

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

OA No 59 OF 2022

IN THE MATTER OF:

SRI VELAGAPUDI BABU RAO

..... Applicant

Vs

THE STATE OF ANDHRA PRADESH & OTHERS

.... Respondents

REPORT FILED BY THE 4TH RESPONDENT APPCB

DATE- 30.11.2023



**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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[Counsel for 4TH RESPONDENT APPCB](#)

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI

Original application No. 59 of 2022 (SZ)

Sri Velagapudi Babu Rao

..... Applicant

Versus

The State Andhra Pradesh & Others

..... Respondent

INDEX

S.No	Particulars	Page No.
1	Status Report of APPCB	1-5
2	Hon'ble NGT Orders dt 17.08.2023 in OA No.59 of 2022	6-10
3	Letter Dt. 08.09.2023 sent to YSR Tadigadapa Municipality by the Board	11
4	Letter Dt 19.09.2023 sent to YSR Tadigadapa Municipality by the Board	12
5	YSR Tadigadapa Municipality Ir dt 16.10.2023	13-16

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ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional office :: Vijayawada

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A.P. Pollution Control Board
Regional Office, Vijayawada

Status report of A.P. Pollution Control Board In Compliance to The Hon'ble NGT Order Dated.17.08.2023.in O.A. No.59 of 2022 filed by Sri Velagapudi Babu Rao, Yenamalakuduru Village, Krishna District before the Hon'ble N.G.T (SZ), Chennai

It is humbly submit that O.A.No 59 of 2022 (SZ) filed by before the Hon'ble NGT (SZ),Chennai by Sri Velagapudi Babu Rao , Yenamalakuduru Village, Krishna District regarding dumping of waste/garbage into the Krishna River by YSR Tadigadapa Municipality and Vijayawada Municipal Corporation has set up a sewage treatment plant on the banks of Krishna River and the sewage effluents which are generated are being released into the river Krishna.

The AP Pollution Control Board has submitted counter in the matter before the Hon'ble NGT on 05.04.2023 along with the action taken report by the AP Pollution Control Board in this matter.

The Hon'ble NGT (SZ),Chennai issued directions on 17.08.2023 in this case.

After receiving the Hon'ble NGT directions dt 17.08.2023, the A.P. Pollution Control Board has forwarded the directions of the Hon'ble NGT to the Commissioner, YSR Tadigadapa Municipality vide letter Lr No.OA No.59 of 2022/PCB/RO-VJA/2023-569 Dt 08.09.2023 for implementation of the directions of the Hon'ble NGT ,Chennai and report the compliance.

The Board officials along with the officials of YSR Tadigadapa Municipality has inspected the earlier solid waste dump area on 11.09.2023 and observed the following:

- The YSR Tadigadapa Municipality had stopped dumping of garbage in the Krishna River Bed area.
- The accumulated solid wastes lifted from the Krishna River Bed and sent to M/s. Jindal Urban Waste Management (Guntur) Limited, Kondaveedu (V), Edlapadu (M), Guntur District (Waste to Energy Plant).
- A gate was provided with lock facility to the kachha road leading to River Krishna, earlier, the road is used for disposal of the solid wastes.
- Small patch of Lecahte was observed at solid waste dump area

Again reminder letter addressed to Commissioner, YSR Tadigadapa Municipality for submission of the compliance report on the Hon'ble NGT directions vide Ir dt 19.09.2023.

The Commissioner, YSR Tadigadapa Municipality has submitted the action taken report to the AP Pollution Control Board vide its letter dt 25.10.2023 informing the following:

1. About 180 liters of accumulated leachate collected in HDPE barrels from the Krishna River Bed and sent to Sewage Treatment Plant (STP) being operated by Vijayawada Municipal Corporation for treatment.
2. A gate was provided with lock facility to the kachha road leading to River Krishna, earlier, the road is used for disposal of the solid wastes.
3. Caution boards were erected all along the bund of the River Krishna indicating that solid waste shall not be disposed in River Krishna and levy of fine in case of offence.
4. The Ward Secretaries working at Grama Secretariats of Yanamalakuduru are directed to ensure that solid wastes shall not be disposed in River Krishna Bed vide letter dated. 12.09.2023.


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 Regional Office, Vijayawada

5. The YSR Tadigadapa Municipality was recently established in the year,2022 by merging of Kanuru, Yanamalakuduru, Poranki and Tadigadapa Villages.
6. The YSR Tadigadapa Municipality is searching for site for the scientific disposal of the municipal solid waste and requested the District Administration to allot 5 Acres of land, which is under process.
7. In the meantime, the solid waste generation in the municipality area is collecting door to door by using 42 Autos, 14 Tractors and 5 Mini compactors. The collected waste is transporting to the transit point located at Auto nagar, Vijayawada.
8. The wastes loaded into big Tippers of capacity 15 to 20 Tons and sent to M/s. Jindal Urban Waste Management (Guntur) Limited for safe disposal.
9. The YSR Tadigadapa Municipality made an agreement with the Waste To Energy Plant being operated by M/s. Jindal Urban Waste Management (Guntur) Limited for disposal of the wastes.
10. The YSR Tadigadapa Municipality has taken all measures to avoid disposal of the solid wastes in River Krishna

The Board officials again inspected the solid waste dump area on 15.11.2023 and observed that the Caution banners were displayed along the Krishna River bund with warning that solid wastes shall not be disposed in Krishna River bed.

The solid wastes collected from the YSR Tadigadapa municipality is transporting to the Transit point located at Auto nagar, Vijayawada through tractors and Autos . The solid wastes are loading into big tippers and sending to waste to Energy plant being operated by M/s. Jindal Urban Waste Management (Guntur) Limited, Guntur dist for disposal.

The YSR Tadigadapa municipality has lifted the Leachate from the earlier solid waste dumpsite area and sent it to the Sewage Treatment operating by Vijayawada Municipal Corporation for treatment at Ramalingeswaranagar.

The Vijayawada Municipal Corporation is operating Two numbers of Sewage Treatment Plants of 10 MLD & 20 MLD capacity for treatment of the sewage generated from the houses located especially along the River bund. After treatment of the sewage and after Chlorination the treated water is disposing into River Krishna.

The STPs in Ramalingeswara Nagar, Vijayawada Municipal Corporation is equipped with Inhouse Laboratory for everyday testing of sewage parameters at Inlet Chambers and Outlets of STPs before letting into Krishna River.

The A.P. Pollution Control Board is installing Online Continuous Effluent Monitoring Systems (OCEMS) with a cost of about Rs 10.0 Lakhs to the outlet of Sewage Treatment Plant of 20 MLD of Vijayawada Municipal Corporation to monitor parameters such as pH, TSS, COD, BOD. The works pertaining to installation of OCEMS is at final stage it will be connected to the APPCB sewer within Week time for monitoring of the treated water parameters which are disposing to Krishna River. In the similar way the Vijayawada Municipal Corporation is also proposing to install Online Effluent Monitoring system to the STP of 10 MLD.

The Vijayawada Municipal Corporation has constructed retaining wall along the Krishna River Bund to avoid dispose of the solid wastes and discharge of the untreated domestic water in Krishna River.

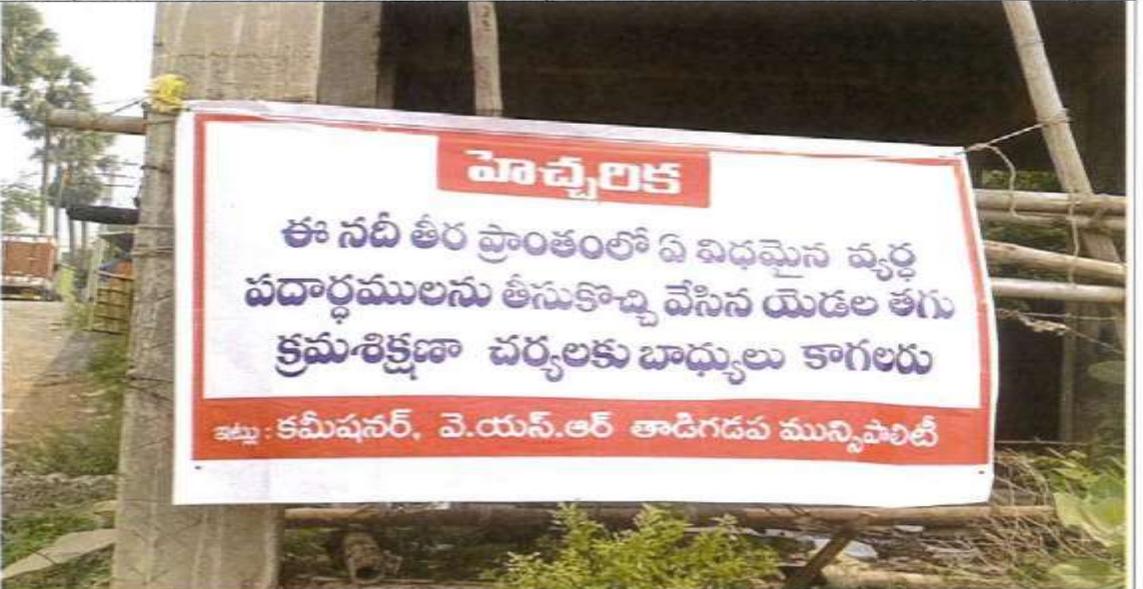

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A.P. Pollution Control Board
Regional Office, Vijayawada

Photographs

Retaining wall along the Krihna River Bund at Ramlingeswara Nagar



Gate provided to restrict un authorized entry to Krishna River at Ramalingeswara Nagar



Caution notice regarding disposal of solid wastes in Krishna River



Caution notice regarding disposal of solid wastes in Krishna River



Leachate collection Bins



STP at Ramalingeswara Nagar Operating by Vijayawada Municipal Corporation


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 Regional Office, Vijayawada



STP at Ramalingeswara Nagar Operating by Vijayawada Municipal Corporation



STP at Ramalingeswara Nagar Operating by Vijayawada Municipal Corporation



Installation Online Continuous Effluent Monitoring Systems (OCEMS) to STP of 20 MLD by APPCB

Handwritten signature and date: 30/11

ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Vijayawada

Item No.5:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.59 of 2022 (SZ)

IN THE MATTER OF:

Velagapudi Babu Rao
Krishna District
Andhra Pradesh

...Applicant(s)

Versus

The State of Andhra Pradesh
Represented by its Principal Secretary
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 17.08.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Kodali Madhukar.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R4.
Mr. R. Thirunavukarasu for R5.

ORDER

1. The report of the Andhra Pradesh Pollution Control Board (APPCB) was received on 17.08.2023, wherein they mentioned the action taken by them. Besides this Original Application, it appears that the APPCB, Regional Office, Vijayawada also received complaints through e-mail and newspaper clippings as stated in the report.

2. It is stated that the YSR Tadigadapa Municipality is a newly constituted Municipality by merging four of Gram Panchayats i.e. Kanuru, Poranki, Tadigadapa and Yanamalakuduru. Before the merger, the dumping of garbage was maintained by the concerned Gram Panchayat at vacant sites and the Yanamalakuduru Gram Panchayat is one of the dumping garbage sites in the Krishna Riverbed for the past five years and segregating the solid waste into wet and dry wastes in Solid Waste Management shed at Yanamalakuduru. It is done on the Krishna Riverbed, as it is stated that there is no vacant site for dumping garbage at Yanamalakuduru Village.

3. Even though there is a merger of villages, the Municipality could have addressed the villagers to continue the management of garbage in the respective site earlier allocated instead of allowing them to dump in the Krishna Riverbed which is a prohibited activity. Moreover, the river Krishna is flowing through four of the States and sharing the water for drinking water purposes as well.

4. The APPCB has further stated that they have issued notice to the Tadigadapa Municipality for not following the siting criteria as per the Solid Waste Management Rules, 2016 and not adopting scientific disposal practices.
5. The APPCB only has given the warning under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 and 31 A of the Air (Prevention and Control of Pollution) Act, 1981 respectively to the Tadigadapa Municipality. However, it does not address the issues of siting the solid waste management yard, shifting the dumping from the riverbed, monitoring the segregation, treating the municipal waste, etc.
6. Regarding the Solid Waste Management, it is stated that the dump transfer point is located at the dumpsite of Auto Nagar and the garbage was taken to Kondaveedu Village. So far, the Tadigadapa Municipality has disposed of 7478.81 MT of garbage to M/s. Jindal Urban Waste Management Limited as per the information provided by the Municipal Authorities.
7. It is stated specifically that the dumping of municipal waste was stopped in the Krishna Riverbed by the Tadigadapa Municipality. However, the APPCB has observed that heaps of garbage were dumped on the Krishna Riverbed area and the leachate from the dumpsite joins the river Krishna contaminating the water. Incidentally, there is no prevention measure adopted to prevent leachate from the dumpsite.

8. Admittedly, the Tadigadapa Municipality had not even obtained authorization from the APPCB as required under the Rules. Even according to the APPCB, several of the conditions are not complied with by the said Municipality.
9. Regarding the status of sewage management, it is stated that there is no dedicated STP for treating sewage effluents. There are 2 No. of STPs each of capacity 10 MLD and 20 MLD respectively provided and operated by the Vijayawada Municipal Corporation which are receiving the sewage effluents from the Vijayawada Municipality limits.
10. It is surprising to note that the APPCB has stated that the scope of discharging the treated effluents from the outlets of these two STPs will join into the Krishna Riverbed thereby causing water pollution in the Krishna River. However, the APPCB has not obtained any status report or any remedial measures for the same.
11. From the above report of the APPCB, it is admitted by them that the allegations made in the application are true. The garbage is being dumped on the riverbed of Krishna without leachate prevention methods which is resulting in Krishna River water being polluted.
12. So, in this regard, we direct
 - (i) The APPCB to take up the issue immediately and direct the Municipality or Gram Panchayat concerned to earmark the dumping yard for the garbage, treat the same and install the Micro Composting Centre (MCC).

- (ii) The APPCB to undertake the remediation of the riverbed of Krishna where the solid waste was dumped and allowed the leachate to enter the Krishna River.
- (iii) The APPCB not only to look into the Tadigadapa Municipality but also other municipalities in the State of Andhra Pradesh and take up action in the above referred lines.
- (iv) The District Collectors of NTR District as well as the Krishna District to identify the lands for municipal solid waste management and establish the Waste Treatment Facilities as per the Rules, at the earliest.
- (v) The APPCB, District Collector and Municipalities concerned to ensure that the riverbed of Krishna is immediately cleared from dumping of solid waste.
- (vi) The Urban Local Body to take up the responsibility of establishing the Faecal Sludge Treatment Plant or the UGSS and give individual residential connection to the UGSS which will be a permanent solution.

13. Let the matter be listed on 20.09.2023 awaiting the reports of the authorities.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.59/2022 (SZ)
17th August 2023. Mn.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.
 Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
 Vijayawada – 520 008.



Ph: 0866-2543542

Lr.No.O.A. No.59 of 2022/PCB/RO-VJA/2023-569

Date.08.09.2023

To
 The Commissioner,
 YSR Tadigadapa Municipality,
 Krishna District.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 59 of 2022 (SZ) filed before the Hon'ble N.G.T (SZ) - Board directions dated.29.08.2022 issued to M/s. YSR Tadigadapa Municipality, Krishna District – The Hon'ble N.G.T order dated.17.08.2023 in O.A. No. 59 of 2022 (SZ)- Communicated for taking necessary action - Reg.

Ref: 1. B.O. order no. 719/APPCB/UH-II/TF/VJA/2022-440, Dt.29.08.2022.
 2. The Hon'ble N.G.T order in O.A. No. 59 of 2022 (SZ), Dated.17.08.2023.
 3. E.mail received from Board office, Vijayawada on 01.09.2023.

You are aware that a case vide O.A. No.59 of 2022 (SZ) filed before the Hon'ble N.G.T by Sri Velagapudi Babu Rao. On the issue of dumping of the waste / garbage into the River Krishna by the 2nd Respondent i.e., M/s. YSR Tadigadapa Municipality and discharge of the sewage into River Krishna etc.

The Board has reviewed M/s. YSR Tadigadapa Municipality in the EAC meeting held on 18.08.2022 on the issues of disposal of the wastes. The Board issued certain directions to M/s. YSR Tadigadapa Municipality, Krishna District vide order dated.29.08.2022.

It is to inform that the Hon'ble N.G.T vide order dated.17.08.2023 in O.A. No. 59 of 2022 (SZ) issued certain directions to be implemented. Copy of the order dated.17.08.2023 is herewith enclosed.

The Commissioner, M/s. YSR Tadigadapa Municipality, Krishna District is hereby directed to implement the directions issued by the Hon'ble N.G.T order dated.17.08.2022 and report the compliance to the Board to take further necessary action.

The Commissioner, M/s. YSR Tadigadapa Municipality is also hereby directed to submit the latest status of compliance of the directions issued by the Board vide order dated.29.08.2022 for taking further necessary action.

Yours faithfully,

N. N. Srinivas
 8/9

ENVIRONMENTAL ENGINEER

Encl: Hon'ble NGT order dated.17.08.2023.

Copy submitted to

1. The Member Secretary, APPCB, BO, Vijayawada for favour of kind information.
2. The JCEE, APPCB, ZO, Vijayawada for favour of kind information.
3. The SEE (Legal), APPCB, ZO, Vijayawada for favour of kind information.



**ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.**

*Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
Vijayawada - 520 008.*



Ph: 0866-2543542

Lr.No.O.A. No.59 of 2022/PCB/RO-VJA/2023- 626

Date.19.09.2023

To
The Commissioner,
YSR Tadigadapa Municipality,
Krishna District.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 59 of 2022 (SZ) filed before the Hon'ble N.G.T (SZ) - Board directions dated.29.08.2022 issued to M/s. YSR Tadigadapa Municipality, Krishna District - The Hon'ble N.G.T order dated.17.08.2023 in O.A. No. 59 of 2022 (SZ)- Communicated for taking necessary action - Status report not received - Reminder - Reg.

- Ref: 1. B.O. order no. 719/APPCB/UH-II/TF/VJA/2022-440, Dt.29.08.2022.
2. The Hon'ble N.G.T order in O.A. No. 59 of 2022 (SZ), Dated.17.08.2023.
3. T.O. Lr.No.O.A. No.59 of 2022/PCB/RO-VJA/2023-569, Dt.08.09.2023.

In the reference 3rd cited, this office has communicated the Hon'ble N.G.T Order dated.17.08.2023 in O.A. No. 59 of 2022 (SZ) for implementation of the directions of the Hon'ble N.G.T. The Commissioner, M/s. YSR Tadigadapa Municipality was also directed to submit the latest status of compliance of the directions issued by the Board vide order dated.29.08.2022 for taking further necessary action. Copy of the letter dated.08.09.2023 is herewith enclosed.

This office has not received any compliance report on the Hon'ble N.G.T directions dated.17.08.2023 and also the compliance report on the directions issued by the Board vide order dated.29.08.2022.

In view of the above, the Commissioner, YSR Tadigadapa Municipality is once again request to submit the compliance on the directions of the Hon'ble N.G.T vide order dated.17.08.2023 and also compliance report of the directions issued by the Board.

Treat this as most important.

Yours faithfully,

Encl:A/a.

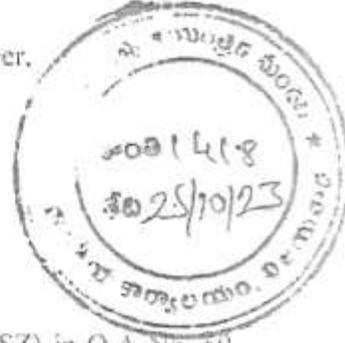
ENVIRONMENTAL ENGINEER



MUNICIPAL ADMINISTRATION DEPARTMENT

From:
Dr.N.Prakash Rao,
M.A.,B.L.,M.Phil.,M.B.A,Ph.D.
Commissioner,
YSR Tadigadapa Municipality,
Poranki.

To,
The Environmental Engineer,
APPCB,
Regional Office,
Vijayawada.



Roc.No.09/2022/C1/E1, Dt:16-10-2023

Respected Sir,

Sub: - YSR Tadigadapa Municipality – Directions issued by Hon'ble N.G.T(SZ) in O.A No. 59 of 2022 – Compliance Report – Submitting –Regarding.

Ref:- Lr. No. O.A. No.59 of 2022/PCB/RO-VJA/2023, Dt. 08-09-2023 of Environmental Engineer, APPCB, Regional Office, Vijayawada.

I submit that, in the reference cited Environmental Engineer has directed to submit the latest status of compliance of the directions issued by the Board vide order dated 29-08-2023 for taking further necessary action.

In this Regard, I further submit that in obedience to the directions issued by Hon'ble N.G.T, dated.17.08.2023 in O.A. No.59 of 2022 (SZ), the YSR Tadigadapa Municipality has implemented the following measures:

1. Dumping of the solid wastes in Krishna River Bed by YSR Tadigadapa Municipality was stopped.
2. The accumulated solid wastes lifted from the Krishna River Bed and sent to M/s. Jindal Urban Waste Management (Guntur) Limited, Sy.Nos.933 & 938, Kondaveedu (V), Edlapadu (M), Guntur District (Waste to Energy Plant).
3. About 180 liters of accumulated leachate collected in HDPE barrels from the Krishna River Bed and sent to Sewage Treatment Plant (STP) is being operated by Vijayawada Municipal Corporation for treatment.
4. A gate was provided with lock facility to the kachha road leading to River Krishna, earlier, the road is used for disposal of the solid wastes.
5. Caution boards were erected all along the bund of the River Krishna indicating that solid waste shall not be disposed in River Krishna and levy of fine in case of offence.
6. The Ward Secretaries and Sanitary Inspector working at Ward Secretariats of Yanamalakuduru are directed to ensure that solid wastes shall not be disposed in River Krishna Bed vide circular, Dt. 12-09-2023.
7. The YSR Tadigadapa Municipality was recently established in the year-2021 by merging of Kanuru, Yanamalakuduru, Poranki and Tadigadapa Villages.

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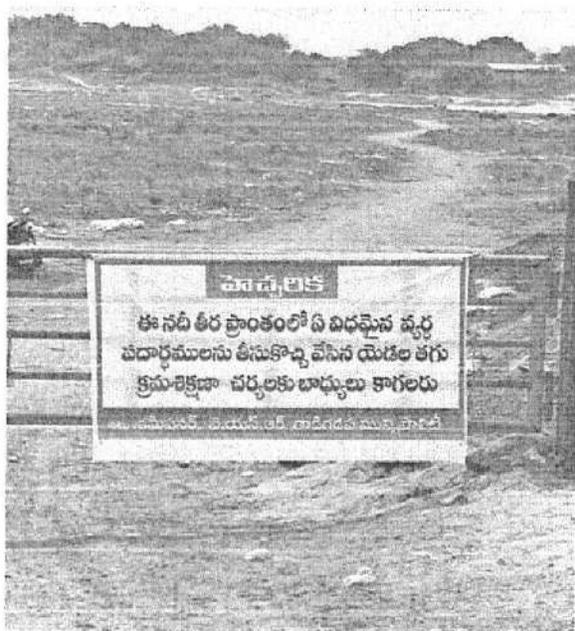
8. The YSR Tadigadapa Municipality is searching for site for the scientific disposal of the municipal solid waste and requested the District Administration to allot 5 Acres of land, which is under process.
9. In the meantime, the solid waste generation in the municipality area is collecting door to door by using 42 Autos, 14 Tractors and 5 Mini compactors. The collected waste is transporting to the transit point located at Auto Nagar, Vijayawada.
10. The wastes loaded into big Tippers of capacity 15 to 20 Tons and sent to M/s. Jindal Urban Waste Management (Guntur) Limited for safe disposal.
11. The YSR Tadigapa Municipality made an agreement with the Waste to Energy Plant being operated by M/s. Jindal Urban Waste Management (Guntur) Limited for disposal of the wastes.
12. The YSR Tadigapa Municipality has taken all measures to avoid disposal of the solid wastes in River Krishna.

Encl: Photos of the measures taken
by the Municipality.

Yours faithfully,


Commissioner,
YSR Tadigadapa Municipality.
A. K. D. S.

Photographs of M/s. YSR Tadigadapa Municipality, Krishna District



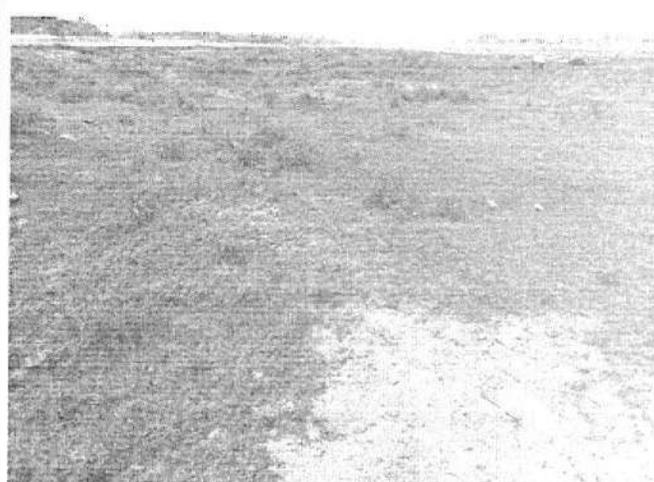
1. Gate provided with caution board the Kachha road leading to River Krishna.



2. Caution road provided along the Krishna River bund.



3. Caution road provided along the Krishna River bund.



4. Krishna River Bed where earlier, solid wastes dumped.

Municipal Commissioner
Y.S.R. Tadigadapa Municipality



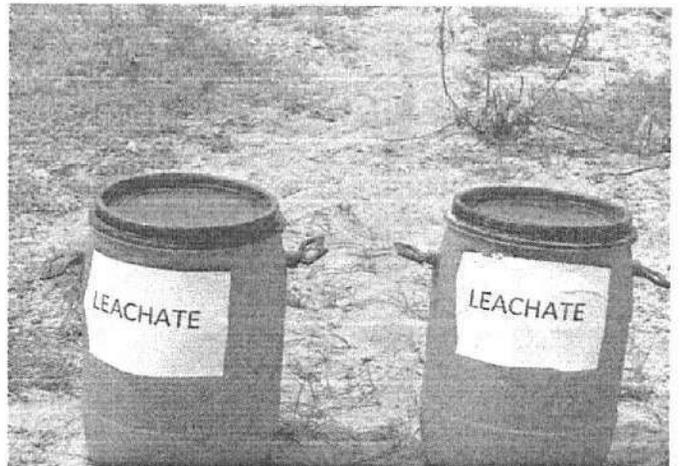
5. Solid wastes (Disposed by the private persons) removal by YSR Tadigadapa Municipality.



6. Contaminated soil removal.



7. Collection of leachate and contaminated soil in Krishna River Bed (Location no.1).



8. Collection of leachate and contaminated soil in Krishna River Bed (Location no.2).



9. Leachate sent to STP of 20 MLD capacity being operated by VMC for treatment.


Municipal Commissioner
Y.S.R.Tadigadapa Municipality