

Item No.4

(Court No. 2)

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

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No. 762/2023

Kotham Sangeeth

...Applicant

Versus

State of Telangana & Ors.

...Respondents

Date of hearing: 22.01.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the Applicant.

Application is registered based on a complaint received by Post.

ORDER

1. Mr. Kotham Sangeeth resident of H.No. 22-8-156/1, 2nd Doctors Colony, Deshaipet, Warangal, Telangana has sent by post the present letter petition to this Tribunal, which has been treated and registered as O.A. No. 762/2023.

2. The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows:-

“Sub : Since 2 Decades The Fresh Water Pond is polluted and the Garbage, Plastic Waste is totally dumped through Naala Water (Sewage Water).

*X X X X
This is to bring to your kind notice that, I am K. Sangeeth, Resident of Warangal East District of Telangana State, We the people of Weavers Colony, 2nd Drs Colony, Sathyanarayana Colony,*

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Venkateshwara Colony, Snehanagar Colony, Brundavan Colony, & Surrounding Area were suffering Health Issues and the Pond was totally Polluted because of below reasons.

1) *It can be observed that since 2 Decades all the Sewage water from our City gets collected in the KOTI-CHERUVU POND, NEAR DMHO OFFICE, Autonagar Road, Warangal and POLLUTED THE ENTIRE POND. In the situation of Increasing Population, we are being specially requested to divert this Sewage Water to Somewhere away from the City.*

2) *The Sewage water meets the KOTI CHERUVU Pond through LARGE PIPES connected to the Canal. The road on the Pipe Line always has POTHOLES and the Potholes which make TRAFFIC on the road difficult by that we are CAUSING TROUBLE.*

3) *There is Pipe Line from under the Kakatiya Canal, the flow of Sewage Water from that Pipeline is likely to pollute the Canal Water as well and the water flow of Sewage Stops at any Point because of which trees can be seen Sprouting along the length of NAALA (MORI).*

4) *It can be observed that everyday Several lakh litres of Sewage enters the KOTI CHERUVU POND and the surrounding areas are completely FLOURIDATED, therefore, We request that Waste Water RECYCLING PLANTS to be made available in Koti Cheruvu Pond.*

5) *KOTI CHERUVU POND is completely filled with HORSE HOOFS, PLASTIC WASTE and GARBAGE, BABUL TREES and etc.,*

6) *There are also ACCUSATIONS of not caring on Govt. (Local Revenue Offices, Municipal Authorities) of not caring about HOW MANY ACRES OF ORIGINAL KOTI CHERUVU POND the land of that Pond is bring ENCROACHED UPON So please give the GUIDELINES to local bodies to SURVEY the Pond Land and to take the Legal action against the ENCROACHERS and STOP THE ENCROACHERS.*

7) *Telangana State Government is spending crores of rupees every year in the name of "HARITHA HAARAM" (Greenary). Please give the guidelines to encourage the total Surrounding of Pond as GREENARY with plants and to built as TANK-BUND.*

8) *It can be observed that due to Sewage Water Coming from Warangal Town MOSQUITOES and FLIES are INCREASING and People in the Surrounding areas are getting SICK and were ATTACKED MALARIA AND DENGUE FEVER and came to know some people were DIED because of this Malaria and Dengue type fever. We request you to give the guidelines to Municipal Authorities that a team should be appointed to pay special attention to this problem and Spray/ Fogging machine atleast once a day.*

9) *We request you to check the "PH LEVEL" of water of the Pond, so that you may know how extent the Pond was polluted, By this Pollution the Surrounding Resident Areas Borewells/Wells were totally FLOURIDATED and the "PH-LEVEL" was "HIKED", even those area UNDERGROUND water were not used for WASHING CLOTHES, CLEANING UTENSILS. BATHING PURPOSE and many of the CHILDRENS & PEOPLE are suffering from RHEUMATOID ARTHRITIS and etc., Health Issues as the Water was so SALTY and HARD.*

Hence we request you to visit the "KOTI-CHERUVU POND" and please divert the Sewage water to some other Area and RECYCLE the total pond by "SEWAGE TREATMENT PLANTS" and give the strict orders to Municipal Authorities and Collector of Warangal East District to form "CONSERVATION COMMITTEE" to save the KOTI

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CHERUVU POND and the People from this SEWAGE and POLLUTION.”

3. *Prima facie* the averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of the Collector Warangal and Telangana State Pollution Control Board (TSPCB) and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action. The TSPCB will be the nodal agency for coordination and compliance.

5. Even though in the present case cognizance has been taken by this Bench on the basis of letter petition received by post with approval and assignment under order of Hon'ble Chairperson, but in view of the facts and circumstances of the case including the fact that the place of accrual of cause of action lies within jurisdiction of the Southern Zone Bench of this Tribunal at Chennai, we are of the considered view that it will be appropriate if the case is further heard by the Southern Zone Bench of this Tribunal at Chennai.

6. Accordingly, the Registry is directed to list the matter before the Southern Zone Bench of this Tribunal at Chennai on 16.04.2024 after obtaining orders from Hon'ble the Chairperson for transfer of the case.

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7. Factual and Action taken Report may be submitted before the Southern Zone Bench of this Tribunal at Chennai within two months preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. A copy of this order be forwarded by email to the Collector Warangal and Telangana State Pollution Control Board (TSPCB) for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 22nd, 2024
AG