

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION No. 1824
TO BE ANSWERED ON 22.12.2022

Environmental violations in Rushikonda Project in Visakhapatnam

1824. SHRI G.V.L. NARASIMHA RAO:

Will the MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether the State Government of Andhra Pradesh sought Ministry's permission for undertaking construction on the Rushikonda hill in Visakhapatnam;
- (b) details and nature of construction for which permission was sought;
- (c) extent of land for which permission was granted;
- (d) whether Ministry is aware that additional construction over excess land has been undertaken in violation of permission granted and Coastal Region Zone regulations;
- (e) whether any Committee has been appointed by the Ministry to investigate violations;
- (f) if so, its composition, terms of reference, time frame, etc.; and
- (g) details of action the Ministry can take for violations and under which statutory provisions?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (c). The Ministry of Environment, Forest and Climate Change has granted CRZ clearance *vide* letter dated 19th May, 2021 to the project for Development of Tourism Project in an area of 9.88 acres with a total built up area of 19967.97Sq.m at Rushikonda, Visakhapatnam, Andhra Pradesh based on the application submitted by Andhra Pradesh Tourism Development Corporation Ltd.

(d) to (f). The Hon'ble High Court of Andhra Pradesh: Amravati in W.P. (PIL) Nos.257 and 241 of 2021 and C.C.No.1425 of 2022 *vide* order dated 03/11/2022 directed the Ministry to depute a team for conducting survey of the subject area and submit a report as to the exact area over which the construction activity has taken place and the area which has been used for sloping.

The Ministry *vide* letter dated 12th December, 2022 has constituted a Committee headed by representative of Integrated Regional Office of Ministry at Vijayawada, with the following members, and terms of reference: -

- (i). Representative of MoEFCC- Senior officer/ scientist from Ministry's IRO at Vijayawada as nominated by Regional Officer,
- (ii). Andhra Pradesh Coastal Zone Management Authority (APCZMA)- Officer Representative,
- (iii). National Centre for Sustainable Coastal Management (NCSCM)- Officer Representative,
- (iv). Town Planning Country Planning, Government of Andhra Pradesh- Officer Representative,
- (v). Andhra Pradesh State Pollution Control Board - Officer Representative.

Terms and Reference:

- (i). The Site-Visit by the Committee may be conducted within a week of issue of this letter.
 - (ii). The Committee during the site visit may conduct survey of the project under construction and submit a report as to the exact area over which the construction activity has taken place and the area which has been used for sloping.
 - (iii). The committee shall also consider other observation of Hon'ble High Court while conducting the site visit and include their findings in the report.
 - (iv). The final site visit report may be submitted within three days after completion of site visit.
- (g). The Section 3 of the Environment (Protection) Act, 1986 empowers the Central Government with the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing controlling and abating environmental pollution. The Section 5 of the said Act empowers the Central Government to issue directions, and the section 23 of the Act deals with the power of Central Government to delegate powers and functions under the Act (except the powers to constitute an authority under sub-section(3) of section 3 and to make rules under section 25) as it may deem necessary or expedient, to any officer, State Government or other authority.

Accordingly, the Ministry *vide* notifications number S.O. 4650(E), S.O. 4648(E) and S.O. 4649(E) dated 30th September, 2022 empowered the State Coastal Zone Management Authorities under the Environment (Protection) Act, 1986 with Section 5, Section 10 and Section 19 respectively, to enforce and monitor the provisions of the Coastal Regulation Zone Notifications.
