

**BEFORE THE HON'BLE NATIONAL GREENTRIBUNAL**

**SOUTHERN ZONE BENCH AT CHENNAI**

**ORIGINAL APPLICATION NO 13 OF 2021**

**IN THE MATTER OF**

Tribunal on its own motion-SUO MOTU Based on

the News item in Deccan Chronicle English Newspaper,

Dated 10.12.2020, "Kurnool shocked by quality of KMC water." ...Applicant(s)

Versus

1. Union of India, Rep. by its Secretary

Ministry of Environment, Forests and Climate Change,

Indira Paryavaran Bhavan, Jorbagh Road,

New Delhi 110 003. and 21 others

..... Respondents

**COUNTER AFFIDAVIT FILED BY 16TH RESPONDENT**

**DATED 26-10-2021**

**M/S MADHURI DONTI REDDY  
ADVOCATE**

**STANDING COUNCIL FOR GOVERNMENT OF  
ANDHRA PRADESH**

**A.P. POLLUTION CONTROL BOARD  
T.T.D. SUPREME COURT OF INDIA**

#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 6383121322

**Counsel for 16<sup>TH</sup> Respondents**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL , SOUTH ZONE, CHENNAI**  
**O.A.NO.13 of 2021**

IN THE NAME OF  
SUO MOTU "10 fall ill after drinking  
contaminated water in Kosigi

...Applicant

**Versus**

1.The District Collector  
Kurnool District  
District Collector Office, Collectorate  
Kurnool -518002 Andra Pradesh and 21 others.

.. Respondents.

**COUNTER AFFIDAVIT FILED BY THE 16<sup>TH</sup> RESPONDENT**

I, P. Koteswara Rao S/o Prabhakar Rao, aged 56 years working as District Collector, Kurnool District, do here by solemnly affirm and sincerely state on oath as follows.

1 I am working as District Collector, Kurnool District, and the 16<sup>th</sup> Respondent herein and as such, I am well acquainted with the facts of the case. I am the deponent herein and as such I am well acquainted with the fact of the case.

2. I deny each and every averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.

3 I submit my response, as it is alleged in the newspaper that with a caption of "**Kurnool Shocked by quality of KMC water**" in Deccan Chronicle English Newspaper dated:10-12-2020 and another news published in Deccan Chronicle English Newspaper dated:05-01-2021 with a caption of "**10 fall ill after drinking contaminated water in Kosigi**". The contents in the case are related to Panchayat Raj, MA&UD and RWS, departments at various places, such as Kurnool Municipal Corporation, Mantralayam and Kosigi Mandals.

**I. "Kurnool Shocked by quality of KMC water" at Mantralayam & Kurnool"**

a) **Vinayak Ghat, SanthaMarket at Mantralayam:** I submit that with regard to contamination of water at Vinayaka Ghat and Santha market of Mantralayam,

  
ATTESTOR  
District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

I submit that the Mantralayam gram panchayat is situated at Thunga Bhadra River bank. All most all the gram panchayat area is covered with drainages, 1 ) At the back side of the lodges, 2) Back side of the Raghavendra Swamy temple, 3) Temple side of the main road 4) Drainage sump near to the R&B bungalow. By estimating the rush of the public to one of the important pilgrim of Mantralayam during the Thunga Bhadra Pushkaram 2020, the Panchayat Raj Engineers have constructed a parallel Under Ground drain near Vinayaka ghat on a permanent basis with an estimated cost of Rs.30.00 Lakhs. The construction was covered with Cement concrete sheets, for more than half of the way, and the remaining is open drain. The silt in the open drain is removing by the Gram Panchayat frequently nearly to a 2.KMs up to Nallakalva. The above three main drains in the Mantralayam gram panchayat were linked with this underground drain. The sewage water of this underground drain will flow in to the Nallakalva vanka. And this water not being used anywhere for any purpose. No drainage water at Mantralayam is flowing into the Thungabhadra River.

b) **Pump House, Rambotla and Sankalbagjh Ghats at Kurnool Corporation:-** The Kurnool Municipal Corporation is not directly drawing raw water from Tungabhadra River for drinking purpose. The Main source of raw water for drinking needs of Kurnool Municipal Corporation is KC Canal from Sunkesula Barrage. The Raw water from KC Canal @21.50 KM is being drawn near Munagalapadu off –take point and pumping the same in to SS tank daily. The required quantity of raw water is drawn from SS Tank to the Head water works at Ashok Nagar, Kurnool and treated it as per standards and clear water with residual chlorine of 2 PPM is maintained and supplied to entire city.

During treatment process, required quantity of alum as per turbidity level (minimum dosage of 7 PPM) is added for sedimentation of solids. Pre chlorination of water is also done to remove any algae, odor and color. Finally treated water is being supplied to various parts of city after post chlorination. Every hour residual chlorine is tested and recorded in the log book at the head water works (Xerox copy enclosed).

  
ATTESTOR  
District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

During distribution of treated water also, residual chlorine is checked and recorded in the log book in the entire city (Xerox copy enclosed). The presence of residual chlorine in water indication of free from E- Coli bacteria is maintained (lab report enclosed).

I submit that, the highlighted Tungabhadra River is not at all the source for Kurnool Municipal Corporation drinking needs, but, also there is another source to get water from Gajuladinne project situated near Gonegandla. It is further submitted that, the quotation of drinking water parameters like Bio-chemical oxygen demand (BOD) and total coli form bacteria which are beyond the limits does not arise.

Further, River Tungabhadra and Hundri which are flowing across the Kurnool city, are not polluted by dumping of Municipal waste as, the Corporation has already constructed 3 no's of 0.8 MLD capacity Sewage Treatment plant and all are working satisfactorily and the treated water is also being tested frequently by APPCB authorities as well as through third party and door to door collection in entire city is implementing including source segregation. The wet and dry waste is being transporting to Gargeyapuram dump yard, and processing of wet waste and dry waste is taken up on pilot basis, and based on the success rate, same will be continued. The Municipal Corporation is conducting various awareness programmes among the public requesting not to throw or dump the garbage in the river stretches and also caution boards were installed along the river stretch. (Photo graphs enclosed). The allegation that, after consuming of river water, the local people affected with serious disease is denied. Further it is submitted that, no industrial untreated industrial effluents are not mixing in the river, as all the industries along the stretch are maintaining treatment and the pollution control board is monitoring their treatment process by testing of the water.

It is also alleged in the newspaper reports that apart from the chemical effluents, Municipal waste and medical waste is dumping in the water.

  
ATTESTOR  
District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

It is not true, as the bio-medical waste generated in the city is being maintained by "Bio-Medical Waste management solutions, Kurnool".

Finally, I submit that, the allegations published in the news regarding dumping of Municipal waste, bio-medical waste is not true and correct. Regarding treatment of untreated sewage water, at present 3no's of 0.80 ML capacity STP's are functioning and 2 STP's of 2 ML and 10 ML capacity are under construction stage which will be completed by March 2022 and March 2023 respectively. Further, for a capacity of 35.60 MLD and collection system on River Thungabhadra, a proposal has been submitted to Government and Government vide GO.Rt.No.442, Dated: 11.08.2021 (enclosed) has accorded Administrative sanction for an amount of Rs.79.78 crores and currently Notice inviting Tenders (NIT) has been issued vide Tender Notice No.1/Grants-in-Aid/E.E&SE/Kn/21-22, dated:18.10.2021 (enclosed) and the work will be taken up soon after the finalization and completion of the departmental agreement by the successful Bidder.

Further for processing of wet waste, in the Gargeyapuram Dumpyard, the work was entrusted to the agency M/S. Save Nature, Kurnool for a period of 2 years and the generated manure is being used in maintaining of plantation in the city and also recently a drive has been conducted on 08.07.2021 with a theme "Mana Chetha- Mana Yeruvu- Mana Chettu", where about 180 MT of manure is utilized and distributed to the public by the Kurnool Municipal Corporation (Photographs enclosed), continuous awareness drives are conducted by Sanitation Environment Secretaries educating public on Source segregation and not to dispose the solid waste into water bodies and ban on single use plastic.

  
ATTESTOR  
District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

## II. "10 fall ill after drinking contaminated water in Kosigi"

I submit that with regard to news item published in Eenadu news paper date: 05-01-2021, with a caption of "10 fall ill after drinking contaminated water in Kosigi", the Agasanoor gram panchayat will come under purview of CPWSS and SVS Schemes along with some other villages, which is being maintained by the Zilla Parishad and RWS Department.

The Agasanoor gram panchayat is distributing the Drinking water to the public, through Water pipe line and public / private taps. Soon after filling of the OHSR from the water received through CPWS located at Sathanur Gram Panchayat. The Agasanur Gram Panchayat is having OHSR to storage the water for onward distribution, through pipeline. In addition to the OHSR the gram panchayat has also having 3 cisterns for providing of water to the public through pipe line with a source of separate bore wells as the water is salted, the public not using the this water for the dirking purpose.

I submit that on the day of incident happened, some of the people of Agasanur Gram Panchayat who brought the drinking water directly from the Thungabhadra River, and it is caused ill health.

I submit that to overcome the insufficient drinking water supply to the public of up area, the gram panchayat has provided two gate valves and releasing the water area wise in a time slot to cover entire area of the gram panchayat and it is resulted for salvation of in sufficient water supply to the up area. And the public have also not preferring for taking of water from Thunga Bhadra River.

I submit that with regard to Drainage system in the Agasanoor gram panchayat I submit that the entire area of the gram panchayat has covered with two drainages, one is situated at a long distance to the Thunga Bhadra River, and another the drain water in

  
ATTESTOR  
District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

another drainage is connecting to the VANKA and most of the drainage water is drying before reaching the VANKA. No Drain at Agasanoor gram panchayat has connected with the Thunga Bhadra River. And Finally I submit that no contamination of drinking water situated at Agasanoor gram panchayat of Kosigi Mandal.

4 I submit that the Agasanur village of Kosigi Mandal is covered by the CPWS Schemte Santhanur and 12 other habitations serving total population of 41218 with Raw Water Source in Tungabhadra River.

5 The scheme is having 5.00 MLD Treatment plant consisting of of sedimentation Tank and slows sand filter beds (4 nos) of 5.00 MLD capacities at Santhanur Head Works. Taking the Raw Water from Tungabhadra River and purification through Sedimentation tank and filter beds, Treated is being supplied to the Service Reservoirs located at 12 habitations including Agasanuru village. The scheme is being maintained by Zilla Parishad, Kurnool through RWS&S department. From Service reservoirs water is distributed to Households/Public Tap connections by the respective Gram Panchayaths.

6 It is to note that the Source location of tapping of Raw water in Tungabhadra River is 8.00 Km up stream of the pollution location at Mantralayam village, where it is said to be mixed with drainage water. Hence there is no question of contamination of Thungabhadra source water supplying to Agasanur habitation where 10 people were affected with Diarrohea. Further it is to be noted that water supplied is properly treated through SÈDIMENTATION TANK & SLOW SAND FILTRATION.

7. In conclusion I submit that the drinking water sources which are intended for supply of drinking water to villages are not contaminated by the localized contamination of Thungabhadra River near Mantralayam. And all suraface water sources in Thungabhadra River are treated through treatment plants and then only supplied to distribution for Drinking water supply.

  
ATTESTOR

District Panchayat Officer  
KURNOOL

  
DEPONENT  
District Collector  
Kurnool

8 It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders as this Hon'ble Tribunal may deem fit and thus render justice.



**DEPONENT**  
District Collector  
Kurnool

Solemnly and sincerely affirmed

On this Monday 25<sup>th</sup> day of October, 2021

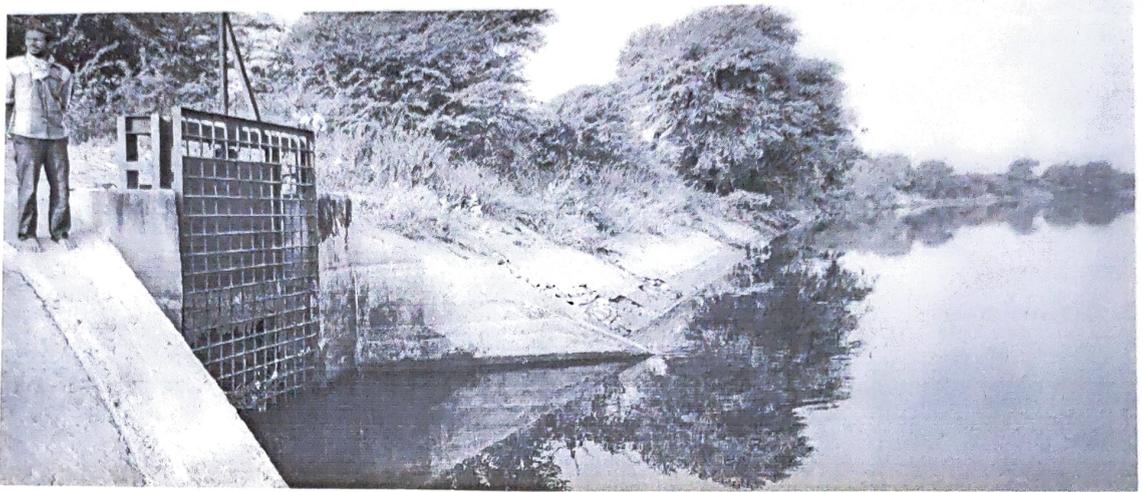
and signed her name in my presence

//before me//

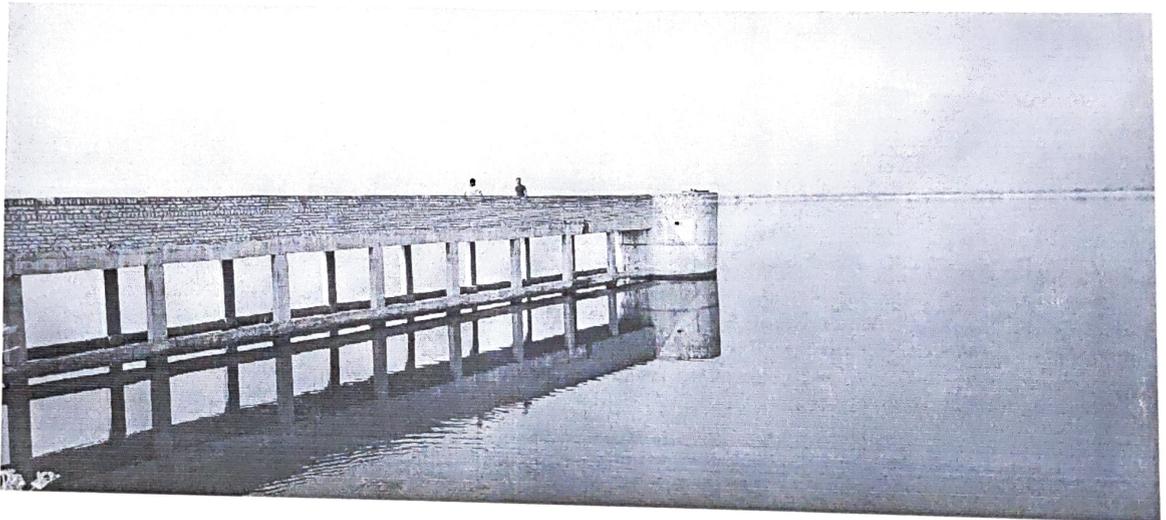


**ATTESTOR**  
District Magistrate Officer  
KURNOOL

Off Take Point on KC Canal at 21.50 K.M near Munagalapadu



Summer Storage Tank



|| Attested ||

*K. Vane Phawde*  
Administrative Officer  
District Panchayat Office  
KURNOOL.

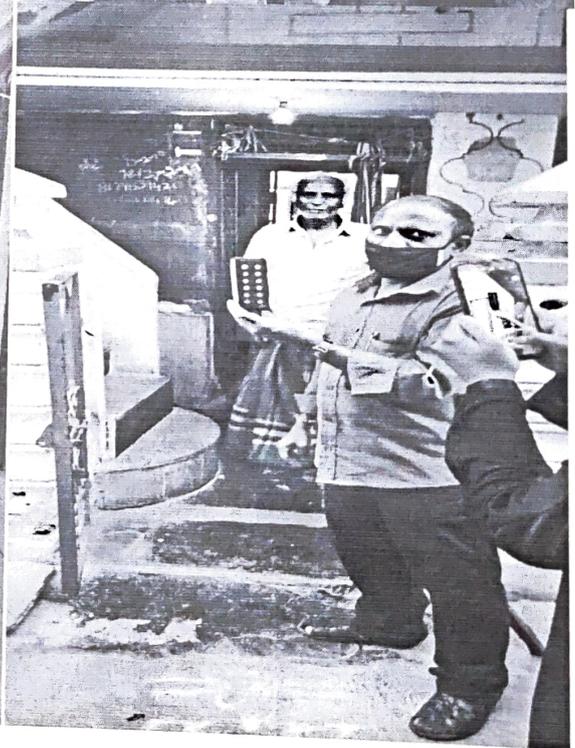
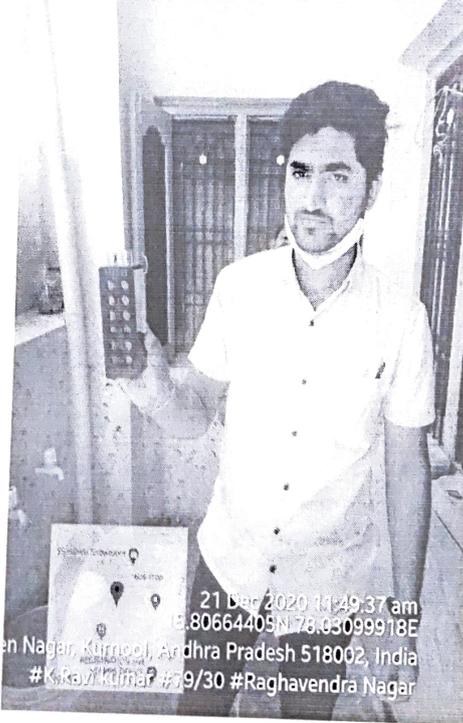
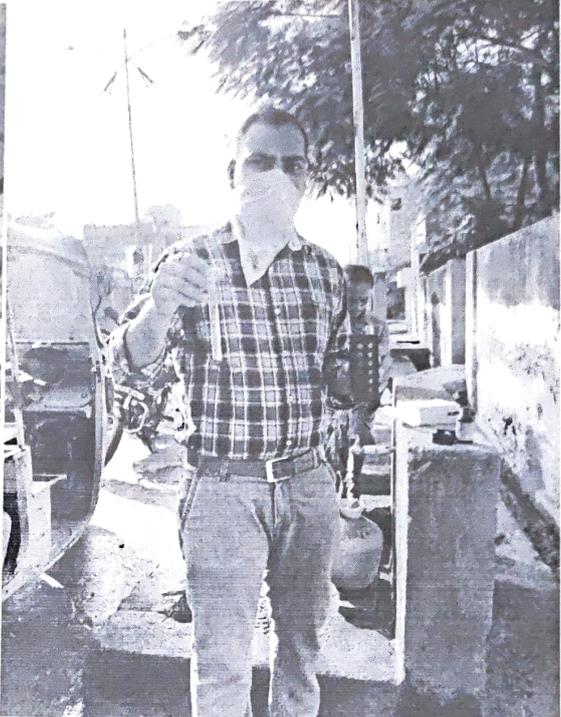
**Log Book of Residual Chlorine Maintained at Head Water Works**

Date		Residual Chlorine	
9/10/2021 H.L.P.H. AE D/EE			
9:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
10:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
11:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
12:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
1:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
2:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
3:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
4:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
5:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
9/10/2021 H.L.P.H. AE D/EE			
9:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
10:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
11:00 AM	2.0 ppm	2.0 ppm	2.0 ppm
12:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
1:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
2:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
3:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
4:00 PM	2.0 ppm	2.0 ppm	2.0 ppm
5:00 PM	2.0 ppm	2.0 ppm	2.0 ppm

|| Attested ||

**K. V. Suresh**  
 Administrative Officer  
 District Panchayat Office  
 KURNOOL.

Measuring Residual Chlorine content during distribution of Water



|| Attested ||

*K. Vasu Prasad*  
Administrative Officer  
District Panchayat Office  
KURNOOL.

# Log Book of Residual Chlorine

S.no	Date of Tested	Address	Name of the Owner	Residual Chlorine in ppm	Signature of Consumer
1	24/12/2020	Balaji Nagar 81/306-1-A-2	T.V. Subba Reddy	0.2	<i>[Signature]</i> 9844152438
2	26/12/2020	Sapthagiri Nagar 81/346	D. Narayana	0.2	<i>[Signature]</i> 703352437
3	28/12/2020	Balaji Nagar 81/340-3	K. Chinna Subhan	< 0.1	<i>[Signature]</i> 79894 80160
4	28/12/2020	Aruna Nagar 81/310-2-D-1	K. Chandranna	0.2	<i>[Signature]</i>
5	30/12/2020	Vijji Nagar 81/310-13	A. Chennaiah	0.2	R. Chennaiah 9494388411
6	1/01/2021	Vijji Nagar 81/331-1	Chinna Venkata Swamy	0.2	<i>[Signature]</i>
7	1/01/2021	Vijji Nagar 81/317	Shakulanthamma	0.1	(At tail end) B 25500002
8	03/01/2021	Vijji Nagar 81/315-A9	M. Ramudu M. Jayamma	0.1	M. Pushpa
9	03/01/2021	Bukmini Nagar 81/330-1-2	S. Raghunath	0.2 At starting	S. Rama
10	05/01/2021	Sharada Nagar 81/337	Veeranna	0.2 At ending	M.M.M
11	07/01/2021	Balaji Nagar 81/337-1-A	Satyam	1.0	M. Satya

|| Attested ||

K. V. Venkatesh  
Administrative Officer  
District Panchayat Office  
KURNOOL.

# Water Analysis Report



**REGIONAL PUBLIC HEALTH LABORATORY**  
**KURNOOL MEDICAL COLLEGE CAMPUS: KURNOOL – AP**  
 (Under the Control of the Directorate, I.P.M. P.H. Labs., Gollapudi Vijayawada)

**REPORT OF CHEMICAL EXAMINATION OF WATER**

Name & Address of Sender	MPL PROTECTED WATER SUPPLY-KURNOOL MPL CORPORATION		
Sender's Ref. Number		Collected by	Engineering staff
Date of Sample Collected	11 <sup>th</sup> DECEMBER 2020	Date of Receipt	11 <sup>th</sup> DECEMBER 2020
Lab Reference Number	1148/C/2020	Receipt Number	NA
Source of the Sample	Clear Water from 9 MGD Treatment plant of Ashok nagar* sample tested as received basis		

**RESULTS**

**PHYSICAL CHARACTERISTICS**

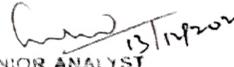
S.No	Characteristics	Results	Lower and Upper permissible limit as per IS 10500 2012
01	Appearance	Normal	Normal
02	Colour	05	5-10 HU
03	Turbidity (Units)	05	10NTU
04	Odour	No odour	Unobjectionable

**CHEMICAL CHARACTERISTICS**

05	pH	7.2	6.5 – 8.5
06	Electrical Conductivity (Microhms/cm at 25°C)	1120	
The following values are expressed as mg/L			
07	Dissolved Solids (105°C)	739	500-1500
08	Alkalinity/Phenolphthalein	0	
09	Methyl Orange (as Ca CO <sub>3</sub> )	160	300-600
10	Total Hardness (as Ca CO <sub>3</sub> )	220	200-600
11	Carbonate Hardness (as Ca CO <sub>3</sub> )	160	
12	Non-Carbonate Hardness (as Ca CO <sub>3</sub> )	060	
13	Chlorides (as Cl)	280	200
14	Nitrates (as N)	05	45
15	Flourides (as F)	0.8	0.5-1.5
16	Ammonia cal Nitrogen	Nil	Absent
17	Albuminoidal Nitrogen	Nil	Absent
18	Nitrites (as NO <sub>2</sub> )	Nil	Absent
19	Oxygen consumed from KMnO <sub>4</sub>		
20	Iron	0.1	1.0
21	Sulphates	80	200
22	Any other sp test * E COLI/Coliform	Absent	NIL

Remarks: \*H2S method

All the characteristics are within normal limits for drinking purpose.

  
 SENIOR ANALYST  
 REGD. PUBLIC HEALTH LAB  
 KURNOOL 518002

Scanned by CamScanner

!! Altered !!

  
 Administrative Officer  
 District Panchayat Office  
 KURNOOL.

**Administrative sanction accorded by Government for Construction of Sewage Treatment Plants of capacity 35 MLD**



E - 4868703

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

MA&UD Department – Kurnool Municipal Corporation – Liquid Waste Management – Construction of Sewerage Treatment Plants (STPs) at suitable locations in Kurnool Municipal Corporation – Administrative Sanction accorded – Orders – Issued  
MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (UBS) DEPARTMENT



G.O.Rt.No.442

Dated 11.08.2021  
Read: 9

From the Commissioner, Municipal Corporation, Kurnool, Lr. Roc. No. 2626/DB/TO/2021, Dated 08-07-2021.

**ORDER:**

In the circumstances stated by the Commissioner, Municipal Corporation, Kurnool and after careful examination of the proposal, Government hereby accord administrative sanction for an amount of Rs. 79.78 Crores for construction of Sewerage Treatment Plants (STPs) at suitable locations in Kurnool Municipal Corporation.

2. The expenditure shall be debited to the HoA 2217-80-001-GH.11-SH. (58) Assistance to New Municipalities / Corporations for Developmental Works – 310 Grants-in-Aid – 312 Other Grants-in-Aid.

3. The Commissioner & Director of Municipal Administration, Guntur / Commissioner, Municipal Corporation, Kurnool shall take necessary action in the matter accordingly.

4. This order issues with the concurrence of the Finance (FMU-EFST &MA&UD) Department vide their U.O. No. FMUOASD/98/2021 (Computer No. 1441297), Dated 09-08-2021.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
✓ The Commissioner & Director of Municipal Administration, Guntur  
The Commissioner, Municipal Corporation, Kurnool  
Copy to  
✓ The Finance ((FMU-EFST &MA&UD) Department  
Sf/Sc.

//FORWARDED BY ORDER//

G. Sudha Ray  
ASSISTANT DIRECTOR

//Attested//

K. Vane Prasad  
Administrative Officer  
District Panchayat Office  
KURNOOL.

Notice Inviting Tender for Construction of Sewage Treatment Plants of capacity 35 MLD

Roc. No.PH4/13935/Adv.No.198/P

**KURNOOL MUNICIPAL CORPORATION**  
e-Procurement Notice

Tender Notice No.1/Grants-in-Aid/EE&SE/KN/21-22, dt.18-10-2021

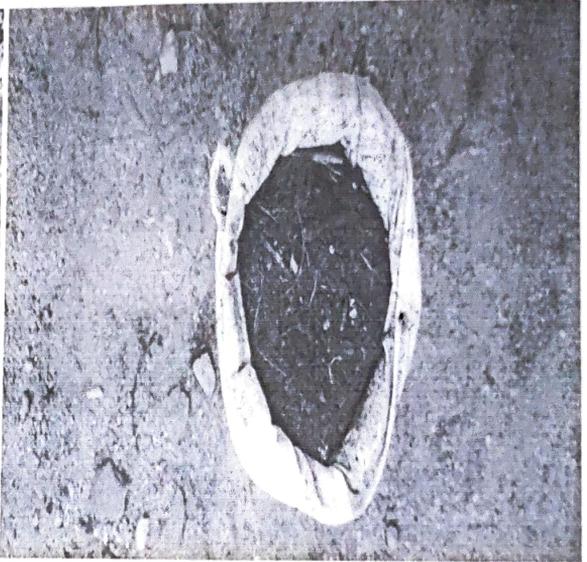
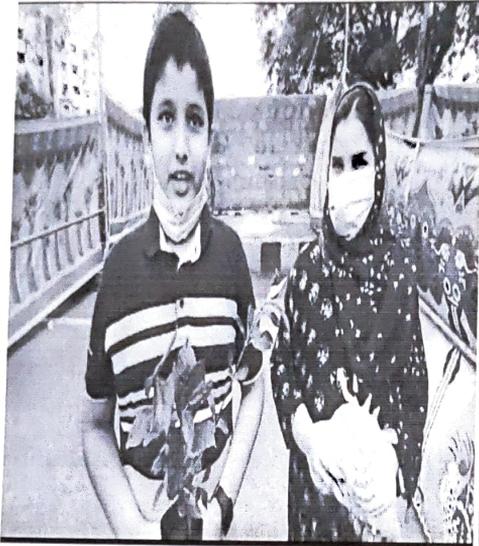
No of Works/Estimated amount	01/79.78 Cr.
Name of Works	Investigation, Survey, Design, Construction of Diversion Structures, Conveyance system for abatement of sewage discharge in Tungabhadra River & Sewage Treatment plants on Open Technology with operation and maintenance for 5 years including DLP of 2 years
Bid document download starting date	22/10/2021 at 5:30 P.M
Bid document download end date	17/11/2021 at 4:00 P.M
Last Date & Time for receipt of Bids	17/11/2021 at 5:00 P.M
Pre bid Meeting date	08/11/2021 at 10:00 A.M.
Technical Bid opening Date	17/11/2021 at 5:30 P.M.
Commercial Bid Opening Date	20/11/2021 at 11:00 A.M
Reverse Auction Date	Will be intimated
Name & Address of the Concerned Officer Commissioner, Kurnool Municipal Corporation, Kurnool. Ph.No. 9849908488, 9849908498. Further details can be seen @ e procurement market place at <a href="http://www.tender.apcprocurement.gov.in">www.tender.apcprocurement.gov.in</a> . D.K. Balaji, I.A.S., Commissioner, Kurnool Municipal Corporation, Kurnool.	
<b>Sd/- Commissioner, Kurnool Municipal Corporation, Kurnool.</b>	

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|| Attested ||

*K. V. Praveen*  
Administrative Officer  
District Panchayat Office  
KURNOOL.

Distribution of Manure along with plantations to public Generated in Gargeyapuram Compost Yard



|| Attested ||

*K. V. Prasad*  
Administrative Officer  
District Panchayat Office  
KURNOOL.

# Awareness Programme conducted on Solid Waste Management Rules



// Attested //

*K. Vasu Purush*  
Administrative Officer  
District Panchayat Office  
KURNOOL.



|| Attended ||

*K. V. Srinivas*  
Administrative Officer  
District Panchayat Office  
KURNOOL.



*// Attested //*

*K. Vasu Prasad*  
Administrative Officer  
District Panchayat Office  
KURNOOL.