

**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 APCZMA 4th RESPONDENT

DATE- 11.04.2025



**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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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL Southern Zone
Bench AT CHENNAI**

Original Application No. 302 of 2024 (SZ)
Earlier OA No. 1017 of 2024 (PB)

Devendra Phanikar Osuri, Andhra Pradesh.

...Applicant(s)

With

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

...Respondent(s)

INDEX

Sl. No.	Description of the Document	Page No.
1.	Report on the Hon'ble NGT order dated 25.02.2025 in Original Application No. 302 of 2024 (SZ), earlier OA No. 1017 of 2024 (PB) filed by Sri Devendra Phanikar Osuri	1-2
2.	Annexure-A - NGT order dt 04.11.2024	3-5
3.	Annexure-B - CPCB Lr dt. 26.11.2024	6-7
6.	Annexure-C - OA 302 of 2024 order dt 07.01.2025	8-9
9.	Annexure-D - OA No 302 of 2024 order dt 25.02.2025	10-11

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

Date: 09.04.2025

Report on the Hon'ble NGT order dated 25.02.2025 in Original Application No. 302 of 2024 (SZ), earlier OA No. 1017 of 2024 (PB) filed by Sri Devendra Phanikar Osuri.

It is to submit that an Original Application No. 1017 of 2024 (PB) was filed by Sri Devendra Phanikar Osuri, social activist of Narsapur District, West Godavari, Andhra Pradesh in the Hon'ble National Green Tribunal (NGT), Principal Bench(PB), New Delhi based on the ground that the Narsapur Municipality dumping garbage in river Vasista and its flood bank for last several years violating not only Coastal Zone Regulations but also Solid Waste Management Rules, 2016.

The Hon'ble NGT (PB), New Delhi in its order dt. 04.11.2024 issued directions *constituting a Joint Committee comprising of District Magistrate, West Godavari; Andhra Pradesh State Pollution Control Board; State Coastal Zone Management Authority (SCZMA); and, Central Pollution Control Board (CPCB). CPCB shall be the nodal authority for coordination and compliance. The committee shall collect relevant information after visiting the site and submit a factual report with the Registrar, Southern Zonal Bench, Chennai within two months.* Copy of the order dated 04.11.2024 is submitted as **Annexure-A.**

In compliance to the above directions, the CPCB had constituted the Joint Committee vide order dated 26.11.2024. Copy of the CPCB letter dated 26.11.2024 is submitted as **Annexure-B.**

The Hon'ble NGT (PB) vide order dated 07.01.2025 transferred OA No. 1017 of 2024 to the Hon'ble NGT (Southern Bench) and renumbered as Original Application No.302 of 2024 (SZ). Copy of the order dated 07.01.2025 is submitted as **Annexure-C.**

The Hon'ble NGT vide order dated 25.02.2025 stated as following:

“1. On the last occasion, the learned counsel appearing for the Central Pollution Control Board (CPCB) submitted that the Joint Committee had already visited the application mentioned site and wanted time for water analysis.

2. The Joint Committee report along with the water analysis report is yet to be filed. The learned counsel appearing for the CPCB, which is the nodal authority, seeks a further two weeks' time to file the report of the Joint Committee.

3. The applicant, who appeared in person, made an objection that the report was not filed within time. The said objection is recorded.

*4. Post the matter on **17.04.2025.**”*

Copy of the Hon'ble NGT order dated 25.02.2025 is submitted as **Annexure-D.**

The report of the Joint Committee will be submitted to the Hon'ble NGT by the Central Pollution Control Board (CPCB) (Nodal Authority for the Joint Committee).

Submitted.


Member Secretary
APCZMA

Item No. 10

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1017/2024

Devendra Phanikar Osuri

Applicant

Versus

State of Andhra Pradesh

Respondent

Date of hearing: 04.11.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondent: None

ORDER

1. A letter petition dated 18.12.2023 sent by Devendra Phanikar Osuri, social activists of Narsapur, District West Godavari, Andhra Pradesh has been registered as Original Application (hereinafter referred to as '**OA**') under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010) in exercise of *suo-moto* jurisdiction, in view of law laid down by Supreme Court in **(2022) 13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Singha & Ors.**

2. Complainant has said that 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 (hereinafter referred to as '**SWM, Rules 2016**').

3. Records also show that earlier complainant approached Central Pollution Control Board (hereinafter referred to as '**CPCB**') with the said complaint whereupon letter dated 29.09.2023 was issued by CPCB to Member Secretary, Andhra Pradesh State Pollution Control Board (hereinafter referred to as '**APSPCB**') directing it to take appropriate action in the light of the provisions of SWM Rules, 2016, but as per the complaint, nothing has proceeded further and there is no improvement in the situation.

4. From the allegations made in the complaint and also photographs appended to the complaint, we are *prima facie* of the view that a substantial question relating to environment has arisen out of implementation of enactments mentioned in Scheduled-I of NGT Act, 2010, but, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a Joint Committee comprising District Magistrate, West Godavari; Andhra Pradesh State Pollution Control Board; State Coastal Zone Management Authority (hereinafter referred to as '**SCZMA**'); and, Central Pollution Control Board (hereinafter referred to as '**CPCB**').

5. CPCB shall be the nodal authority for coordination and compliance.

6. Above committee shall collect relevant information after visiting the site and submit a factual report with the Registrar, Southern Zonal Bench, Chennai within two months.

7. A copy of this order be forwarded to Members of the Joint Committee by email for compliance.

8. Registry is directed to transmit record of this original application to Southern Zonal Bench, Chennai for further proceedings.

9. List before appropriate Bench on 07.01.2025.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 04, 2024
Original Application No. 1017/2024
JG.



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

F.No.: CM-13013/33/2024-TECH-RD-CHENNAI-RD (Chennai)/755

26/11/2024

To,

The Revenue Divisional Officer,
Narasapuram,
West Godavari

To,

K. Venkateswara Rao
Environmental Engineer,
Regional Office, Eluru,
Andhra Pradesh Pollution Control Board

To,

PVBLG Sastry
Senior Environmental Engineer,
CRZ Section,
Head Office, APPCB

Sub: Constitution of Joint Committee in the OA No. 1017 of 2024 in the matter of Devendra Phanikar Osuri Versus State of Andhra Pradesh

- Ref:**
1. Hon'ble NGT, New Delhi order dt.04/11/2024 in OA No. 1017 of 2024 (PB)
 2. Central Pollution Control Board, Regional Directorate, Chennai letter dt.18/11/2024
 3. The Member Secretary, APPCB letter dt.18/11/2024
 4. The Collector, West Godavari District Note order dt.22/11/2024
 5. The Member Secretary, APCZMA letter dt.23/11/2024

Sir/Madam,

The Hon'ble NGT (PB) in its order dt.04/11/2024 in OA No. 1017 of 2024 (PB) directed CPCB to constitute a Joint Committee comprising of the following:

- i. The District Magistrate, West Godavari
- ii. Andhra Pradesh Pollution Control Board (APPCB)
- iii. Andhra Pradesh Coastal Zone Management Authority (APCZMA)
- iv. Central Pollution Control Board (CPCB)

The Joint Committee was directed to collect relevant information after visiting the site and submit a factual report with the Registrar, Southern Zonal Bench, Chennai within two months. The CPCB shall be the nodal authority for coordination and compliance. Copy of the Hon'ble NGT order is here within enclosed as **Annexure-I**. The case is posted to 07/01/2025.

The Regional Director, CPCB, RD, Chennai addressed letters to the District Magistrate, West Godavari District, The Member Secretary, APPCB and The Member Secretary, APCZMA and requested to nominate officials for the Joint Committee before 21/11/2024 in OA No. 1017 of 2024.

क्षेत्रीय निदेशालय (चेन्नई) : द्वितीय तल, 40-ई, बीएसएनएल बिल्डिंग, थिरु-वी-का औद्योगिक एस्टेट, सिपेट रोड, गिन्डी, चेन्नई - 600032

दूरभाष: 044-29998683/044-29567019 ई-मेल: rdchennai.cpcb@gov.in

Regional Directorate (Chennai): Second Floor, 40-E, BSNL Building, TVK Industrial Estate, CIPET Road, Guindy, Chennai - 600032

Phone: 044-29998683/044-29567019 Email: rdchennai.cpcb@gov.in

प्रधान कार्यालय : परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली - 110 032

Head Office: Parivesh Bhawan, East Arjun Nagar, Delhi - 110032

दूरभाष / Telephone: 011-43102030, Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल / E-mail: cpcb@nic.in वेबसाइट / Website : www.cpcb.nic.in

The Member Secretary, APPCB vide letter dt.18/11/2024 and through email dt.20/11/2024 has nominated EE, APPCB, RO, Eluru in the matter.

The District Collector, West Godavari District vide Note order dt.22/11/2024 has nominated Revenue Divisional Officer, Narasapuram as member for the above Joint Committee and directed the Municipal Commissioner, Narasapuram shall be available with records in the above matter.

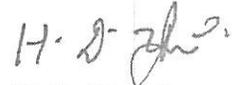
The Member Secretary, APCZMA vide letter dt.23/11/2024 and through email dt.23/11/2024 has nominated the SEE, CRZ Section, APPCB, Head Office, Vijayawada in the matter.

In view of the above, the Joint Committee is constituted with the following:

S. No.	Name of the Department	Details of Nominee Officer
1.	The District Magistrate West Godavari District	Sh. Dasi Raju, Revenue Divisional Officer, Narasapuram Mobile: 9491041423 Mail id: rdonsp@gmail.com
2.	Andhra Pradesh Pollution Control Board (APPCB)	Sh. K. Venkateswara Rao, EE, APPCB, RO, Eluru Mobile: 9866776724 Mail id: roelr-ee1@appcb.gov.in
3.	Andhra Pradesh Coastal Zone Management Authority (APCZMA)	Sh. PVBLG Sastry, Senior Environmental Engineer, APPCB, Head Office & CRZ Section, APCZMA Mobile: 9177303207 Mail id: apczma2016@gmail.com
4.	Central Pollution Control Board (CPCB)	Smt. H D Varalaxmi, Regional Director CPCB, Regional Directorate, Chennai Mobile: 9449004165 Mail id: vlaxmi.cpcb@nic.in

Smt. Sowmya D, Scientist-E, CPCB, Regional Directorate, Chennai (mobile no. 8762226688 & email: sowmyad.cpcb@nic.in) is the coordinator.

Yours faithfully,



(H. D. Varalaxmi)
Regional Director

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)

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



With

...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.

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)

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



...Respondent(s)

Date of hearing: 25.02.2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. ARUN KUMAR VERMA, EXPERT MEMBER

For Applicant(s): Mr. Devendra Phanikar Osuri(*Party-in-Person*).

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

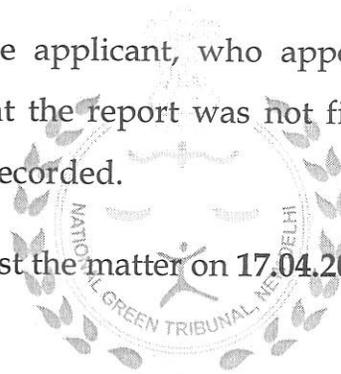
ORDER

1. On the last occasion, the learned counsel appearing for the Central Pollution Control Board (CPCB) submitted that the Joint Committee had already visited the application mentioned site and wanted time for water analysis.

2. The Joint Committee report along with the water analysis report is yet to be filed. The learned counsel appearing for the CPCB, which is the nodal authority, seeks a further two weeks' time to file the report of the Joint Committee.

3. The applicant, who appeared in person, made an objection that the report was not filed within time. The said objection is recorded.

4. Post the matter on 17.04.2025.



Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Arun Kumar Verma, EM

O.A. No.302/2024 (SZ),
25th February, 2025.AD.