The section 24 of the Water (Prevention & Control of Pollution) Act, 1974 stipulated prohibition on use of stream or well for disposal of polluting matter, etc and the provisions under this section stipulated are as follows:

1. Subject to the provisions of this section:
   a. No person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the state Board to enter whether directly or indirectly into any stream or well or sewer or onland.
   or
   b. No person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water stream in a manner leading or likely to lead to substantial aggravation of pollution due to other causes or of its consequences.

2. The Board informed to all the municipalities / corporations on 05.06.1997 to provide adequate treatment facilities for the sewage generated from Municipalities / Corporations and to apply for Consent for Operation (CFO) from the Board as required under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974. But so far no reply received from your end.

3. It is obligatory on the part of the Municipality to provide treatment facilities of adequate capacity to treat the sewage effluents generated from your Municipality, so as to comply with the prescribed standards under the provisions of Schedule – VI of G.S.R. No. 422 (E), dt. 19.05.1993 notified by MoE&F., GOI under the provisions of Environment (Protection) Rules, 1986 & amendments thereof.

4. The Municipality to apply for Consent for Operation (CFO) of the Board as required to obtain under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974. Any non-compliance to the above attracts penal action under section 44 of the Water (Prevention & Control of Pollution) Act, 1974 & amendments thereof.

5. As per instructions of Member Secretary, APPCB on 26.05.2012, the Municipalities / Corporations in the state of Andhra Pradesh to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof and also to initiate action against the defaulting Municipalities which are discharging untreated sewage into canals/ water bodies.

6. The Board has directed Municipality on 03.07.2012 to treat the sewage generated from the Municipality to comply with prescribed standards & to report compliance within a fortnight. But, so far no permission obtained by the Tadepalli Municipality from the Board for construction of sewage effluent treatment plant for the treatment of sewage generated at your municipality.

7. It is pertinent to inform that an offence committed by any Department of Government, the Head of the Department shall be deemed to the guilty of the offense and shall be liable to be proceeded against and punished accordingly under section 48 of the Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof.

8. The Board directed to immediately implement the following measures and furnish specific time bound action plan to comply therein:
   1. To furnish detailed Environmental Management Plan (EMP) on the existing / proposed sewage effluent treatment plant for treatment of Municipal sewage effluents.
   2. To stop further discharge of untreated effluents into canals/ water bodies and to implement adequate measures to prevent pollution to canals and other river water bodies due to discharge of untreated sewage effluents and polluting matter from your Municipality.
   3. To immediately apply for CFO of the Board as required under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974.

9. The above status was referred to attention of Municipality to furnish the details within 15 days along with detailed EMP and proposals for construction / up-gradation of Sewage treatment plant, so as to ensure compliance with Board directions. But, so far no reply received from your end at this office.
10. It was also informed that a case No. 27 of 216 (SZ) filed before the Hon'ble National Green Tribunal (SZ), Chennai regarding Krishna river pollution. The Hon'ble NGT impleaded the Tadepalli Municipality represented by the Commissioner as respondent party through order dt. 29.03.216. The matter was pending for disposal & it is obligatory on the part of the Commissioner, Tadepalli Municipality to comply / allegations against respondents as contested therein.

11. The Executive Engineer, KW Division, Tadepalli represented to remove drainage outlets & to stop dumping of waste material into KW main canal to prevent further contamination of surface water body, keeping in view its usage for domestic consumption at downstream thereby violating the provisions of the Sec. 24 of Water (Prevention & Control of Pollution) Act, 1974 which attracts action against the head of Department as stipulated under Sec. 43 of the Water (Prevention & Control of Pollution) Act, 1974.

12. The same was informed to the commissioner, Tadepalli Municipality, Guntur District to immediately rectify the above lapses to prevent further contamination of surface & sub surface water resources due to percolation of contaminants along the K.W. canal. But, so far this office has not received any reply from your end despite of ample time and opportunity.

13. The samples of sewage treatment plant of Tadepalli Municipality, Guntur District was collected on 05.10.2018 and the analysis report of the samples shows that BOD – 102.0 (standard - 30 mg/liter); TSS – 102.0 (Standard – 100 mg/liter); COD - 312 ((standard - 250 mg/liter) and Oil & Grease – 20.4 (standard - 10 mg/liter), which shows that the treated waste water discharging into riverbed is far exceeding the prescribed standards for inland surface water discharge standards.

14. The Commissioner, Tadepalli Municipality was directed to submit detailed proposals on setting up of engineered sanitary landfill and processing facilities in conformity with provisions of SWM Rules. But, the same was not complied by the Tadepalli Municipality till date.

15. The OA. No 199 of 2014 has been taken up by the Hon'ble NGT, New Delhi regarding non implementation of MSW Rules by ULBs.

16. The Commissioner & Director, Municipal Administration was requested to instruct Municipal Commissioners to identify suitable site to establish the waste to energy plants, vermin composting plants, Bio-Methaninatior / Bio-gas plants, recyclable units at ULBs of the state as per the action plan furnished by CDMA.

17. The Municipality failed to comply with the provisions of Municipal Solid waste (Management & Handling) Rules, 2000 in providing waste processing facilities / land fill in accordance with the MSW Rules, even after prolonged persuasion from APPCB and the Commissioner& Director, Municipal Administration.


20. The Tadepalli Municipality was informed vide letter dated. 06.09.2016 to file the Form-I prescribed under Rule – 15 (y), 16 (1) (c), 21 (3) of SWM Rules, 2016 in response your application dated. 01.09.2016 to obtain authorization of the Board for maintenance of compost yard at Kolanukonda. But, thereafter no information received from Tadepalli Municipality and continued to dispose the solid waste generated at Tadepalli Municipality either on Krishna riverbed and at unauthorized locations, inspite of ample opportunity & time.

21. The Solid Waste Management Rules notified by the GoI prescribed specific duties & responsibilities of ULB’s under Rule No.15, which are applicable to the Tadepalli Municipality for safe handling and disposal of the solid waste in environmentally sound manner.

22. The open burning of the solid waste is potential to generate air pollution with pollutant like Particulate Matter, Sulphur Dioxide & HAP etc.,and also causing for contamination of surface & sub-surface water resources when duped along the water bodies, thereby causing pollution problems to the public in the surroundings.

23. The adverse news item appeared in the Hindu news daily under the caption “Krishna River: a lifeline in peril” due to indiscriminate disposal of tons of solid waste and filth of the Tadepalli Municipality and also indulging in illegal discharges from Vijayawada club on
the Krishna riverbed, burning of waste along the river bed in addition to indulging in discharge of untreated domestic waste water into riverbed, thereby further aggravating the pollution problems, Copy enclosed.

24. The Board officials inspected the Krishna riverbed abutting the Tadepalli Municipality and observed that the solid waste of Tadepalli Municipality and shop keepers nearer to the riverbed are regularly disposing the filth and also discharging untreated and partially treated domestic waste into riverbed, thereby transferring and disseminating the pollutants to downstream of the K.W.Canal and sub-surface water resources. Further, it was observed that the solid waste generated from Tadepalli Municipality is being dumped indiscriminately along riverbed and openly burning of solid waste and the unsegregated plastic, thereby causing air pollution problems in the surroundings and also causing contamination of surface water body.

25. The guidelines notified by the CPCB on dousing of fire at MSW land fill sites was communicated to the Commissioner, Tadepalli Municipality vide T.O. letter dt.11.06.2018. However, no progress observed to stop open burning of solid waste & plastic waste by the Tadepalli Municipality despite of specific instructions.

26. The RO, Guntur has issued showcase notice on 25.08.2018 to the Commissioner, Tadepalli Municipality, Tadepalli, Guntur District to take requisite measures to stop discharging of untreated/partially treated domestic waste water & other waste to prevent further pollution problems and to furnish your compliance within 7 days. However, no reply received from the Commissioner, Tadepalli Municipality, Tadepalli despite of ample opportunity & time.

27. The Tadepalli Municipality violated the SWM Rules, inspite of ample opportunity and time available to comply with SWM Rules to set up adequate landfill facility. The above violations attracts penal action under Section 15 of Environment (Protection) Act, 1986, which stated that whoever fails to comply with or contravenes any of the provision of this act, or the rules made or orders or directions issued there under, shall in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to One Lakh Rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention. Further, if the failure or contravention continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extended to seven years.

From the above, it is observed that you have not complied with directions issued to stop open burning of Municipal Solid waste and also not implemented the guidelines communicated on dousing of fire at MSW land fill sites.

Conclusion:

In view of the above, the External Advisory Committee is requested to discuss the issue and recommend further course of action.  

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