

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

**Original Application No. 259 of 2020(SZ)**

**&**

**Original Application No. 02 of 2021(SZ)**

**IN THE MATTER OF:**

Tribunal on its own motion SUO MOTU based on the News Item in The Indian Express, Newspaper dt: 09.12.2020, "Andhra town Eluru hit by „mystery“ illness, traces of lead, nickel in blood samples", News Item in The Times of India, Newspaper dt: 08.12.2020, "Heavy metal content in water caused mysterious disease in AP", & News Item in NDTV, dt: 09.12.2020, "Lead, Nickel found in blood of people with mystery illness in Andhra Pradesh.

And

The Chief Secretary of Govt. of Andhra Pradesh and Others

...Respondent(s)

With

Tribunal on its own motion - SUO MOTU based on the News item in The Hindu, edition dated 15.12.2020, Kolleru (West Godavari Dt.) "Mystery illness raises concerns over Kolleru pollution".

And

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

...Respondent(s)

**NOTIFICATION OF AWARD THE 4<sup>TH</sup> RESPONDENT**  
**APPCB**

**23-01-2023**



**M/s MADHURI DONTI REDDY**

**ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH**

**A.P. POLLUTION CONTROL BOARD**

**T.T.D. SUPREME COURT OF INDIA**

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**COUNSEL FOR 4<sup>TH</sup> Respondent APPCB**

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**INDEX**

<b>Sl.No.</b>	<b>Date</b>	<b>Description of the Document</b>	<b>Page No.</b>
1.	<b>9-11-2022</b>	<b>Notification of award</b>	<b>1-6</b>

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

Date: 23- 01-2023

**ANDHRA PRADESH POLLUTION CONTROL BOARD**

D. No. 33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre,  
Chalamalavari Street, Kasturibaipet, Vijayawada – 520 010  
Phone. No. 0866-2463200, Website: www.pcb.ap.nic.in

NOA No. APPCB-12023/2/2021-SS-CL-APPCB - 569 09/11/2022

**// Notification of Award //**

To  
The Director,  
CSIR-National Environmental Engineering Research Institute (NEERI),  
Nehru Marg, Vasant Nagar,  
Nagpur-440020,  
Maharashtra.

Sir,

**Kind attention:** Dr. Shaik Basha, Scientist & Head, CSIR-NEERI, Hyderabad

<b>Sub :</b>	APPCB – LAB – Notification of Award for conducting “Comprehensive Scientific Study” to save Kolleru Wildlife Sanctuary and Wetland of Kolleru from pollution as per the directions of Hon’ble NGT, Chennai - Issued to CSIR - National Environmental Engineering Research Institute (NEERI) - Reg.
<b>Ref:</b>	<ol style="list-style-type: none"> <li>1. Hon’ble NGT, Chennai Order, dated 03.01.2022 in O. A. No.259 of 2020 and 02 of 2021.</li> <li>2. EFS &amp; T Dept., Govt. of AP Lr. No. EFS01-ENV/29/2020-SEC-I, dated 08.03.2022.</li> <li>3. APPCB Lr. No. APPCB-12023/2/2021-SS-CL-APPCB/54, dated 25.04.2022.</li> <li>4. CSIR-NEERI Lr. No. HZC/APPCB-KL/2022/372, dated 21.06.2022.</li> </ol>

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**1. Introduction:**

It is to inform that Hon’ble NGT, Chennai in its Order, dated 03.01.2022 in O.A. Nos. 259 of 2020 and 02 of 2021, vide reference 1<sup>st</sup> cited, directed the Government of Andhra Pradesh to conduct Comprehensive Scientific Study in order to protect the water body and remove the encroachments and hand to over the entire area to the Forest Department, so as to maintain the lake area in the wildlife sanctuary in an effective manner and to make the lake pollution free.

The EFS & T Department, Government of Andhra Pradesh has requested Andhra Pradesh Pollution Control Board (APPCB) to entrust the above study to CSIR-NEERI, Nagpur or any other reputed institute, vide reference 2<sup>nd</sup> cited.

Accordingly, APPCB has requested CSIR-NEERI, Nagpur to submit the proposals to

APPCB for conducting Comprehensive Scientific Study to save the Kolleru lake, vide reference 3<sup>rd</sup> cited.

In response, CSIR-NEERI, Hyderabad Zonal Centre has submitted the proposals for carrying out Comprehensive Scientific Study to save Kolleru Wildlife Sanctuary and Wetland, vide reference 4<sup>th</sup> cited.

## **2. Award of work order:**

After careful examination of the proposals submitted by CSIR-NEERI, vide reference 4<sup>th</sup> cited, APPCB is herewith issuing the Notification of Award to CSIR-NEERI for conducting "Comprehensive Scientific Study" to save Kolleru Wildlife Sanctuary and Wetland" with the following objectives, scope & methodology, deliverables and terms & conditions:

### **3. Title of the study:**

"Comprehensive Scientific Study" to save Kolleru Wildlife Sanctuary and Wetland of Kolleru from encroachments and pollution.

### **4) Objectives:**

- 4.1) To delineate the Kolleru wildlife sanctuary and demarcate the Kolleru lake on Survey of India toposheet.
- 4.2) To identify the notified and unnotified drains entering the Kolleru lake.
- 4.3) To identify the various contaminants entering the lake through drains.
- 4.4) To assess the biodiversity status of the Kolleru wildlife sanctuary and Kolleru lake.
- 4.5) To assess the environmental impact and delineate the measures to save the Kolleru lake and wildlife sanctuary catchment area.
- 4.6) To make an assessment for suggesting safe distances for establishment of Red, Orange, Green and White category industries from the +5 contour of Kolleru lake.

### **5) Scope of Work and Methodology:**

- 5.1) Demarcation of the Wildlife Sanctuary and Kolleru lake along with the notified and un-notified drains and outlet to the lake on the Survey of India toposheet on 1:50,000 scale.
- 5.2) Reconnaissance survey of the Sanctuary, lake and surrounding area shall be carried out to understand the status of the lake and the surrounding land use pattern.
- 5.3) Collection and analysis of secondary data from all sources like APPCB,

Irrigation & Forest department, Fisheries Department, etc.

**5.4)** Preliminary site assessment includes background data collection, site reconnaissance and drainage survey.

**5.5)** Inventory of potential contaminant sources of all the drains shall be prepared by carrying out preliminary investigation of the sanctuary and lake, topographic survey.

**5.6)** Collection of water & sediment samples in two seasons, post and pre monsoon seasons from **(a)** all the notified & other drains joining the lake, **(b)** existing lake (in adequate numbers) and **(c)** outlet of the lake and analysing for physico-chemical parameters like, pH, BOD, COD, DO, TOC, TDS, Phosphates, Nitrates, microbiological parameters like, E-Coli, Total Coliform, Fecal Coliform & Fecal Streptococci, organo-chloro & organo-phosphorus pesticide residues, antibiotic residues and metals such as As, Be, Cd, Cr, Pb, Co, Cu, Fe, Hg, Mn, Mo, Ni, Sb, Sc, Se, Ti, V and Zn.

**5.7)** Quantification of the drains entering the lake.

**5.8)** The water samples shall also be collected for analysis of phytoplankton and zooplankton diversity.

**5.9)** The sediment samples to be collected and assessed for the benthic fauna.

**5.10)** Collection of soil samples at representative locations and analysis for physico-chemical parameters like pH, EC, texture, bulk density, particle density, porosity, water holding capacity, soluble cations & anions, SAR, organic carbon, available N, P, K and heavy metals.

**5.11)** The whole study shall be carried out for the +5 contour of the Sanctuary and lake.

**5.12)** To delineate the environmental measures to be identified based on the contamination assessment, if any.

**5.13)** To study the baseline environmental data and examine the feasibility of permitting industries viz., White / Green / Orange / Red as per CPCB classification, 2016 within 10 km radius from +5 contour of Kolleru lake duly identifying the environmental impacts.

**5.14)** To envisage environmental changes in biodiversity in and around the lake (+5 contour) level.

**5.15)** Assess the biodiversity (flora and fauna) and attributes of study area around the proposed site.

**5.16)** Literature review and collation of secondary data relevant to the study area.

5.17) Primary data collection and establishment of baseline environmental status of the study area.

5.18) The baseline information of physical information of the lake and visual inspection of the flora and fauna in the project area.

**6) Contract value of the study:**

Total contract value of the study shall not exceed Rs. 70,20,000/- (rupees seventy lakhs and twenty thousand only). GST will be extra as applicable at the time of execution of the study.

**7. Period of the study:**

The study shall be completed in twelve (12) months period including submission of final report to APPCB as detailed below:

7.1) The post monsoon season water, sediment, soil, etc. quality monitoring shall be carried out during the year, 2022.

7.2) The pre monsoon season water, sediment, soil, etc. quality monitoring shall be carried out during the year, 2023.

7.3) The draft report of the study shall be submitted to APPCB by the end of September, 2023 and the CSIR-NEERI team shall make a power point presentation to the expert committee consisting of members of concerned stakeholders.

7.4) The CSIR-NEERI shall incorporate the suggestions and recommendations made by the expert committee in the report. The final report completed in all respects shall be submitted to APPCB not later than 31.12.2023.

**8) Payment terms:**

8.1) 40% of the contract value will be released towards advance to start the work.

8.2) 25% of the contract value will be released to the institute after successful completion of first phase water quality monitoring during post monsoon season, 2022.

8.3) 25% of the contract value will be released to the institute after successful completion of second and final phase water quality monitoring during pre monsoon season, 2023.

8.4) Balance 10 % of the contract value will be released after acceptance of final report.

**9. Submission of final report:**

The final report complete in all respects shall be submitted not later than 31.12.2023.

**10) Deliverables:**

**10.1)** Assessment of the status and measures to save Kolleru wild life sanctuary and Kolleru Wetland from pollution.

**10.2)** Recommendations on the safe distances for establishment of Red, Orange, Green and White category industries from the +5 contour of Kolleru lake duly identifying the environmental impacts.

**11) General terms & conditions:**

**11.1)** Retain such amounts from the payment due and payable by APPCB to the Institute as may be required to offset any losses caused to the Board as a result of such event of default and the Institute shall compensate the Board for any such loss, damages or other costs, incurred by the Board in this regard. Nothing herein shall affect the continued obligation of the Institute / other members of its team to perform all their obligations and responsibilities under this contract in an identical manner as were being performed before the occurrence of the default.

**11.2)** APPCB reserves the right to recover such costs / losses and other amounts from the Institute that may have resulted from such default and pursue such other rights and / or remedies that may be available to the Board under law.

**11.3)** The Member Secretary, APPCB, Vijayawada reserves himself the right to cancel the contract at any stage, if the Institute was found noncompliance of the terms & conditions and objectives of the entrusted study.

**11.4)** APPCB shall reserve the right to inspect and verify the progress of the study at any time during the project tenure with prior information. Institute shall provide the information regarding the progress of the project, accordingly.

**11.5)** Physico-chemical analysis of all the samples pertaining to the study shall be carried out in a NABL accredited and having Environmental Laboratory recognition under the Environment (Protection) Act, 1986. The facilities shall be made available for the verification of APPCB, if required. Letter of authorizations / agreements / MoU / acceptance, etc. entered between CSIR-NEERI and Laboratories concerned shall be provided to APPCB.

**11.6)** The CSIR-NEERI shall have his own equipment / instruments for conducting the said studies. Transportation of required equipment / instruments for carrying out monitoring, safety during monitoring & storage, rents for buildings, electricity charges, installation expenses, including accommodation charges incurred shall be borne by the Institute. APPCB will not be providing any assistance or help to the Institute in supplying of equipment or laboratory services or manpower or in any other form.

**12) Force Majeure:**

**12.1)** The Institute shall not be liable for any penalization or termination of the contract for default, if and to the extent that it's delay in performance or other failure to perform its obligations under the Contract is the result of an event of Force Majeure.

**12.2)** For purposes of this clause "Force Majeure" means an event beyond the control of the Institute and not involving the Institute's fault or negligence and not foreseeable. Such events may include, but are not restricted to, acts of the State Government in its sovereign capacity, wars or revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.

**12.3)** If a Force Majeure situation arises, the Institute shall promptly notify the Board in writing of such condition and the cause thereof. Unless otherwise directed by APPCB in writing, the Institute shall continue to perform its obligations under the Contract as far as is reasonably practical, and shall seek all reasonable alternative means for performance not prevented by the Force Majeure event.

**13) Disputes & Jurisdiction:**

This contract is between APPCB and the CSIR-NEERI and shall be governed by the Laws of India and under this contract shall be taken by the parties only in Andhra Pradesh to competent jurisdiction.

Kindly acknowledge the receipt of the Notification of Award and acceptance of the same for conducting "Comprehensive Scientific Study" to save Kolleru Wildlife Sanctuary and Wetland of Kolleru from pollution as per the terms & conditions stipulated therein, may please be communicated to APPCB within seven (7) days from the date of receipt of the same.

Yours sincerely,

**Vijay Kumar Gsrkr Ias**  
**Secretary To Government**