

**W.P.(PIL).No.53 of 2025 along with
W.P(PIL).No.107 of 2025**Nadiminti Surya Prabhakaram and
others

...Petitioners

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for petitioners : Sri Bokka Satyanarayana Kamla,
Sri Thandava Yogesh (Party in
person).

Advocate for respondents : Smt S. Pranathi, learned Special
Government Pleader, learned G.P. for
General Administration, Smt Sireesha
Rani Vallabhaneni, learned Standing
Counsel for Municipalities, Sri Yelisetti
Somaraju, learned Standing Counsel
for A.P. Pollution Control Board,
Sri Tagore Yadav Yaragorla, learned
Amicus Curiae.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE CHALLA GUNARANJAN****DATE : 29th October 2025****P C :**

The issue that has been highlighted in the present Public Interest Litigations pertains to the proper implementation of the Solid Waste Management Rules, 2016 (for short, “the Rules of 2016”) not only in regard to the area which is specifically mentioned in the P.I.Ls but has relevance to the entire State of Andhra Pradesh.

According to the scheme of the Rules of 2016, the Secretary, Urban Development Department in the State or Director of Municipal Administration or Director of Local Bodies is required to prepare a state policy and solid waste management strategy for the State in consultation with the stakeholders.

In terms of Rule 15, the local authorities and panchayats in the state are required to prepare a solid waste management plan as per the state policy and advise a strategy on solid waste management. This was required to be done within six months from the date of notification of the state policy. A copy of the management plan was then to be submitted to the respective departments of State Government or to the agency authorized by the State Government.

Insofar as the preparation of the state policy is concerned, learned counsel for the State states that the same is in place and the same is placed on record.

Insofar as the obligation in terms of Rule 15 cast upon the local authorities and panchayats are concerned, it is stated that the said local authorities and panchayats also have in place solid waste management plan.

According to Rule 12, duty is cast upon the District Magistrate or District Collector or Deputy Commissioner to facilitate identification and allocation of suitable land as per Clause 11(f) for setting up solid waste processing and disposal facilities to local authorities in their respective districts in close coordination with the Secretary-in-charge of the State Urban Development Department. This was required to be done within one year from the date of notification of these rules. This duty, in our opinion, for identification and allocation of suitable land applies both to urban and rural areas.

Learned counsel for the petitioners as also the learned Amicus Curiae have emphasized that with a view to implement effectively the provisions of the Rules of 2016, it is important to go step by step and verify as to whether

the basic requirement of identification and allocation of lands suitable for setting up of solid waste processing and disposal facilities has been done or not as is otherwise required under Rule 12 read with Rule 11(f).

It is stated that failure on the part of the District Magistrate/District Collector to discharge his obligation in terms of Rule 12 has led to a situation where solid waste was being dumped alongside the roads in villages and other areas. One such incident having been noticed and highlighted in the present petitions.

We see merit in the submission of the learned Amicus Curiae - Mr.Tagore Yadav Yaragorla as also Mr. Thandava Yogesh.

We first need to verify as to whether due compliance has been shown to Rule 12 or not. We, therefore, direct the Commissioner, Panchayat Raj and Rural Development and the Municipal Administration Department to ensure that due compliance is shown to the obligation which is cast upon the State in terms of Rule 11(f) and Rule 12 in the first instance and give details of the land which has been identified and allocated for setting up of the waste processing and disposal facilities and if it has not already been done, the same be done within two (2) months from today.

It is suggested that for proper implementation of the Rules, Swachha Andhra Corporation, which is set up solely for purposes of implementation of the Rules be incorporated as a party respondent.

We order accordingly and the said respondent shall figure as respondent No.19 in W.P(PIL).No.53 of 2025 and respondent No.10 in W.P(PIL).No.107 of 2025.

Smt S. Pranathi, learned Special Government, waives service on behalf of the Swachha Andhra Corporation.

Mr. Thandava Yogesh and Mr. Tagore Yadav Yaragorla, learned Amicus Curiae, state that according to the guidelines prescribed in the

Swachh Bharat Mission, it has been specified as to what would be the extent of land required for setting up the facility in terms of Rule 12 of the Rules of 2016 which has relevance to the population in that particular area/falling under particular local or urban authority. The concerned officers, therefore, may be well advised to refer to those guidelines for the purposes of allocation of the required extents of such parcels of land.

Another aspect which has been highlighted by the learned Amicus Curiae - Mr. Tagore Yadav is that the authorities should also identify and allocate land for purposes of landfills in terms of Rule 15(w).

According to Rule 15(w), there is an obligation on local authorities and the panchayats to either undertake on their own or through any other agency the construction, operation and maintenance of landfills and associated infrastructure as per Schedule I for disposal of available residual wastes in the manner prescribed under the Rules.

It is stated that in case the landfill sites and the associated infrastructure are not made available, the sites for solid waste processing and disposal facility would become dumping yards of solid waste which would not be in consonance with the procedure prescribed for dealing with the solid waste.

We, therefore, direct the aforementioned officers to identify and allocate appropriate sites to be used as landfill sites in the concerned areas.

The Revenue Department shall also be associated in the entire process inasmuch as the land allocation shall have to be done by the Department of Revenue which is even otherwise a department specified in Schedule-I of the Rules of 2016, which is primarily responsible for providing suitable sites for setting up of solid waste processing and treatment facilities and for notifying such sites.

The Secretary of the Revenue Department, accordingly, shall work closely with the Secretaries of Panchayat Raj & Rural Development and

Municipal Administration to do the needful for which learned Government Pleader states shall be done in approximately two months.

Ordered accordingly.

We also direct the Chief Secretary to personally monitor the issue for proper and effective implementation of our order.

List on 31.12.2025.

Report be accordingly submitted by the next date of hearing.

DHIRAJ SINGH THAKUR, CJ

CHALLA GUNARANJAN, J

AMD