

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

Original Application No. 37 of 2025

IN THE MATTER OF:

CHANDRA SEKHAR REDDY

..... APPLICANT

VERSUS

**GOVT OF ANDHRA PRADESH REP BY ITS SECRETARY MAUD
DEPARTMENT AND OTHERS**

..... RESPONDENTS

**REPORT FILED BY THE MUNICIPAL CORPORATION 6TH
RESPONDENT**

Date: 08.04.2025



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.

Mobile: 98407 98460 / 63831 21322,

Email: reddymadhuri09@gmail.com

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

Original Application No. 37 of 2025

IN THE MATTER OF:

CHANDRA SEKHAR REDDY

..... APPLICANT

VERSUS

**GOVT OF ANDHRA PRADESH REP BY ITS SECRETARY MAUD
DEPARTMENT AND OTHERS**

..... RESPONDENTS

INDEX

SL.NO	DESCRIPTION OF THE DOCUMENT	PAGE NO
1	Counter Affidavit by 6th Respondent	1 - 5
2	Joint Committee Report – Annexure 1	6 - 7

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

Date: 08.04.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI
MEMORANDUM OF APPLICATION**

(Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act
2010)

Original Application No.37 of 2025

Between:

Mr. P.Chandra Sekhar Reddy,
Member of the Legislative Council,
East Rayalaseema Teacher's Constituency,
No 27/2/1801, 3 Street, Ramji Nagar Nellore,
Andhra Pradesh - 524002
pcsreddy.nlr@gmail.com/9248188888

... Applicant

And

- 1) Government of Andhra Pradesh,
Rep by its Secretary,
Municipal Administration and Urban Development,
Andhra Pradesh Secretariat,
Velagapudi, Andhra Pradesh,
08632442313/prlsecymaud@ap.gov.in
- 2) The Commissioner/Director of Municipal Corporation,
Prime Hill Crest,
Vaddeswaram Village, Mangalagiri,
Andhra Pradesh-522502
08645277727/cdmaap@cdma.gov.in
- 3) The Mission Director,
Mission for Elimination of Poverty
in Municipal Areas (MEPMA)
NH-16 Service Road, Tadepalli,
Andhra Pradesh - 522 501
08632347302/mdmepma@apmepma.gov.in
- 4) The Member Secretary,
Andhra Pradesh Pollution Control Board,
Paryavaran Bhavan,


Commissioner
MUNICIPAL CORPORATION OF NELLORE

APHC Colony Road, Gurunanak Colony,
Autonagar, Vijayawada,
Andhra Pradesh - 520007
8662543542/membersecy@appcb.gov.in

- 5) The District Collector,
SPSR Nellore District,
Andhra Pradesh,
08612331999/collectornir@ap.gov.in
- 6) The Commissioner,
Nellore Municipal Corporation
Dargamitta, Nellore
Andhra Pradesh
08612316777/commissioner_nellore@yahoo.co.in
- 7) The Environmental Engineer,
Nellore Region,
Andhra Pradesh Pollution Control Board,
Prasanthi Nagar. Podalakur Road,
Nellore, Andhra Pradesh-524003
09866776736/ronir-eel@appcb.gov.in
- 8) The Superintendent Engineer,
Water Resources Department,
SSLC & SB Circle,
Nellore, Andhra Pradesh
09100540944/sesslesbenir@yahoo.co.in
- 9) The Project Director,
Mission for Elimination of Poverty
in Municipal Areas (MEPMA)
Nellore, Andhra Pradesh,
08309780269 / mepmapdnellore1@gmail.com

... Respondents

Counter-Affidavit filed by the 6th Respondent

I, Sri.Mallavarapu Surya Teja, I.A.S, S/o Srinivasarao, Hindu, aged 32 years, the Commissioner, Municipal Corporation, Nellore, do hereby solemnly affirm and sincerely state on oath as follows:

1. It is submitted that I am the 6th Respondent in the present Original Application and I have gone through the contents of the application and state that the material allegations made therein are neither true nor correct and as such I hereby deny all the allegations, except those that are specifically admitted herein to be true and correct.
2. It is submitted that with regard to the averments made in **para no 1 & 4** of the present application, I humbly submit that on the implementation of Government order G.O.RT.No.1005 dated 20.12.2024 issued by the respondent no.1 herein, which sanctions the establishment of a "Smart Street Vending Market" with 200 vending shops as a pilot project at Mypadu Road, Nellore, will not cause grievance as alleged by the applicant herein. I further humble submit that the proposed market is not encroaching on the bank of Jaffar Saheb Canal in CAS No. 134, 135 & 140 of Nellore Bit-2, a designated canal poramboke area as the 8th respondent/Superintendent Engineer, Water resources dept. Nellore has already permitted for implementation of the pilot project at Mypadu road Nellore and the said fact was affirmed by the committee in its' report Dt:25.03.2025 on conducting the joint inspection in compliance to the Proceedings dt:10.03.2025 of the Collector and District Magistrate SPSR Nellore District i.e. 5th respondent herein.
3. It is submitted that that the 8th respondent/Superintendent Engineer, Water resources dept. Nellore, has not objected for implementation of the above said project as the retaining wall was already constructed approximately over a length of 1000 meters with intent to protect perennial water flow of the said canal and after that rigid pavement was laid by Nellore Municipal Corporation over a length of 500 meters with width of 8.4 – 10 meters in the year 2023-24 itself.
4. It is submitted that with regard to the averments made in para no **2 & 3** having no comments.


Commissioner

MUNICIPAL CORPORATION OF NELLORE

5. It is submitted that with regard to the averments made in **para no 5 & 6** of the present application, I submit that to prevent the discharge of wastewater into the canal from the proposed shops, Under Ground Drainage connectivity will be provided in which case there will be no water pollution into the canal. The Collector and District Magistrate SPSR Nellore District i.e. 5th respondent herein issued orders vide Proceedings dt:10.03.2025, to form a joint committee with the following officers and to conduct joint inspection and submit a report within two weeks.

S.No	Name of the Officer	Committee Team
1	The Commissioner, Municipal Corporation, Nellore	Convener
2	The Forest settlement officer, Nellore	Member (On behalf of the Collector & District Magistrate)
3	The Superintending Engineer, Irrigation, Nellore	Member
4	The Environmental Engineer, APPCB, Nellore	Member
5	The Project Director, MEPMA, Nellore	Member

6. It is submitted that the Environmental Engineer, A.P Pollution Control Board, Nellore/7th respondent is one of the member of the said committee who opined that there is no environmental impact on implementation of the subject project and that the Superintending Engineer, Irrigation, Nellore has also expressed no objection in the said report for implementation of the subject project. **(Copy enclosed as Annexure - 1)**
7. It is submitted that, for all the grounds of the application, I humbly submit that the implementation of the subject project was taken up with due permissions from the departments concerned and with all precautionary

measures to prevent pollution of the subject canal such as providing sewerage connections, piped water supply, proper garbage collection from the shops and apart providing dust bins at proper places and by erecting iron mesh over the retaining wall of the subject canal throughout the subject project.

In the above circumstance, it is humbly prayed that, this Hon'ble NGT (SZ), Chennai may be pleased to record this report and dismiss the above OA.No. 37 of 2025 and pass such further or other orders, as this Hon'ble NGT(SZ), Chennai may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed at Nellore
Andhra Pradesh on
this the 7th th day of April,2025
and signed his name in my presence

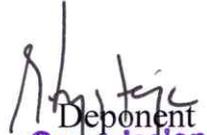

Commissioner
BEFORE ME
MUNICIPAL CORPORATION OF NELLORE

Advocate

VERIFICATION

I, Mallavarapu Surya Teja, I.A.S, S/o Srinivasarao, Hindu, aged 32 years, Commissioner, Municipal Corporation, Nellore as Respondent No.6 of the present case, 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 the 7th day of April, 2025.


Deponent
Commissioner
MUNICIPAL CORPORATION OF NELLORE

Report of the Joint Committee

To

The Collector & District Magistrate,
SPSR Nellore District.

Sir,

Sub:- Report – Joint Committee was constituted vide proceedings dt:10.03.2025 of the Collector & District Magistrate, SPSR Nellore District, to conduct joint inspection and submit a report – Regarding.

Ref:- 1. Proceedings dt:10.03.2025 of the Collector & District Magistrate, SPSR Nellore District.
2. Original Application No.37 of 2025 on the file of Hon'ble National Green Tribunal (South Zone) at Chennai.

In compliance to reference 1st cited, Joint Committee was constituted to conduct joint inspection and the said committee has conducted inspection on 25-03-2025 and submits the report as follows:

1. The Commissioner, Nellore Municipal Corporation along with his staff i.e Superintendent Engineer and Executive Engineer has participated in the joint inspection, as Convener of the Committee and appraised the implementation of the proposed pilot project to other members of the Committee.
2. The Superintending Engineer, Irrigation Circle, Nellore, on inspecting the proposed site adjacent to Jaffar Saheb Canal, reported that already retaining CC wall was constructed to the left side of the Jaffar saheb canal for a length of about 1000 meters with an intent to protect the perennial water flow of Jaffar Saheb Canal. Further, he informed that the Irrigation Department, Nellore has No Objection for implementation of the pilot project on the subject site as there will not be any obstruction to the flow of water in the canal due to erection of temporary shop room structures on the rigid pavements which is laying by the Municipal Corporation Authorities.
3. Further, the Superintending Engineer, Irrigation Circle, Nellore has suggested to erect iron mesh for a height of six feet on the retaining wall and leaving some gap between proposed shops and centre of the retaining wall where the shop rooms are proposed to avoid littering in canal from the proposed shop rooms.
4. The Environmental Engineer, A.P Pollution Control Board, Nellore, also visited the proposed site of the pilot project and reported that, with respect to the proposed plan submitted by the Municipal Corporation authorities the built up area is less than 20,000 Sqm. Hence, the proposal does not attract Environment Impact Assessment (EIA) Notification,2006, thus the present proposal exempted

from obtaining Environmental Clearance from MoEF&CC, Gol. However, Building construction project $\geq 5,000$ sq. m., but $< 20,000$ sq. m. built-up area (without connectivity to terminal STP) falls under Green category as per CPCB new classification of industries/activities vide circular dated. 12.02.2025. The project proponent shall obtain Consent To Establish (CTE) & Consent To Operate (CTO) from the APPCB under the provisions of Water & Air Acts, if the waste water generated from the proposed pilot project is not connected to terminal STP. During the joint inspection, the municipal authorities informed that the domestic wastewater generated from the proposed pilot project will be connected to UGD and same will be treated in the existing STP of 55 MLD capacity at Allipuram. Thus, the proposed pilot project does not require CTE & CTO of APPCB

5. Further, the Environmental Engineer, A.P Pollution Control Board, Nellore has suggested that solid waste & plastic waste generated from the proposed pilot project shall be segregated at source, collected properly disposed as per the Solid Waste Management Rules, 2016 & Plastic Waste Management Rules, 2016 respectively. Further, the EE, APPCB suggested that fencing shall be provided all along the Jaffar Saheb canal bund to avoid throwing of solid waste/ plastic waste into Jaffar saheb canal in order to prevent water pollution.
6. The Project Director, MEPMA, Nellore has informed that after finalization of vendors, they will organize an awareness programme to the identified vendors for maintenance of shop rooms as well as surroundings in hygienic manner and also agreements will be concluded with them with a condition to terminate the same if any un-hygienic conditions are arised at their respective shop premises.
7. The Commissioner, Nellore Municipal Corporation has take a note of the suggestions made by the Environmental Engineer, AP PCB, Nellore and also Superintending Engineer, Irrigation department and proposals are being formulated by the Nellore Municipal Corporation authorities for providing Sewerage network, arrangement of dust bins for segregated waste collection and also erection of iron mesh on the retaining wall to avoid garbage dumping in canal if any.

Hence the report is submitted.


PD
MEPMA


EE
PCB


SE
WRD


FSO
(B/o Collector)


Commissioner
NMC