

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI
O.A No. 123 of 2021

GouraramRajashekar Reddy,
 Nallakunta,
 Hyderabad

...Applicant

Vs

The Chief Secretary,
 The State of Telangana,
 Telangana Secretariat, BRK Bhavan,
 Tank Bund, BasheerBagh,
 Hyderabad,
 Telangana – 500022 and 11 others

...Respondents

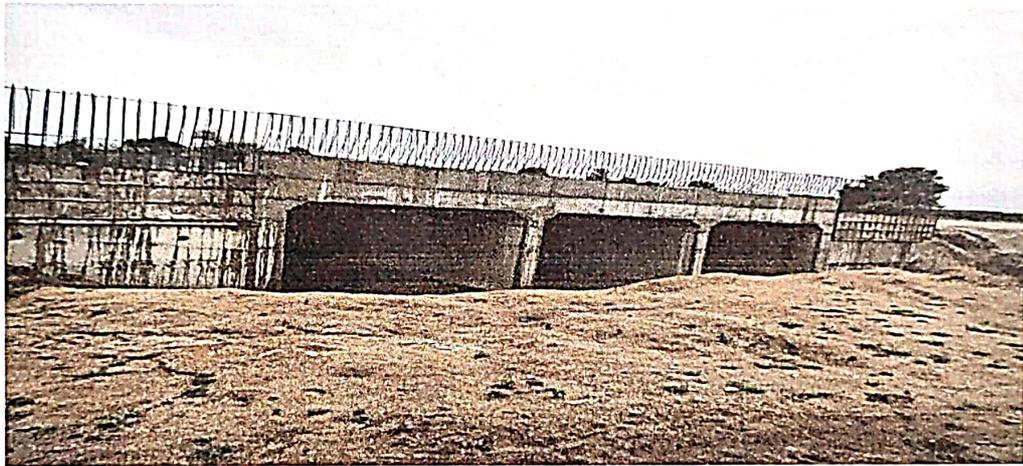
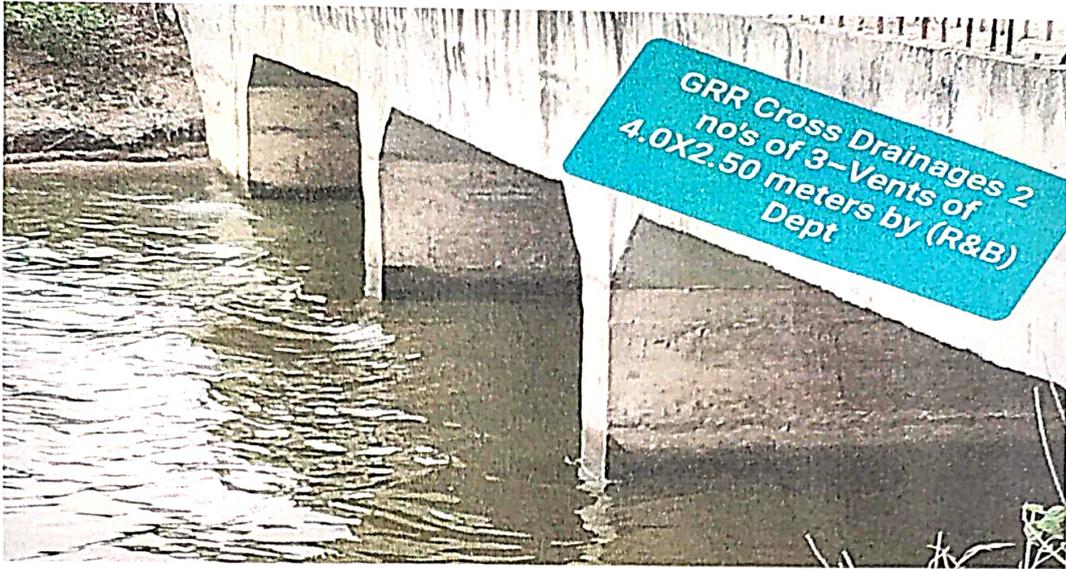
Detailed Report filed by the 9th respondent on Behalf of Respondents
2 to 4 and 6, 7, 8 and 10

As per the directions of Hon'ble National Green tribunal, Southern Zone, Chennai, regarding Original Application No.123 of 2021 (SZ), (through Video Conference) dated: 04.05.2022, it is humbly submitted that the Gajwel Ring Road formed at one end of tank without affecting inflow into the tank and road formed more than Maximum Water Level (MWL) and also storage capacity of tank is also restored by deepening the existing tank.

1. It is respectfully submitted that for the past one decade the Barri Cheruvu tank more or less dried up and does not catering to any need of the people for irrigation purposes. More over construction of the road at one end of the tank, it is protecting against the encroachment of land in to the tank and also it acts like one more bund for another side of the tank. The Road formed for a length of 200 Mtrs at Barri Cheruvu. The capacity of the tank is 12mcft (12 million cft) and water bed area of the tank is Ac 45.17 Guntas. After disposal of earlier National Green Tribunal O.A. No. 100 of 2017 (SZ), the Department has constructed the elevated road more than Maximum Water Level (MWL) with two numbers of cross drainage works by rising pillars for the length of 27.20meters (2No's of **3-V X 4 X 2.5** meters) without affecting inflow capacity as per NOC issued by the Irrigation & CAD Department vide Ir no: EE/IB/Sdpt/DB/HD/ Dated: 14/06/2018. The below images show the structures constructed in two numbers (2 No's) by Roads & Building department and one number by Irrigation Department


 Superintending Engineer (R&B)

Circle: Medak At Sangareddy



3-V of 4.0 X2.5 mts by (R&B) Dept in Two Locations



3-V of 2.5X1.5 mts by IRRIGATION Dept

Superintending Engineer (R&B)

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2. The "BarriCheruvu" is located in Gajwel-Pragnapur Municipal limits. Before release of Kaleswaram water, it was in dry condition. After completion of Kaleswaram Project in Gajwel area, it is filled with Kaleswaram water regularly. At present in the month May-2022 the water level, is almost at Full Tank Level (FTL) level and as such, it infers that the inflow capacity of the tank is not affected. The loss of capacity due to the construction of elevated road is about **0.60M**cft out of the total capacity of **12.0M**cft at FTL i.e. around 5% of the damages which is meager. However, the capacity of tank was already restored to original capacity by deepening the tank.

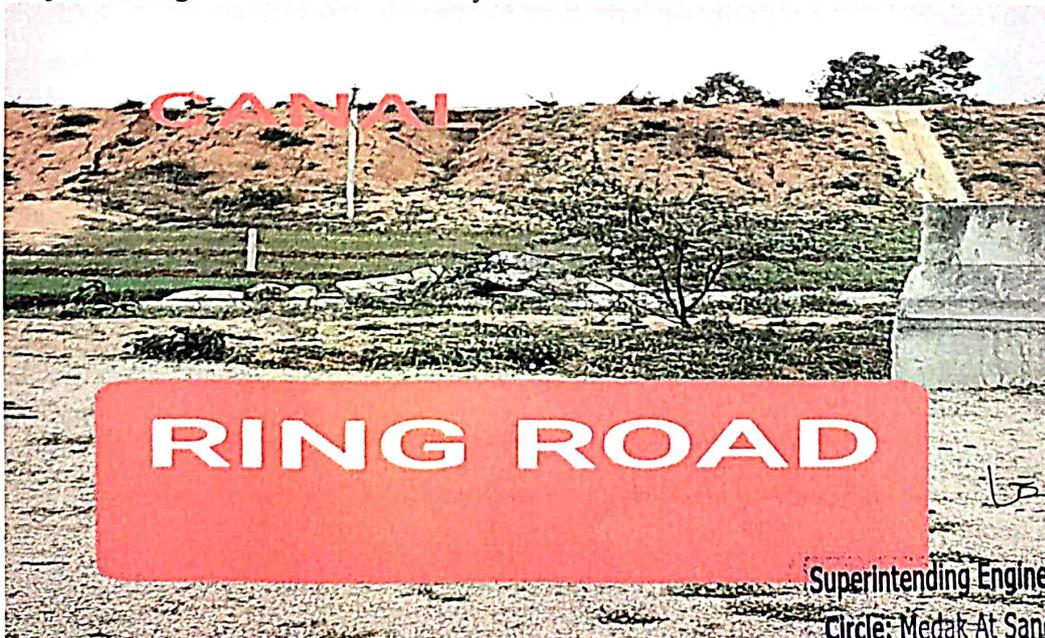


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3. Further I humbly submit that the Irrigation and CAD Department has been recently constructed elevated CANAL all along Ring Road at Barri Cheruvu location more than 6.00 meters higher than Ring Road top level and they has constructed one Under Tunnel with capacity of 3-Vents of 2.5X1.5 meters for free flow of natural stream into tank. The CANAL is located outside the tank within periphery of 100.00 meters and parallel to Ring Road. The Roads & Building Department have constructed Two numbers (2 No's) of Cross Drainages with capacity of 3-Vents of 4.0X2.5 meters which are having inflow capacity 4-times more than Irrigation under Tunnel capacity. It shows that the Department has given utmost importance to inflow and natural streams into tank.

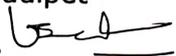


Gajwel Ring Road and Recently Constructed CANAL at Barricheruvu



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4. It is further to submit that the Earlier Applicant filed on same matter with Original Application No.465/2018 (M.A.No.1106/2018, M.A.No.1107/2018 & 1108/2018) Earlier O.A.No.100/2017 (SZ) and Earlier O.A.No.319 of 2018 filed by Sri B Narender Reddy and Sri Gouraram Rajashekar Reddy. Both applications on Barri Cheruvu were disposed by Hon'ble National Green Tribunal (SZ), on 30 July 2018 by the Opinion that in the interest of protection of environment that a representative of Ministry of Water Resources looks into the matter by personal visit to the site and gives his opinion which acted upon by the State of Telangana. The representative of Ministry of Water Resources will give all technical and other assistance by the State of Telangana.
5. However, the opinion of the representative of Ministry of Water Resources looks into the matter was delayed. The Hon'ble Tribunal has further directed to constitute the Joint Committee and its members as per the Para 15 of the order dated: 16.06.2021. As per directions of Hon'ble Tribunal the five members committee visited site on 01.12.2021 and reported the following factual condition of the site as follows (a). Road is formed at one end of tank, (b). there is no obstruction inflow into tank, (c). There is no environmental damages (d). Total bed area of the tank is Ac 45-17 Gunts.
6. The Collector, Siddipet District and Superintending Engineer, Irrigation and CAD, Department have reported that there is no affect to inflow into tank and the elevated road formed at one end of tank.
7. Further it is respectfully submitted that the department has taken up all necessary precautionary measures during the execution of work i.e. (a). Road formed at one end of the tank and it's acts as one more bund other side of tank to cause extra protection to the tank, (b). The elevated road is formed for the length of 200 meters without affecting natural flow into tank by Constructed the 2-No's of Cross Drainages works, (c). There are no environmental damages occurred as reported by five members Joint Committee (d). The capacity of tank has been restored to original capacity by deepening the existing tank, (e). The Department has not changed approved alignment of Gajwel Ring Road once it is approved. The factual condition of the tank was already reported by the five members committee and Collector, Siddipet District as per directions of Hon'ble National Green Tribunal (SZ).


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8. It is respectfully submitted that, the petitioner main intention is to change alignment of Ring Road to safeguard their mother-in-law land, as she is having land in Sy.No:328 of Mutrajpally Village, Gajwel Mandal, in the name of Smt.Aleti Vijaya W/o. Sri Aleti.Venugopal Reddy, which was said to be affecting in proposed Ring Road. In this regard, he has approached the Hon'ble High Court, Telangana State, Hon'ble National Green Tribunal, South Zone, Chennai and the Hon'ble Supreme Court, in the interest of protection of Environment and safe guarding of Barri Cheruvu. It is nothing a personal ill-motive in approaching this Hon'ble Tribunal to stop the public project and divert the alignment of Ring Road.
9. However, all petitions were disposed. Once again he approached National Green Tribunal (SZ), for non-implementation of directions of Tribunal. But the Department has followed all the directions. Further it is submitted that there are other land owners whose lands have been acquired and compensated around the tank who have no grievance at all in respect of the proposed project which is in public interest
10. I humbly submit that the road was formed without any damages to the tank by rising pillars at one end of tank for length of 200.00 meters. However, If the Hon'ble National Green Tribunal suggest any further needful steps for protection of Barri Cheruvu, the Department is ready to take up. The detailed sketch Touch map prepared by Inspector of Surveyor is here with enclosed.
11. In the circumstances cited above, the entire Ring Road work is planned to be completed by December-2022. The purpose of construction Ring Road isto avoid traffic congestion and providing better infrastructure facilities in Gajwel-Pregnapur Municipality & keeping in view of its proximity to Greater Hyderabad Municipal Corporation limits. I submit with good faith that there is no damage to the environment and no damages to inflow to the tank. I prayed the Hon'ble National Green Tribunal (SZ) may pass necessary orders as deemed fit in the matter so as to enable to put the entire Ring Road to its optimum utility for the benefit of common public for which it is intended to.

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Report filed by the 4th and 6th respondent

Mrs. H.Yasmeen Ali,
Counsel for the State of Telangana