

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

Original Application No 302 OF 2024

IN THE MATTER OF:

DEVENDRA PHANIKAR OSURI

..... Applicant

Vs

**ANDHRA PRADESH POLLUTION CONTROL BOARD REP BY ITS MEMBER
SECRETARY AND OTHERS**

.... Respondents

REPORT FILED BY THE APPCB 1st RESPONDENT

DATE- 24.02.2025



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

Original Application No.302 of 2024 (SZ)

[Earlier O.A. No.1017 of 2024(PB)]

IN THE MATTER OF:

Devendra Phanikar Osuri,
Andhra Pradesh.

...Applicant(s)

VERSUS


Andhra Pradesh Pollution Control Board,
Represented by its Member Secretary,
Vijayawada and ors.

...RESPONDENT(S)

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Date: 12.02.2025

Place:


Environmental Engineer,
APPCB, Regional Office,
Eluru.
ENVIRONMENTAL ENGINEER
ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, ELURU.

Report on the Hon'ble NGT order 07.01.2025 in O.A. No.1017 of 2024(PB) in the matters of Narsapur Municipality dumping garbage in river Vasista, filed by Sri Devendra Phanikar Osuri, social activists of Narsapur, West Godavari District.

It is to submit that the Original Application (O.A.) No.1017 of 2024 has been registered in Hon'ble National Green Tribunal (NGT), Principal Bench (PB) New Delhi based on letter petition dt.18.12.2023 by Sri Devendra Phanikar Osuri, Social Activists of Narsapur, West Godavari District, Andhra Pradesh regarding Narsapur Municipality is dumping garbage in river Vasista and its flood bank for the last several years and thereby not only violating Coastal Zone Regulations but also not complying with Solid Waste Management Rules, 2016.

The Hon'ble Tribunal, Chennai heard the matter on 07.01.2025 and renumbered the matter as Original Application No.302 of 2024 (SZ) and also further directed the respondents to file their respective replies/reports. The matter is listed on 25.02.2025. The copy of the NGT Order is enclosed as **Annexure -I.**

In this regard, the following is submitted:

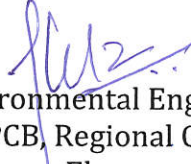
1. The Narsapuram Municipality (Grade-I Municipality) is covering an area of 11.72Sq. Km with a population of about of 58,901 is generating solid waste of about 35 TPD.
2. The Narasapuram Municipality is disposing the solid waste on the River bund of Vasista Godavari River.
3. Several complaints were received from Sri Osuri Devendra Phanikar, Osuri Mansion, Narasapur, West Godavari District against the Narasapuram Municipality regarding illegal dumping of garbage and other solid waste into Vasista Godavari River.
4. The APPCB reviewed the status of Narsapuram Municipality during the EAC (TF) meetings on 21.12.2020, 06.04.2022 & 29.12.2023 at Head Office, APPCB on implementation status of SWM Rules, 2016 and issued directions to the Narsapuram Municipality on 09.01.2021, 21.04.2022 & 10.01.2024 for noncompliance of SWM Rules, 2016. The copy of the latest APPCB directions dt.10.01.2024 is enclosed as **Annexure -II.**
5. The Municipal Commissioner, Narsapur Municipality submitted a brief report on 31.11.2024 stated that the Municipality is not having dumping yard since long back and the garbage is dumping near at Godavari bund. The dry waste is being disposed to Jindal Waste to Energy Plant, Guntur weekly in a twice. The Municipality stated that the Swacha Andhra Corporation has issued LOA to M/s. Avinash Agencies, Guntur to take up the work i.e., Legacy Waste land reducing through Bio remediation and Bio mining under SBM (U) 2.0 under Solid Waste Management. M/s. Avinash Agencies has executing the work at dumping site out of 51,312.26 MTS 1053.495 MTS were cleared and remaining 50258.765 MTS to be cleared within 6 months of time. Also stated that the Narsapur Municipality has acquired the land in an extent of Ac.4.20 cents in R.S.No.94/1, Rustumbada Village, Narsapur Madal to dump waste generated in Narsapur Municipality. At present the public of that village have objecting not to dump garbage in the new acquired land. The copy of the report is enclosed as **Annexure -III.**
6. In compliance to the order dt.04.11.2024 Hon'ble NGT (PB) in O.A.No.1017 of 2024, the Joint Committee was constituted comprising of District Magistrate, West Godavari District, Andhra Pradesh Pollution Control Board (APPCB), Andhra Pradesh Coastal Zone Management Authority (APCZMA) & Central Pollution Control Board (CPCB). The CPCB shall be the nodal authority for coordination and compliance.
7. The Joint Committee inspected the dump site of Narsapur Municipality on 13.12.2024 & 14.12.2024 and the report is under preparation.

It is submitted that the Joint Committee would file the report before Hon'ble NGT (SZ) in connection with O.A.No.302 of 2024 (SZ).

This report is submitted for kind consideration.

Date: 12.02.2025

Place:


Environmental Engineer,
APPCB, Regional Office,
Eluru.
ENVIRONMENTAL ENGINEER
ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, ELURU.

Item No.01:-

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

[Through Physical Hearing (Hybrid Option)]

Original Application No.302 of 2024 (SZ)

[Earlier O.A. No.1017 of 2024(PB)]

IN THE MATTER OF:

Devendra Phanikar Osuri,
Andhra Pradesh.

...Applicant(s)

With

Andhra Pradesh Pollution Control Board,
Represented by its Member Secretary,
Vijayawada and ors.

...Respondent(s)

Date of hearing: 07.01.2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R3 & R4.
Mr. R. Thirunavukarasu for R2.

ORDER

1. The above case has been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.1017 of 2024 (PB)(LP) based on the letter petition received from one Mr. Devendra Phanikar Osuri, which has been transferred to this Bench and renumbered as Original Application No.302 of 2024 (SZ).

2. Today, there is no representation for the applicant. Let the notices be issued to the applicant as well as the respondents through the Tribunal.

3. The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondents Nos.1, 3 & 4 and Mr. R. Thirunavukarasu accepts notice on behalf of Respondent No.2.

4. The learned counsel appearing for the Central Pollution Control Board (CPCB) submitted that the Joint Committee has already visited the application mentioned site and seeks some time for water analysis.

5. Post the matter on 25.02.2025. Meanwhile, the respondents are directed to file their respective replies/reports.

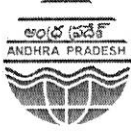
Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.302/2024 (SZ),
07th January, 2025. AD.



ANDHRA PRADESH POLLUTION CONTROL BOARD
 Dr. YSR Paryavaran Bhavan, APIIC Colony Road,
 Gurunanak Colony, Autonagar, Vijayawada- 520007
 Phone. No.0866-2463200, Website : <https://pcb.ap.gov.in/>



Order No. 663/APPCB/HO/ECS/ELR/2023-

Date:10/01/2024.

DIRECTIONS

Sub:APPCB – HO - ECS – Complaint before the Hon'ble NHRC No.1139/1/24/2021 filed by Sri Osuri Devendra Phanikar, Osuri Mansion, Narasapur, West Godavari District – Unauthorized disposal of wastes on the bank of River Godavari – Health Hazardous to public – Non-compliance – Monitoring (TF) Committee Meeting held on 29.12.2023 – Reviewed - Directions – Issued – Reg.

Ref:

1. MAUD Memo No.1537339/UBS/2021-2 Dated 02.06.2023.
2. Inspection of dump site by Board Officials on 07.06.2023.
3. Action taken report from Narasapuram Municipality on 22.09.2023.
4. Monitoring (TF) Committee Meeting held on 29.12.2023.

* * *

WHEREAS the Narsapuram Municipality (Grade-I Municipality) covering an area of 11.72 Sq. Km with a population of about of 58,901 is generating solid waste of about 35 TPD.

WHEREAS the Narasapuram Municipality is disposing the solid waste on the River bund of Vasista Godavari River.

WHEREAS several complaints were filed by Sri Osuri Devendra Phanikar, Osuri Mansion, Narasapur, West Godavari District against the Narasapuram Municipality regarding illegal dumping of garbage and other solid waste into Vasista Godavari River. Complaints were also received through APPCB Web Portal dated 03.11.2020, 04.11.2020, 08.11.2020 and 11.11.2020 of CPCB.

WHEREAS the Board reviewed the status of Narsapuram Municipality during the EAC (TF) meeting held on 21.12.2020 on implementation status of SWM Rules, 2016 and other Waste Management Rules and issued directions on 09.01.2021.

WHEREAS a complaint was also filed before the Hon'ble NHRC vide complaint No.1139/1/24/2021, dt.19.07.2021 regarding dumping of solid waste of 35 Tons per day on the banks of the river Vasista Godavari, without following the norms, resulting in health hazards to the general public. Further, the petitioner again filed a complaint to the Board Office, alleging that the Narsapuram Municipality is violating the orders of NHRC Case No.280/1/24/2021 and continuing the illegal dumping activity into River Vasista Godavari.

WHEREAS the Board issued notices to the Narsapuram Municipality vide orders dated 23.11.2016, 27.07.2017, 04.08.2017, 14.09.2017, 15.02.2018, 22.02.2018, 06.03.2018, 15.03.2018, 26.04.2018, 28.06.2018, 01.07.2018, 21.07.2018, 17.12.2018, 10.01.2020, 28.02.2020, 02.07.2020, 14.10.2020, 03.11.2020, 04.11.2020, 06.11.2020, 08.11.2020, 11.11.2020, 17.11.2020 and 27.03.2021 in connection with implementation of Solid Waste Management Rules, 2016 and violation of the Water (Prevention and Control of Pollution) Act, 1974 and Amendments thereof.

WHEREAS Narsapuram Municipality has not taken any tangible measures for implementation of provisions of said rules and acts and continuing disposal of Solid Waste,

Plastic Waste and untreated waste water into Vasista Godavari River thereby causing water pollution.

WHEREAS the Board reviewed the status of Narsapuram Municipality in the EAC (TF) meeting held on 07.09.2021. The Committee reviewed the issue in detail and recommended that the municipality shall submit specific time bound action plan with timelines within 15 days time for scientific disposal of solid waste to comply with provisions of Solid Waste Management Rules, 2016 and shall immediately stop disposal of Solid Waste into the river or any other indirect disposal lead into river.

WHEREAS the Narsapur Municipality submitted a letter to the Board on 05.11.2021, stated that land alienation is under progress and continuously pursuing with the Government to expedite establishment of compost yard by 30.04.2022. However, no progress observed to comply with SWM Rules and stopped dumping of municipal waste on the bank of river Vasista Godavari.

WHEREAS the Board again reviewed the status of Narsapuram Municipality in the EAC (TF) meeting held on 06.04.2022 on implementation status of SWM Rules, 2016 and other Waste Management Rules / complaints on indiscriminate disposal of solid waste along the bank of River Vasista Godavari. The representative of the Narsapuram Municipality submitted that the land alienation is under process and submitted that they are not dumping the municipal solid waste in the River Vasista Godavari.

WHEREAS the Committee recommended to obtain time bound specific action plan regarding the identification of suitable site complying the guidelines, alienation and establishment of the scientific land fill and shifting of the MSW dumped near the bank of River Vasista Godavari to the scientific landfill and to issue directions not to further dump the waste on the River Banks.

WHEREAS the Board directed to Municipality to submit the specific action plan regarding the identification of suitable site complying the guidelines, alienation and establishment of the scientific land fill and shifting of the MSW dumped near the bank of River Vasista Godavari to the scientific landfill within 15 days with specific time lines and shall immediately stop disposal of Solid Waste into the river or any other indirect disposal lead to river.

WHEREAS a letter received from Central Pollution Control Board (CPCB) on 29.09.2023 on complaint filed by Sri Osuri Devendra Phanikar, Peechupalem, Narasapur, West Godavari District regarding illegal dumping of garbage in river Vasista at Narsapuram, West Godavari District and requested to take necessary action and submit the action taken report to the CPCB. In connection with public complaint, the EE, RO, Eluru vide letter dated.26.12.2023 submitted the following status report of Narsapur Municipality –

1. Narsapuram Municipality is Grade –I Municipality having 31 wards. The Municipality generates 32 Tons of Solid Waste daily. The solid waste is being dumped on the bund of river Vasista Godavari near burial ground in 14th ward.
2. The Municipality is continuing the dumping of solid waste on the bund of river Vasista Godavari.
3. The Municipal Authorities informed that the municipality has been disposing dry waste to Jindal Urban Waste Management Limited, Guntur for waste to energy generation. The records for disposal of dry waste from 23.10.2022 to 02.02.2023 are enclosed.
4. The Municipality has not yet acquired suitable land for dumping of solid waste.
5. Open burning of waste was observed on the bund of river vasista Godavari.
6. The leachate from Solid Waste is joining Vasista Godavari.
7. On receipt of the Board Office letter dated 21.04.2022, the Narsapuram Municipality has submitted action plan to Board on 07.04.2023, stated that the Narsapuram Municipality has identified land for Compost yard/ Scientific land fill available in

- R.S.No.94/1 to an extent of Ac.4.20 Cents at Rustumbada Village, Narasapuram Mandal, West Godavari District and the land alienation is under process.
8. The Narasapuram Municipality has not alienated suitable site for disposal of solid waste. The municipality is continuing disposing the solid waste in the existing place and disposing wet waste/ solid waste on banks of Vasista Godavari and open burning of solid waste is observed.
 9. The Municipal Commissioner, Narsapuram Municipality addressed a letter dated 12.05.2023 to the Commissioner & Director of Municipal Administration to release an amount of Rs.1,74,39,275/- at an earliest to implement Solid Waste Management Rules, 2016.
 10. The Special Chief Secretary, MA&UD vide letter dt.27.06.2023 instructed the Commissioner, Narasapuram Municipality to ensure strict compliance of Solid Waste Management Rules, 2016 as amended from time to time.
 11. The Commissioner, Narasapuram Municipality has submitted the action taken report on 22.09.2023 regarding proposals for Land for Compost yard, Scientific Landfill & Sewage Treatment Plant and the affective implementation of SWM Rules in Narsapuram Municipality Complying the Solid Waste Management, Plastic Waste Management & Material Recovery Facility, C&D Waste Management.
 12. RO, Eluru is collecting water samples at i) River Vasista Godavari U/s of Narasapuram Town, Before confluence of Town Sewage and ii) River Vasista Godavari D/s of Narasapuram Town, After confluence of Town Sewage of Narasapuram Municipality under NWMP. On physical verification there is no aqueduct in the downstream of Narasapuram Municipality for supplying of River Vasista Godavari water either to drinking water or agricultural purpose.
 13. The Narasapuram Municipality is still disposing solid waste on the banks of the river Vasista Godavari. The Complainant Sri Osuri Devendra Phanikar, vide mail dt.05.12.2023 informed that Narasapuram Municipality has not taken any measures for implementation of solid waste management.

WHEREAS a hearing was conducted before the Monitoring (Task Force) Committee Meeting of A.P. Pollution Control Board held on 29.12.2023. The Commissioner of Narasapuram Municipality, West Godavari District attended the meeting in person; JCEE, ZO, Vijayawada and EE, RO, Eluru attended the meeting through VC. The Commissioner of Narasapuram Municipality informed that an extent of 4.20 acres of land was identified at Rustumbada village, Narasapuram Mandal, West Godavari District for development of the compost yard / scientific landfill facility. Proposals were submitted to Government to release the balance fund of Rs. 1.74 crores to acquire the land from the farmers. Further informed that the Narasapuram Municipality has implemented adequate measures to comply with the SWM Rules, 2016. Later, it is proposed to send the solid waste to Jindal Waste to Energy Plant, Kaapuluppada, Visakhapatnam as being done by the surrounding municipalities.

After detailed review, the Committee recommended to issue directions to Narsapuram Municipality, West Godavari District. Accordingly, the Board hereby issues following directions to your Narsapuram Municipality under Sec.33(A) of the Water (Prevention & Control of Pollution) Act, 1974 and under Sec.31(A) of Air (Prevention & Control of Pollution) Amendment Act, 1981 and amendments thereof -

1. ***To stop dumping of solid waste generated from Narasapuram Municipality at the bund of River Vasista Godavari henceforth.***
2. ***The Commissioner, Narasapuram Municipality shall submit time bound action plan within a week to regularly dispose the solid waste generated at Narasapuram Municipality to Jindal Waste to Energy Plant, Kaapuluppada,***

Visakhapatnam.

3. **The Commissioner, Narasapuram Municipality shall utilize the GPS fitted trucks only for transporting the solid waste to waste energy plant at Visakhapatnam and the online tracking provision shall be networked with Regional Office, APPCB, Eluru.**
4. **The Commissioner, Narasapuram Municipality shall expedite implementation of adequate measures to comply with Solid Waste Management Rules, 2016 and Amendments.**
5. **The implementation progress of the above directions shall be reported to RO, Eluru regularly.**

You are hereby directed to note that, should you violate any of the directions mentioned above, action will be initiated under Sec.41(2) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.37 of the Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of safe guarding Public Health and Environment.

This Order comes into effect from today i.e.,10/01/2024.

**B Sreedhar las
MEMBER SECRETARY**

**To
The Commissioner,
Narasapuram Municipality,
West Godavari District.**

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Visakhapatnam for information.
2. The Environmental Engineer, Regional Office, Eluru for information. He is directed to co-ordinate with RO, Visakhapatnam and others concerned to facilitate for disposal of solid waste generated at Narasapuram Municipality to Jindal Waste to Energy Plant, Kaapulupada, Visakhapatnam and to report the compliance periodically.

Brief Report Submitted on OA No:1017/2024 filed by Sri Osuri Devendra Phanikar, R/o Narsapur in the Hon'ble National Green Tribunal, New Delhi.

Ref :1) Dt.18.12.2023 petition filed by Sri Osuri Devendra Phanikar in the Hon'ble NGT

- 2) Hon'ble NGT, New Delhi Order dt.04.11.2024 in OA No.1017 of 2024 (PB).
- 3) Lr.No.NGTOA1017 of 2024 (1B) APPCB/RO-ELR/2024, dt.25.11.2024 of the Environment Engineer, APPCB, R.O , Eluru.
- 4) L.Dis.No.1429/2024/c, dt.28.11.2024 of the Revenue Divisional Officer, Narasapuram
- 5) Lr.Roc.No.1429/2024/C, dt.29.11.2024 of the Revenue Divisional Officer, Narasapuram

<<<>>>

I submit that, in the reference 1st cited, Sri Osuri Devendra Phanikar, Social activist of Narsapur has filed Original Application (OA) No:1017 of 2024 in the Hon'ble National Green Tribunal (NGT) Principal Bench (PB) New Delhi, regarding that the Municipality is dumping garbage in river vasista Godavari and violating Coastal Zone Regulations and also not complying with Solid Waste Management Rules-2016.

Further the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi has passed order on dt.04.11.2024 in OA No:1017/2024 state that "CPCB shall be the Nodal Authority-for coordination and compliance. The committee shall collect the relevant information after visiting the site and submit a factual Report with Registrar, Southern Zonal Bench, Chennai within two months".

The Environment Engineer, Andhra Pradesh pollution control Board, RO, Eluru has constituted a joint Committee that 1) Revenue Divisional Officer, Narsapur 2) Senior Environmental Engineer, APCB, APCZMA 3) Environmental Engineer, APPCB, RO, Eluru and one other, the joint Committee shall collect relevant information after verifying the site and to submit a report and I further submit that the Revenue Divisional Officer, Narsapur has communicated the same and called a Report on the petition filled by Sri Osuri Devendra Phanikar in the Hon'ble National Green Tribunal, New Delhi.

In this connection, the detailed report is herewith submitted that, this Municipality not having dumping yard since long back, the garbage is dumping out cuts of the town near at Godavari bund but not in River Vasista Godavari. This Municipality is taking steps day to day that the garbage is sent to Jindal Waste to Energy Plant, Guntur weekly in a twice, then the garbage is reducing day to day in the said dump place. I further submit that, the Government of Andhra Pradesh, through Swachcha Andhra Corporation has taken up project under SBM(U) 2.0 under Solid Waste Management such as legacy waste management, Material Recovery facility Center, Mechanical Road Sweeping Machine and Scientific land fill and Waste to Compost. In the mean while , the Managing Director Swacha Andhra Corporation has given LOA to M/s Avinash Agencies, Guntur to take up the work i.e " Legacy waste land Reducing through Bio remediation and Bio-mining cluster-III .

Further, I submit that, the M/s Avinash Agencies has executing the work daily at dumping site, out of 51,312.26 MTS 1053.495 MTS were cleared and remaining 50258.765 MTS to be cleared and it takes minimum 6 months of time. This Municipality has acquired the land in an extent of Ac.4.20 cents in R.S.No.94/1 of Rustumbada village, Narasapuram to dump waste generated in Narsapur Municipality. At present the public of that village have objecting not to dump garbage in the new acquired land. After resolve the objections raised by the public the garbage will dump in the new site acquired by this Municipality. Finally I submit that the Bio remediation and Bio-mining of the garbage executed by M/s Avinash Agencies. This Municipality will take steps to dump the garbage in new site acquired by this Municipality at Rustumbada village, Narasapuram Mandal after completion of the legacy waste project.

Hence this is submitted for favour of kind information.

M. Ayich
Commissioner

Narasapur Municipality

GCE
30-11-2024 FI

SR
30/11/2024