

BEFORE THE NATIONAL GREEN TRIBUNAL: SOUTHERN BENCH AT CHENNAI.
ORIGINAL APPLICATION NO: 156 OF 2023

(Application under Sections 14, 15 r/w, 18 of the National Green
Tribunal Act, 2010)

IN THE MATTER OF:

THOTA GANGA RAJU

.....APPLICANT

VERSUS

THE PRINCIPAL SECRETARY, WATER RESOURCES (Irrigation)

DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH & ORS.RESPONDENTS

OBJECTIONS FILED BY THE APPLICANT TO THE REPORTS OF THE RESPONDENTS-
4 TO 6.

Subject: Objections to the reports of the Respondents-4 to 6 as submitted before this Hon'ble Tribunal—the Irrigation Canals are still contaminating as well as Environment as taken steps by the Respondents-5 & 6 are mere an eyewash.

Respectfully Sheweth,

I being Applicant humbly submit as under:

I. Objections to the Status report; dated; 21.09.2024 of the A.P.Pollution Control Board (Respondents-4) as submitted before this Hon'ble Tribunal:

- 1) The A.P. Pollution Control Board, Who is 4th Respondent herein admitted all the allegations mentioned in O.A. by the Applicant, but misleadingly recommended some remedial measures mentioned in 6th Para-II that the existing sewage discharge pipelines shall be routed to septic tanks as a preventive measure.
- 2) I humbly submit that there is no sewage discharge pipelines at Srungavruksham Village, hence the existing sewage discharge pipelines does not arise. The sewage and toilet waste directly releasing into Irrigation Bodhe No.10 and other Bodhe instead of drainage by the Villagers of Srungavruksham. Hence only remedial measure is that the above polluting Irrigation Bodhe No.10 is to be closed by providing another Bodhe to the existing auct nearly Ac.20 for irrigation water source.
- 3) I humbly further submit that this 4th Respondent mentioned in 7th para with respect to aqua culture disposal, it is submitted that the water remains after harvest of aqua culture & Shrimp culture are disposing as recommended by

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APSADA Act and guidelines of Ministry of Agriculture, GOI in accordance with A.P. Water Resource Department. It is suggested that the water resource department shall facilitate dedicated drain system without contamination of drinking water source.

- 4) I humbly submit that as per District Level Implementation Committee (DLIC) constituted under Andhra Pradesh State Aqua Culture Development Authority, 2020 (APSADA Act) and its Rules, wherein the District Collector, Fisheries, Water Resource Department, Pollution Control Board, etc are jointly issued Licenses to the said Fish/Prawn tanks by without following rules that the said Fish/Prawn farmers their wastage discharges releasing into bunds of the Irrigation Canals, which is illegal acts committed by the District Level Implementation Committee authorities. The same is suppressed by the 4th Respondent and simply burden shifted to the Water Resource Department only. Hence all are jointly liable for contamination of drinking water source and they have failed to act on implementing the rules by colluded with cultivators of Fish and Prawn.

II. Objections to the Counter; dated; 24.08.2024 of the District Collector, W.G.Dist., A.P. (Respondents-5) as submitted before this Hon'ble Tribunal:

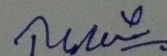
- 1) The District Collector, W.G.District, A.P., who is 5th Respondent herein admitted all the allegations mentioned in O.A. by the Applicant, but prayed dismiss this O.A. It shows negligence towards pollution.
- 2) I humbly submit that this 5th Respondent mentioned in 5th para that the water contamination with sewage is observed from Srungavruksham village and the concerned officials instructed and informed to the Secretary of Srungavruksham Gram Panchayat which the sanitation will come under Panchayat Raj Department and Meeting was held on 21-08-2021 by the Secretary, Gram Panchayat, Srungavruksham to divert the sewage water in the village through another route and blue print was prepared by the Village Surveyors to isolate the contamination of sewage of the village, as taken steps by this Respondent is mere an eyewash. I further submit that this Respondent stated inactions of authorities prior to filing of this O.A. The concerned officials instructed and informed to the Secretary of Srungavruksham Gram Panchayat, but not issued any appropriate Orders to prevent the Pollution being District Collector. I further

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submit that meeting was held and to divert the sewage water through another route and blue print was prepared, but not released funds to work for proposed diversion although sufficient funds are available in custody of this Respondent. Thus it shows negligence towards pollution.

3) I humbly submit that this 5th Respondent mentioned in 6th para that the APPCB officials identified some fish/prawn culture ponds either side of the Canals. It was cultivation and the discharges of fish/prawn ponds are joining into Tundurru side Channel of Adavikodu Channel by inserted pipes. The Water Resource Department issued notices to cultivators to remove illegal discharge pipes and removed the discharge pipes and some farmers approached the Hon'ble High Court and get interim orders in W.P.No.4363/2022. The similar complaint was forwarded from the Sub Collector, Narsapur, West Godavari District on 17-11-2021 regarding the water pollution of Adavikodu Channel and the Remedial measures recommended. I submit that suppressed the fact of discharges of fish/prawn ponds are joining into Vempa Village side Channel of Mutyumkodu Channel. The Water Resource Department along with other Departments colluded with cultivators have issued permission by violating Rules, which are illegal and suppressed the fact of interim Orders are vacated by disposing W.P.No.4363/2022 by the Hon'ble A.P.High Court on 16.7.2024, on which no further action was initiated to prevent the pollution. I further submit that it was not similar complaint, It was an Order forwarded from the Sub Collector, Narsapur, West Godavari District on 17-11-2021 regarding the water pollution of Adavikodu Channel, but not implemented so far even after filing of this O.A.

4) I humbly submit that the District Level Implementation Committee (DLIC)) constituted under Andhra Pradesh State Aqua Culture Development Authority, 2020 (APSADA Act) and it Rules, wherein the District Collector is Chairman, Fisheries, Water Resource Department, Pollution Control Board, etc are members. They have jointly issued Licenses to the said Fish/Prawn tanks without following rules and without drainage issued Licenses to the



said Fish/Prawn farmers, their wastage discharges releasing into the Irrigation Canals. Thus illegal acts committed by the District Level Implementation Committee authorities and more particularly this Respondent. Even after filing of this O.A., this Respondent could not cancel the above illegal licenses.

- 5) I humbly submit that this 5th Respondent mentioned in Para-7K(b) that In order to close the Irrigation, Bode/ Pipe No.10 two trucks of Debris dumped but the Sarpanches, Farmers of Dusanapudi, Matsyapuripalem, Tundurru and Srungavruksham disputed and the Debris Removed off, hence matter not settled in Lok Adalat at Bhimavaram and the PLC was closed is utterly false. It is humbly submit that it is long pending demand of down steam villages like Dusanapudi, Matsyapuripalem, Tundurru and Srungavruksham etc villagers to close the Irrigation Bode/Pipe No.10, which is major causes for pollution in order to prevent said canals pollution welcomes every one. The PLC was closed due the authorities not come forward to prevent the pollution. Finally, I preferred this O.A. before this Hon`ble Tribunal.
- 6) I humbly submit that this 5th Respondent mentioned in Para-10 that the fish tanks adjoining to Mutyamkodu irrigation canal have alternate drain facility as fish tanks are discharging their waste into the drain is not true and correct.
- 7) I humbly submit that this 5th Respondent mentioned in Para-11 that the problem has existed for the last 40 years and It is significant to bring the notice of the authorities that the task should be completed in concurrence and co-ordination with Fisheries, Irrigation (both canals and drains), Revenue, Panchayat Raj and RWS Departments beside the huge financial grants from the Government as estimated by the Engineering Authorities mentioned above. I humbly further submit that the pollution problem has existed for the last 40 years is utterly false, Respondents have a responsibility to prevent pollution even though it has been a problem for 40 years. This Respondent being District Collector administrative control over all the departments in District and sufficient funds available under various schemes to prevent the said pollution.

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III. Objections to the Report; dated; 08.08.2024 of the Srugnavruksham Gram Panchayti (Respondents-6) as submitted before this Hon'ble Tribunal:

- 1) I humbly submit that the Secretary, Srugnavruksham Gram Panchayti, W.G.District, A.P., who is 6th Respondent herein admitted all the allegations mentioned in O.A. except 3rd & 4th paras of, which is contrary to the reports of the 4th & 5th Respondents and misleadingly the facts.
- 2) I humbly submit that this 6th Respondent mentioned in 8th of his report that implementation of the Government Schemes like Individual sanitary Latrin program under Swacha Bharath Scheme and held Grama Sabha, Beating tom tom for sanitation,etc are his primary duty as Panchayat Secretaty and prepared Blue plan for construction of Drainage is mere an eyewash.
- 3) I humbly submit that this 6th Respondent mentioned in 9th & 10th Parasa of his report that this 6th Respondent is not competent authority to identify and veracity of pollution with regard to pollution of canals through Fish/Prawn tanks, I humbly further submit that rest of the Respondents are competent and liable for the said pollution.
- 4) I humbly submit that this 6th Respondent mentioned in 12th Para of his report that this 6th Respondent has been making endless effort to prevent the pollution is not correct, even after filing of this O.A.could not take necessary steps to prevent the pollution and did not implement the remedial measures suggested by the 4th Respondent and did not obey the Orders of the Sub-Collector, Narasapuram, W.G.District. Thus this negligence towards the said pollution. I humbly further submit that construction of Drainage or not is his problem, but not to polluting water resources by used as drainage is illegal and inhuman acts. This Respondent negligently acted to prevention of pollution.
- 5) I humbly submit that this 6th Respondent mentioned in Para-13(b) that In order to close the Irrigation, Bode/ Pipe No.10 two trucks of Debris dumped but the Sarpanches, Farmers of Dusanapudi, Matsyapuripalem, Tundurru and Srungavruksham disputed and the Debris Removed off, hence matter not settled in Lok Adalat at Bhimavaram and the PLC was closed is utterly false. It is humbly submit that it is long pending demand of down steam villages like Dusanapudi, Matsyapuripalem, Tundurru and

M. Venkatesh

Srungavruksham etc villagers to close the Irrigation Bode/Pipe No.10, which is major causes for pollution in order to prevent said canals pollution welcomes every one. The PLC was closed due the authorities not come forward to prevent the pollution. Finally, I preferred this O.A. before this Hon`ble Tribunal.

- 6) I humbly submit that this 6th Respondent stated that the problem has existed for the last 40 years and It is significant to bring the notice of the authorities that the task should be completed in concurrence and co-ordination with Fisheries, Irrigation (both canals and drains), Revenue, Panchayat Raj and RWS Departments beside the huge financial grants from the Government as estimated by the Engineering Authorities mentioned above. I humbly further submit that the pollution problem has existed for the last 40 years is utterly false, Respondents have a responsibility to prevent pollution even though it has been a problem for 40 years.
- 7) I humbly submit that this 6th Respondent stated in 12th page last para that the Hon`ble MLA of Bhimavaram Constituency discussed the matter to find an alternative solution to divert the drains in Srungavaruksham Village for the preparation of estimation and assured to financial support, utterly false and misleading fact as Srungavaruksham Village is comes under Undi Assembly Constituency. Although there is no funds are available under various schemes, but shows negligence towards this irrigation Canals problems.

Keeping in view of the present conditions of Irrigation Canals and illegal acts of authorities, I humbly pray the Hon`ble Tribunal to kindly issue orders as prayed in the Original Application as deem fit as per the facts and circumstances produced above.

PLACE: Chennai,

DATE: 20.10.2024.

Matter is Posted to 22.10.2024

Be Pleased to Consider,

Sd.....

Thota Ganga Raju,

Applicant (Party-In-Person),

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