

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

OA No 40 OF 2024

IN THE MATTER OF:

NEWS ITEM PUBLISHED ON 25 JANUARY 2024 IN THE EENADU NEWSPAPER
REGARDING DISCHARGE OF LIQUID WASTES IN LAKH LITERS INTO DIFFERENT
RIVERS IN ANDHRA PRADESH

..... Applicant

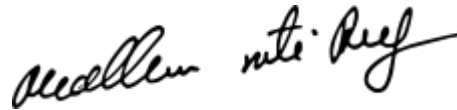
Vs

THE CHIEF SECRETARY TO GOVT OF ANDHRA PRADESH AND OTHERS.

.... Respondents

AFFIDAVIT FILED BY R3- ANANTAPURAMU
MUNICIPAL CORPORATION

DATE- 20.04.2024



M/s MADHURI DONTI REDDY
ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

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**IN THE HON'BLE NATION GREEN TRIBUNAL,
SOUTHERNZONE CHENNAI**

(Through video conference – Suo Motu)

ORIGINAL APPLICATION NO. 40 of 2024(SZ)

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Chennai

Dt:- 20-04-2024

**MEMORANDUM OF ORIGINAL APPLICATION
(Rule-15 of the National Green Tribunal Act,
2010)**

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI**

(Through Video Conference - suo motu)

Original Application No. 40 OF 2024 (SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU
Based on the News Item in Eenadu
Newspaper, dt 25.01.2024, "Liquid
Wastes have been discharged into
Different Rivers in the State of Andhra
Pradesh".

.... Applicant

AND

1. **The Chief Secretary to Govt. of Andhra Pradesh,**
1st Block, 1st Floor, Interim Government Complex,
A.P Secretariat Office, Velagapudi, Guntur
Andhra Pradesh- 522237
Phone:8632441024, Email: cs@ap.gov.in
2. **Special Chief Secretary to Govt. of Andhra Pradesh,**
Department of Environment, Forest, Science and Technology,
4th Ground Floor, Room No:268,
A.P Secretariat Office, Velagapudi, Guntur
Andhra Pradesh- 522237
Phone:8632444438. Email: splcs_efst@ap.gov.in
3. **The Secretary to Govt. of Andhra Pradesh, Municipal
Administration and Urban Development Department,**
2nd Block, Ground Floor, Room No:140,
A.P Secretariat Office, Velagapudi, Guntur
Andhra Pradesh- 522237
Phone:8632442024. Email: prlsecy_maud@ap.gov.in
4. **The Chairman, Andhra Pradesh Pollution Control Board,**
D.No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamavari Street,
Kasturibaipet, Vijayawada -520010.
Phone: 8662463202. Email: chairman@appcb.gov.in

5. The Principal Secretary, Water Resources Department, Govt. of Andhra Pradesh,

Address: 4th Block, 1st Floor Room No:216,

A.P Secretariat Office, Velagapudi,

Guntur - 522237

Phone: 0863-2444248 Email: splcs-wrd@ap.gov.in

... Respondent(s)

COUNTER AFFIDAVIT FILED BY THE RESPONDENT NO 3

I, Y.Megha Swaroop, S/o Y.Chandra Sekhar Rao, aged about 33 years, Hindu, Commissioner of Anantapuramu Municipal Corporation, Anantapuramu, do hereby solemnly affirm and state as follows:

1. I am the 3rd Respondent herein and as such I am well acquainted with a fact of the case.
2. This respondent denies each and every averment made in the Suo Moto application as false and incorrect except those that are specifically admitted herein this counter affidavit.
3. The material allegations in the memorandum are all false. The material averments in the application all not true and correct and are hereby denied.
4. It is submitted that, the population of Anantapuramu Municipal Corporation is 2,61,004 as per 2011 census and the present population is about 3,30,000. The area of the city is about 16.35 square kilometers.
5. It is submitted that the Water supply of about 45 MLD at 135 LPCD is being supplied to the public. The generated Sullage from households are let out into the existing Maruva Vanka and Nadimi Vanka in the town. The Sullage from Maruva Vanka and Nadimi Vanka will flow into the Tadakaleru Stream in the North-East downstream of the Town.

Accordingly, the Sewage Treatment Plants were proposed on the Tadakaleru bank. The Public Health Engineering Department is executing the Sewage Treatment Plants.

6. It is submitted that the Sewage Treatment Plants under construction and proposed under AMRUT Scheme and present stage of work as submitted by the Public Health Engineering Department is as follows:

(1) Construction of 10 MLD Sewage Treatment Plant under AMRUT 2016-20 Scheme (under construction).

(a) The Government vide G.O.Ms.No.82 MA & UD (UBS) Department, dated:03.03.2017 have accorded Administrative Sanction for an amount of Rs.29.76 Crores under AMRUT Scheme 2016-20.

(b) The Work was awarded to M/s. Ayyappa Infra Projects Private Limited, Hyderabad, and agreement was concluded vide Superintending Engineer Agreement No.09/2018-19, Dated: 10.10.2018.

(c) The construction for 10 MLD Sewage Treatment Plant is proposed in S.No.222-2 with an extent of Ac.7.00 at Somuladoddi Village, Anantapuramu Rural Mandal.

(d) The District Collector, Anantapuramu, vide Proceedings Rc.No.E3/9036/2018 Dated: 03.09.2018 has ordered for advance possession of the above land duly imposing the following conditions:

The proposed structure may be constructed well above the maximum flood level of Tadakaleru River and the sub-structure may be provide with column structure (without walls) so that there will be no obstruction for free flow of flood water.

The width of the structure may be limited to 1/4th of the stream width adjacent to the existing nala duly providing necessary protection arrangement.

Reasons for delay in completion of scheme:

(a) The Chief Secretary to Government in U.O. Note in the reference 5th cited has advised the Departments to be prudent in

1. The work sanctioned prior to 01.04.2019 but not grounded are cancelled.
 2. Works grounded but expenditure is less than 25% of originally estimated value shall be reviewed afresh.
- (b) Meanwhile the Government have accorded permission to start the work.
 - (c) The Agency has not grounded the work and notice was issued by the Public Health Engineering Department.
 - (d) The Agency has requested for additional amount of Rs.1.18 Crores towards raising the structures on columns of about 1.50 meters i.e., above maximum flood level.
 - (e) Meanwhile the Joint Secretary, Ministry of Housing and Urban Affairs, Government of India, during the review meeting held on 28.01.2021 has instructed to cancel all the projects sanctioned under AMRUT which are not grounded by March, 2021.
 - (f) The Government vide Memo No.1435620/UBS/2021, dated: 06.07.2021 have accorded permission to the Engineering-in-Chief (PH) to cancel the work.
 - (g) Accordingly, the tenders were recalled and the work was awarded to M/s. Krushi Infrass India Private Limited, Hyderabad, vide Superintending Engineer (PH) Agreement No.52/2022-23 Dated: 24.03.2023 with an agreement period of 18 months.
 - (h) The Hydraulic Designs and structure designs submitted by the Agency were approved. The work will be grounded soon after shifting electrical poles by APSPDCL.
 - (i) The Commission and completion of 10 MLD Sewage Treatment Plant is programmed by 31.03.2025.

(2) Construction of 15 MLD Sewage Treatment Plant under AMRUT 2.0 Scheme.

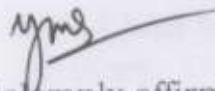
- (a) The Government vide G.O.Ms.No.68 MA & UD (UBS) Department Dated: 19.05.2023 have accorded Administrative Sanction for an amount of Rs.48.00 Crores were providing Sewerage Scheme in

Anantapuramu Municipal Corporation under AMRUT 2.0.

- (b) The DPR for construction of 15 MLD Sewage Treatment Plant has been prepared and submitted for vetting by PDMC.
- (c) The tenders will be invited after technical sanction is accorded by the Engineer-in-Chief (PH), Guntur.

7. It is submitted that this respondent craves leave of this hon'ble tribunal to raise the additional counter in the course of proceedings, if required.

The above circumstances, it is humbly prayed that this Hon'ble Tribunal maybe pleased to pass an appropriate order in the above OA No. 40 of 2024 and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

7

Solemnly affirmed and signed
his name in my presence
on this 28 the day of March, 2024

Before Me

G. UMAPATHY, B.L.
ADVOCATE
D.No. 7523, Bahemath Nagar
ANANTHAPUR, A.P.
Mobile: 94405 05669

VERIFICATION

I, Y.Megha Swaroop, S/o Y.Chandra Sekhar Rao, aged about 33 years, Hindu, Commissioner of Anantapuramu Municipal Corporation, Anantapuramu, on behalf of the respondent 3 do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge and belief, based on information and records available.

Hence verified on this

day of March, 2024.


Commissioner
Anantapur Municipal Corporation
Deponent R.