

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

**ORIGINAL APPLICATION NO. 59 OF 2022
IN THE MATTER OF:**

VELAGAPUDI BABU RAO,

S/o Late Venkateswara Rao,

Aged about 65 years, Occ: Business,

R/o. D.no-24-86, Now YSR Tadigadapa Municipality,

Previously Yenamalakuduru Village, Penamaluru Mandal,

Vijayawada Rural, Krishna District, Andhra Pradesh- 520007.

Email: velagapudi babu@yahoo.in,

Phone.No. 8333978818.

... **APPLICANT**

-Vs-

1)THE STATE OF ANDHRA PRADESH,

Rep. by its Principal Secretary,

Major Irrigation Department, Secretariat,

Velagapudi, Amaravathi, Andhra Pradesh -522238.

Email: prisecy pr@ap.gov.in,

Phone.No. 0863-2445509,

.... **RESPONDENTS**

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

Date: 04.08.2022



**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

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

Mobile: 98407 98460 / 63831 21322, Email: rednymadhuri09@gmail.com

Counsel for 3rd Respondent

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

ORIGINAL APPLICATION NO.59 OF 2022

IN THE MATTER OF:

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Previously Yenamalakuduru Village, Penamaluru Mandal,
Vijayawada Rural, Krishna District, Andhra Pradesh- 520007.
Email: velagapudibabu@yahoo.in,
Phone. No.8333978818.

... **APPLICANT**

-Vs-

1) THE STATE OF ANDHRA PRADESH,

Rep. by its Principal Secretary,
Major Irrigation Department, Secretariat,
Velagapudi, Amaravathi, Andhra Pradesh -522238.
Email: prisecypr@ap.gov.in,
Phone. No.0863-2445509,

2) THE YSR TADIGADAPA MUNICIPALITY,

Rep. by its Commissioner, Tadigadapa,
Krishna District, Andhra Pradesh- 521134.
Email: gptadigadapa@gmail.com,
Phone. No.9963111548.

3) THE VIJAYAWADA MUNICIPAL CORPORATION,

Rep. by its Commissioner, Vijayawada,
Krishna District, Andhra Pradesh -520001.
Email: mc.vijayawada@cdma.gov.in,
Phone. No.0866-2421058.

4) THE ANDHRA PRADESH POLLUTION CONTROL BOARD,

Rep. by its Member Secretary,
D.no.33-26-14 d/2, Near Sunrise Hospital,
Pushpa Hotel Center, Chalamalavari Street,
Kasturibai Pet, Vijayawada,
Andhra Pradesh -520010.
Email: membersecy@appcb.gov.in,
Phone. No.0866-2463204.

5) THE CENTRAL POLLUTION CONTROL BOARD,

Rep. by its Member Secretary, Parivesh Bhawan,
East Arjun Nagar, Delhi-110032.
Email: mccb.cpcb@nic.in,
Phone. No.011-43102030.

... **RESPONDENTS**

COUNTER AFFIDAVIT FILED BY THE 3rd RESPONDENT

I, Swapnil Dinkar Pundkar S/o. Dinkar Sakharam Pundkar, Aged about 36 years, Occ: Commissioner, Vijayawada Municipal Corporation, Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows:


**DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada.**

:2:

1. I am the 3rd Respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies 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. It is submitted that Vijayawada Municipal Corporation (VMC) was constituted under the Andhra Pradesh Municipal Corporations Act, 1955 of Constitution of India and have been discharging its functions and duties under the purview of the said act.
4. It is submitted that the prime functions of Vijayawada Municipal Corporation under the said act includes provision of basic environmental services to its citizens. Provision of sewage system for the city population for discharging the sewage/ domestic waste water from the households is one of the key environmental services being provided by VMC, apart from provision of potable water supply, solid waste management etc. Prior to launching of the existing sewage system in Vijayawada by VMC, most of the households either using soak pits or septic tanks and were directly letting the fecal waste into the storm water drains, which was let out into low lying areas, nearest canals, natural drains and Krishna River. In this regard, the sewerage system of Vijayawada was established by VMC, which has arrested the pollution of ground water, canals, natural drains etc. that was earlier caused due to soak pits and septic tanks in each household. Thus, the VMC has been successful in arresting the historic pollution of: ground water, canals, drains and Krishna River due to sullage / domestic sewage from about 3.06 lakh plus households residing in VMC area.
5. It is submitted that Further, it may be noted that most of the civilizations in the world and so in India from ancient times have come into existence at the banks of Rivers, Canals and other water sources and Vijayawada is one such City that has spread on the banks of River Krishna. However, due to natural cleaning process in the Rivers, canals and any flowing waters, the pollutants in the upstream of River Krishna is cleaned up in the river course and is used for drinking purposes by many villages including various animals in the downstream. Further, it is a fact to be noted that due to rapid urbanization of Hyderabad,


DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada.

:3:

Musi River turned to Musi Nala (carrying highly polluted domestic and industrial effluents), one of the tributaries to River Krishna is being completely polluted for many decades due to human habitation and industrial pollution in Hyderabad. The same polluted water is merged into River Krishna, in the upstream of Vijayawada. However, due to natural cleaning process, Vijayawada population has been using fresh water from Krishna River, even before existence of VMC. The point that may be noted here is that it is very natural that upstream population pollutes River Water as part of their living needs and the same water is treated naturally (on its own due to water velocity, sand filtration, vegetation, ecology etc.) and the resultant fresh water is used by the population, flora and fauna in the downstream.

6. It is submitted that it is historically, Vijayawada population, residing on the banks of River Krishna has been disposing the untreated sullage water into River Krishna for many decades, resulting in pollution of River Krishna. The Vijayawada Municipal Corporation, as part of providing its basic environmental functions as per constitution of India and in accordance with the CPHEEO guidelines amended from time to time, has set up eight Sewerage Treatment Plants (STPs) in various locations of Vijayawada with a total sewage treatment capacity of 150 MLD. One of the locations of STP is at Ramalingeswara Nagar, on the banks of River Krishna to treat the sewage that is generated specifically from the households situated abutting River Krishna.
7. It is submitted that Further, the said existing STPs are now designed for upgradation to achieve the latest NGT/ CPCB norms for discharge of treated effluent into inland water bodies. The eight STPs in the city have been constructed at various periods of times starting from the year 2004. It is obvious that all the STPs in existence and in operation in VMC have been designed to conform to the old norms of 1986. Meanwhile, CPCB notified stringent effluent discharge standards in 2015, which were relaxed by the Ministry of Environment, Forest and Climate Change in 2017 for upcoming sewage treatment plants. In this connection, NGT constituted an expert committee to review the said relaxed standards. Based on the expert committee report, Hon'ble NGT passed order on April 30, 2019 in O.A No.59 to adopt the standards notified in 2015. In light of the April 2019 order passed by Hon'ble NGT, the existing STPs in Vijayawada city are being upgraded in order to meet the new standards (though it is relevant to new STPs only).


DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada

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8. It is submitted that, In view of the above, VMC has already initiated upgradation and rejuvenation of all the existing STPs. Ramalingeswara Nagar STP is VMCs prime priority and so, VMC has already issued tenders and the appointment of Contractor is in process for rejuvenation of existing 20 MLDSTP at Ramalingeswara Nagar to meet the latest effluent norms of Hon'ble NGT along with setting up of additional 20 MLD STP, designed for treatment of additional sewage that is estimated to be generated till the year 2035, due to increasing population and to discharge treated sewage effluent into river as per the Hon'ble NGT guidelines issued in April, 2019. Bio Gas energy plants are also part of this rejuvenation project that will use the byproducts of STPs for generation of power to meet the power requirement for the operations of STPs at Ramalingeswara Nagar and other STP locations. Thus, the STPs shall be carbon neutral projects. Impressed by this initiative of VMC, United Nations Industrial Development Organization (UNIDO), under the 'Sustainable Cities Integrated Approach Pilot in India (SCIAP) is providing technical and financial assistance to VMC for undertaking Rejuvenation of STPs along with Bio Energy power plants in Ramalingeswara Nagar and other STP locations.
9. With regard to the averments made in paragraphs 1 to 6 of the affidavit are denied as false. It is respectfully submitted that the statement at para number 5 at Annexure A1, translated to English at Annexure A2 of the affidavit number 59 of the plaintiff/ original complainant is highly objectionable. English translated Para 5 of the Plaintiff's affidavit as presented at Annexure A2 reads as follows.
- "Plant belonging to Vijayawada Municipal Corporation was constructed in the mid of Krishna River near Yanamalakuduru and the waste from Sewage Plant discharged directly into the river without purifying the impurities that come to the sewage plant is toxic. This causes the ground water become completely unusable and polluted, resulting in fowl smelling water".***
10. It is submitted that the applicant's statement against VMC as above is highly objectionable. The detailed justification from Vijayawada Municipal Corporation, the defendant, against the complainant's statement at para 6 above, for dismissing the said allegations are provided below.


DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada.

:5:

- a. It is to be noted that the STP at Ramalingeswara Nagar is constructed at the banks of River Krishna (not in the mid of River Krishna) and the retaining wall forms the boundary between STP and the River Krishna's river course. Further, retaining wall is also constructed by VMC in order to protect the habitation on the River Banks also for protecting STP from the flooding of River Krishna, especially during monsoons. Hence it is highly objectionable that STP is constructed in the mid of Krishna River. Further, it is said in the original statement of the applicant that the "waste from sewage plant discharged directly into the river without purifying the impurities that come to the sewage plant is toxic".
- b. It is to be noted that the prime function of the STP is to treat the sewage water to meet the standards set by Government/ NGT/ CPHEEO/CPCB before discharging into the natural streams. VMC is already upgrading the Ramalingeswara Nagar STP along with installation of additional 20 MLD at Ramalingeswara Nagar designed to take sewage load till the year 2035. Hence, the statement of applicant is contradictory to the basic functioning of STP at Ramalingeswara Nagar

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

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No. 59 of 2022 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.

Solemnly affirmed

Andhra Pradesh on
this the 4th day of JULY, 2022
and signed his name in my presence

BEFORE ME

Advocate


DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada.

:6:

VERIFICATION

I, Swapnil Dinkar Pundkar S/o. Dinkar Sakharam Pundkar, Aged about 36 years, Occ: Commissioner, Vijayawada Municipal Corporation, Andhra Pradesh do hereby verify that the contents of Paras of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 4th day of JULY, 2022 at Vijayawada.


DEPONENT
COMMISSIONER
Mpl. Corpn., Vijayawada



VIJAYAWADA MUNICIPAL CORPORATION (VMC)

'E' Procurement Notice No.11/VMC/CDB/2022-23, Dt. 03-06-2022

Sl. No.	Name of work	Estimate Amount Rs.in Lakhs
1	Supply, delivery and erection of Chlorine, 2022-23 Avenue Plantation Programme , Vijayawada Municipal Corporation (7 Works)	85.11
2	Providing BT and CC Roads & patches , Replacement of damaged UGD line, Supply of 20HP & 25HP HSC , Supply of drinking water bubbles to Ward Sachivalayams, Supply, Delivery and fixing of jetting pipes, Suction pipes & Nozzles, Gate valve, Supply and delivery of farm implements, Engaging of 4000 ltrs capacity , Urgent Repairs & Drain Crossings in Vijayawada Municipal Corporation (15 Works)	120.74
3	Providing BT and CC Roads & patches, Construction of RCC wall , Providing RR Retaining wall , Providing barbed wire fencing, Providing Additional Infrastructure facilities, Providing culvert slabs , Restoration of road widening portion , MS Gratings and screens, Repairs to existing steps, drains and landings, Repairs to existing public toilets, Construction of 10nos of Toilets and 5nos of Urinals, Providing CC drain, Supply and delivery of Mark-II hand bores, Removal of silt, Providing Repairs to Damaged portions Parapet wall and Ceiling patches, Repairs to Ward Sachivalayam Building , Widening and providing pavers, Providing 110 mm dia H.D.P.E pipe line, Construction of New Booster Pump house, Rising of existing manholes, Providing MS Grill gates for stair case, Repairs to side drain and construction of culverts, Repairs and rewinding to 160KVA transformer, Repairs to 350mm dia PSC Pumping main , Construction of Storm water drain, Development of Vidyadharapuram Indoor and Outdoor Stadium, Providing Dust free Road with End-to-End paving with foot paths and pavers, Providing Dust free Shoulders with Pavers for Air Quality improvement, Construction of 200 KL GLSR at Christurajapuram hill in Vijayawada Municipal Corporation (36 Works)	3505.26
4	Providing BT and CC Roads & patches , Replacement of damaged UGD line, Providing Water Fountain , Construction of G+2 Shopping Complex, Construction of Additional class rooms to STVR Municipal High School, in Vijayawada Municipal Corporation (16 Works)	1893.73
Total		5604.84

Download of bid documents starts for S.No.1	:	06-06-2022 @ 04.00 P.M
Download of bid documents starts for S.No.2	:	07-06-2022 @ 04.00 P.M
Download of bid documents starts for S.No.3	:	07-06-2022 @ 04.00 P.M
Download of bid documents starts for S.No.4	:	08-06-2022 @ 04.00 P.M
Last date / time for receipt of tender for S.No.1	:	09-06-2022 up to 4.30 P.M
Last date / time for receipt of tender for S.No.2	:	14-06-2022 up to 4.30 P.M
Last date / time for receipt of tender for S.No.3	:	21-06-2022 up to 4.30 P.M
Last date / time for receipt of tender for S.No.4	:	28-06-2022 up to 4.30 P.M

NOTE: All rights are reserved to the Commissioner to Cancel or Reject the tenders without assigning any reasons there of.

Contact: Superintending Engineer Works and Projects, VMC, Vijayawada-520 001.

Further details and any corrigendum can be seen @ 'e' procurement market place @ www.tender.apeprocurement.gov.in.

Sd/- For COMMISSIONER

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VIJAYAWADA MUNICIPAL CORPORATON (VMC)

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Total		5604.84

Download of Bid documents Start for S.No. 1	06-06-2022 @ 04.00PM
Download of Bid documents Start for S.No. 2 & 3	07-06-2022 @ 04.00PM
Download of Bid documents Start for S.No. 4	08-06-2022 @ 04.00PM
Last date / time for receipt of tender for S.No. 1	09-06-2022 up to 4.30 PM
Last date / time for receipt of tender for S.No. 2	14-06-2022 up to 4.30 PM
Last date / time for receipt of tender for S.No. 3	21-06-2022 up to 4.30 PM
Last date / time for receipt of tender for S.No. 4	28-06-2022 up to 4.30 PM

Note: 1. All rights are reserved to the commissioner to cancel or Reject the tenders without assigning any reasons there of. Contact: Superintending Engineer Works and Projects VMC, Vijayawada-520001. Further details and any corrigendum can be seen @ 'e'procurement place @ www.tender.apcprocurement.gov.in

Sd/- FOR COMMISSIONER



Sat, 04 June 2022

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[Dashboard](#) | [Indent Management](#) | [Tender Creation](#) | [Tender Evaluation](#) | [LOA](#)

Evaluation Stages

[Preview](#)

Current Tender Details

Tender ID	514845	IFB Number / Tender Notice Number	Tender Notice No:11/VMC/CDB/2022-23, Rc.E9-108174/2021
Name of Work	Rejuvenation of RL Nagar 20 MLD STP to meet effluent parameters as per NGT Norms and Repairs of Bio-Gas Energy plants at 4 Nos. UASBR plants at Ajith Singh Nagar-2 Nos., Jakkampudi and RL Nagar in VMC for power generation to reduce carbon emissions with the Assistance of UNIDO under Non-EPC (Design Built L.S. Contract) Reverse Tendering system. (3rd Call)		
Tender Category	Works	Tender Evaluation Type	Percentage
Tender Type	OPEN	Estimated Contract/IBM Value	113948677
Bid Document Download Start Date and Time	07/06/2022 03:30 PM	Bid Submission Closing Date and Time	21/06/2022 04:15 PM

Supplier List/PQ Stage

Company Name	Action
SRI KRISHNA ENVIRO ENGINEERS	  

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GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

MA&UD Department – VMC - Rejuvenation of RL Nagar 20 MLD STP to meet effluent parameters as per NGT Norms and Repairs of Bio-Gas Energy plants UASBR plants at 4 No's. UASBR plants at Ajith Singh Nagar- 2 Nos Jakkampudi and RL Nagar in VMC for power generation to reduce carbon emissions with the Assistance of UNIDO & ULB Funds for an amount of Rs 14.93 Crores – Administrative Sanction accorded – Orders – Issued

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (UBS) DEPARTMENT

G O R t No 637

Dated 16.11.2021

Read

From the Commissioner & Director of Municipal Administration Guntur Letter Roc No 12052/1/2021-Lsec. Dated 17.08.2021 along with the letter of the Commissioner VMC Vijayawada Lt No RCPD-II/108174/2021. Dated 27-07-2021

ORDER

In the circumstances stated by the Commissioner & Director of Municipal Commissioner, Guntur / Commissioner Municipal Corporation, Vijayawada in the reference read above, Government after careful examination of the proposal hereby accord administrative sanction for Rejuvenation of RL Nagar 20 MLD STP to meet effluent parameters as per NGT Norms and Repairs of Bio-Gas Energy plants UASBR plants at 4 No's UASBR plants at Ajith Singh Nagar- 2 Nos Jakkampudi and RL Nagar in Vijayawada Municipal Corporation for power generation to reduce carbon emissions with the Financial Assistance of UNIDO and ULB funds for a total amount of Rs 14.93 Crores and out of which @ Rs 1.42 Mn (approx 10 Crores) from UNIDO assistance and Rs 4.93 Crores from the General Funds subject to condition that there will no financial burden on the part of the State Government funds

2 The Commissioner & Director of Municipal Commissioner Guntur & Commissioner, Municipal Corporation, Vijayawada shall take necessary action in the matter accordingly

3 This order issues with the concurrence of the Finance (FMU-EFS&T & MA&UD) Department vide their U O No FIN01-FMU0ASD/166/2021 (Computer No 1513101) Dated 11-10-2021

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 Commissioner Guntur
The Commissioner Municipal Corporation Vijayawada
Copy to
The OSD to Hon'ble M(MA&UD)
The PS to Special Chief Secretary to Government, MA&UD
Sf/Sc

//FORWARDED BY ORDER//

G. Susha Raju
ASSISTANT DIRECTOR