

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

OA No 59 OF 2022

IN THE MATTER OF:

Velagapudi Babu Rao, Krishna District, Andhra Pradesh.

..... Applicant

Vs

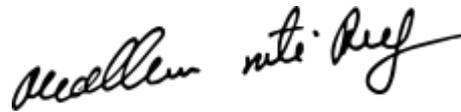
The State of Andhra Pradesh, Rep. by its Principal Secretary,

Andhra Pradesh and Others

.... Respondents

REPORT FILED BY THE MUNICIPAL 3rd RESPONDENT

DATE- 05.03.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

Mobile: 98407 98460 / 63831 21322,

Email: reddymadhuri09@gmail.com

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: 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: prisecypn@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.


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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@appeb.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: mscb.cpcb@nic.in,
Phone. No.011-43102030.

**ADDITIONAL COUNTER AFFIDAVIT FILED ON BEHALF OF
RESPONDENT NO.3**

* * *

I, Swapnil Dinkar Pundkar, S/o. Dinkar Sakharam Pundkar, aged about 38 years, Occupation: Commissioner, Vijayawada Municipal Corporation, Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows:

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.

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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 wastewater 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, 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 merged into River Krishna, in the upstream of Vijayawada. However, due to the 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 time 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, NOT 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).

8. 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".

9. 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.

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 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

10. In reply to Para No.9 & 10 it is respectfully submitted that, it is historically, the Vijayawada population was residing on the banks of River Krishna and the VMC was providing them all the basic amenities since long as per constitution of India and in accordance with the CPHEEO guidelines amended from time to time VMC, 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.

11. 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 time 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).

12. 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 taken up construction activity for rejuvenation of Ramalingeswara Nagar STP. The STP is completed, and the trial run and commissioning of the STP is in progress. **It requires about a 2-month period to complete stabilization of the STP to meet the latest effluent norms of Hon'ble NGT.** 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 besides reduction of emission of Methane Gas into the atmosphere. 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.

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13. It is further submitted that the Work Order was issued to the Contract Agency for **1) Rejuvenation and Upgradation of existing old 10MLD STP to 20MLD STP and new 10MLD MBBR Plant at Auto Nagar to NGT Norms in Vijayawada Municipal Corporation for an amount of Rs.47.30 Cr., and for 2) Upgradation of STPs at Ajith Singh Nagar (20+40MLD), Jakkampudi (20+20MLD) and R.L Nagar (10MLD) & DP Stations infrastructure, SCADA etc., to NGT Norms in Vijayawada Municipal Corporation with an estimated project cost of Rs.89.65 Cr.** tenders are under finalization to award the Contract to the Agency in order to meet the requirement for the population for the prospective year 2035. Work Order & Notice Inviting Tender (NIT) is enclosed herewith for favour of perusal.

14. It is submitted that Vijayawada Municipal Corporation has covered 100% UGSS and every Household has been connected to the underground sewerage system for effective collection of sewage and its treatment in scientific methods to meet the outlet parameters as per NGT guidelines. All the STPs in Vijayawada Municipal Corporation have been equipped with Inhouse Laboratories for everyday testing of sewage parameters at Inlet Chambers and Outlets of STPs before letting into streams / Riverbeds. Besides inhouse testing, APPCB used to collect samples of sewage periodically and furnish the test reports to Vijayawada Municipal Corporation.

15. It is submitted that APPCB is installing a Realtime Monitoring System (RTMS) for regular monitoring of the STPs functioning. Commissioning of RTMS in Ramalingeswara Nagar Plant will be completed in one week and will be connected to the CPCB/APPCB dashboards. The Photographs are enclosed herewith for favour of perusal.

16. It is further submitting that Vijayawada Municipal Corporation ensuing the effective methods to treat the collected sewage at Ramalingeswara Nagar STP to implement 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 prospective year 2035, to discharge treated sewage effluent into River as per the Hon'ble NGT guidelines issued in April'2019.

17. The detailed justification from Vijayawada Municipal Corporation, the defendant, against the complainant's statement are provided in the above paras.

18. Under the above efforts of Vijayawada Municipal Corporation, the averments made in the above paragraphs, the application filed by the Applicant is denied as false. It is respectfully submitted that the statement of the plaintiff / original complainant is objectionable.

Sworn and signed before me on
this ~~25th~~ day of November, 2023.

Before me

Attester

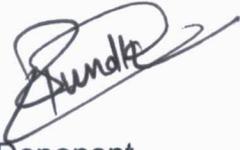

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VERIFICATION

I, Swapnil Dinkar Pundkar, S/o. Dinkar Sakharam Pundkar, aged 38 Years, Occ: Commissioner, Vijayawada Municipal Corporation, Vijayawada, N.T.R. District, do hereby verify and state that the contents of the paras of the affidavit are true and correct to the best of my knowledge and as per the legal advice.

Verified the same on this ~~25th~~ day of November, 2023.

Counsel for Respondent No.3


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Mpl. Corpn., Vijayawada

VIJAYAWADA MUNICIPAL CORPORATION
Sewerage Treatment Plant @ Ramalinswara Nagar

PHOTO GRAPHS of the STP



Ramalingeswara Nagar 20 MLD STP





Tertiary Treatment -Pressure Sand Filter(PSF),Under Unido Project



Anoxic and DNT tank ,Under UNIDO Project



Additional Aeration tank ,Under UNIDO Project



New Panel Board for New Electro Mechanical Equipment,Under UNIDO Project



Additional Aeration tank ,Under UNIDO Project, Commissioned





Laboratory Building and Lab Equipment







Air Blowers for Diffused Aeration, UNIDO Project, Commissioned





Greenery in the STP











Existing USAB Reactor in STP





Existing Inlet Structures and Primary Treatments in STP



Existing Gas Dome in STP for Collection of Bio Gas.





Existing 100 KW Solar Plant



100 KW Solar Plant





Realtime Monitors for STP Quality Parameters



Flow Meter