 further application is rejected due to violation of CRZ Norms and other reasons. ii) Aggrieving with the endorsement issued by the Commissioner, the appellant has filed an appeal before the Appellate Authority cum Municipal Commissioner against the Endorsement issued by GVMC.
3	Narra Sitha mahalakshmi	17.89243	83.45397	143	1994	G+2	i) Approved Vide BA.No74/94 Dt.18.07.1994. ii) The building was constructed before issuance of CRZ 2011 notification dt.06.01.2011.
4	Municipal office Store Room	17.89294	83.45431	84	1999	G	i) The store room was constructed by the Municipal authorities in addition to the old existing Municipal office. ii) Building was constructed before issuance of CRZ 2011 notification dt.06.01.2011.
5	Municipal office old	17.89312	83.45394	503	1861	G floor Tiled roof extension with RCC building	i) Building was constructed before issuance of CRZ 2011 notification dt.06.01.2011. ii) The building is 163 years old construction which is under dilapidated condition.
6	Municipal Office new	17.89318	83.4538	193	2011	RCC G+2	i) Building was constructed before issuance of CRZ 2011 notification dt.06.01.2011.
7	Port office	17.89329	83.45349	175	1950	M terrace G+1 Building in Dilapidated stage	i) Building was constructed before issuance of CRZ 2011 notification dt.06.01.2011. ii) The building is 74 years old construction which is under dilapidated condition.

Sl. No	Name and Address of the Building	Latitude	Longitude	Extent in Sq.m	Year of Construction of the building	Nature of Construction	Action taken status on subject buildings
8	Central excise and Customs office	17.89311	83.45355	377	1950	Tiled roof	i) Building was constructed before issuance of CRZ 2011 notification dt.06.01.2011. ii) The building is 74 years old construction which is under dilapidated condition.
9	Dantaluri Janaki Rama Raju	17.89335	83.45325	331	1994	RCC G+1	Approved Vide BA.No79/94 Dt:27-10-1994

The above preliminary action taken report is herewith submitted for kind perusal and onward submission to the Hon'ble NGT. Further, the kind authorities are requested to direct the Environmental Engineer APPCB, Visakhapatnam to obtain four (04) weeks time from the Hon'ble NGT in order to submit action taken report in full shape.

Yours faithfully,


COMMISSIONER (G/C)
GVMC
10/7

Copy submitted to the Environmental Engineer, APPCB, Visakhapatnam for favour of information and necessary action.