

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE, AT CHENNAI**

ORIGINAL APPLICATION NO.147 OF 2021

IN THE MATTER OF:

KosgiVenkataiah,

S/o KosgiBalaiah,

R/o H.No.2-57, Mudireddy Pally Village,

RajapurMandal, Mahabub Nagar District,

Telangana-509202,

Mobile No.9989323271,

Mail id: advsravan@gmail.com

.....Applicant

VS

1. Union of India

Represented by its Secretary,

Union Ministry of Environment, Forest & CC

and 5 others

.....

Respondents

**REJOINDER AFFIDAVIT FILED BY THE 6TH RESPONDENT TO
2TH RESPONDENT COUNTER AFFIDAVIT DATED 24.08.2021**

Date-21-09-2021



**M/S MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNCIL FOR GOVERNMENT OF
ANDHRA PRADESH**

A.P. POLLUTION CONTROL BOARD

T.T.D. SUPREME COURT OF INDIA

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE, AT CHENNAI**

ORIGINAL APPLICATION NO.147 OF 2021

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Represented by its Secretary,

Union Ministry of Environment, Forest & CC

Indira ParyavaranBhavan, Jorbagh,

NewDelhi- 110003

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Phone:011-24695262,24695265 and 5 others

..... Respondents

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DATE- 20.09.2021


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Water Resources Department,
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**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

Original Application No. 147 of 2021

IN THE MATTER OF

Kosgi Venkataiah, S/o Kosgi Balaiah,
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-Vs-

1. Union of India

Represented by its Secretary,
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.....Respondents

**REJOINDER AFFIDAVIT FILED BY THE 6TH RESPONDENT TO
2TH RESPONDENT COUNTER AFFIDAVIT DATED 24.08.2021**

I, J. Syamala Rao, S/o Sri. J. Satyanarayana Murthy (Late), aged about 54 years, Occ: Secretary, Government of Andhra Pradesh, R/o Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the Secretary, Water Resources Department to the Government of Andhra Pradesh and I am well acquainted with the facts of the case. I am authorised to depose on behalf of the 6th Respondent. I have read the affidavit filed in support of above original application and it does not disclose any valid grounds for granting any relief prayed therein and I deny the allegations made therein except those that are specifically admitted as hereunder.

2. In answer to the allegations in paragraph 3 to 9 of the counter filed by 2nd respondent. It is submitted that the 6th Respondent humbly submits that even though it is for the applicant to


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reply to establish as to how his original application is well within the limitation. However, It is submitted that the construction of PRLIS is without obtaining the “*prior environmental clearance*” as mandated by EIA notification dt.14.09.2006. Not obtaining mandatory requirement in Law and proceeding with construction of PRLIS in violation of the provisions of “Environmental Protection Act, 1986”. The jurisdiction of this Hon’ble Tribunal is under section 14 & 15 of the Act gets attracted, whenever there is loss of Ecology and Environmental Degradation and that injury, harm and damage were caused to the Environment. Section 2(1)(c) of NGT Act defines “Environment” which reads as under:

“Environment includes water, air and land and interrelationship which exist among and between water, air and land and Human Being, other living Species, Plants, Micro Organisms and Property”.

- A Conjoint reading of Section 2(1) (c) and Section (2)(m) of NGT Act, 2010 shows that the object of the Act is to prevent and protect the environmental pollution and to provide administration of environmental justice and make it easily accessible within the frame work of the statute.
- Thus, the question of limitation does not arise especially when the 2nd Respondent State of Telangana is perpetuating an illegality and it has adverse and catastrophic impact not only on the inhabitants within the 2nd Respondent State of Telangana but also on the

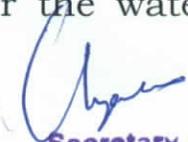

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inhabitants in the 6th Respondent State of Andhra Pradesh which is lower riparian state. The illegality being committed by the 2nd Respondent State of Telangana by its unilateral construction of PRLIS has an impact on the several generations. Once, the substantial question of law gets attracted from the impugned cause of action, this Hon'ble Tribunal has ample jurisdiction to examine the issue. Any damage to the environment by the illegal acts of the 2nd Respondent State of Telangana offending the environment in its territory amounts to depriving Right to life guaranteed under Article 21 of the Constitution of India. It is settled that so long as damage to the environment continues, the public injury also continues along with cause of action. Enforcement of Fundamental Rights cannot be refused solely on the grounds of Laches, delay or the alike as held by the Hon'ble Supreme Court. The date of commencement of the project does not determine the limitation, once there is substantial question of law as defined U/Sec.2(m) gets attracted or not, is the criterion. Once there is a substantial question of law as regards to environmental issues, this Hon'ble Tribunal has ample Jurisdiction U/Sec.14 of the NGT Act, 2010. A State which has statutory obligations to protect the environment cannot unilaterally abdicate the mandatory procedure and cannot offend the environment


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as it like by taking prevaricate contentions. When such unauthorised and illegal acts have been challenged, it is not open for the 2nd Respondent State of Telangana to contend that it is an abuse of the process of the court and such pleas are misconceived.

3. In answer to the allegations in paras 11 and 12 of the counter filed by 2nd Respondent. It is humbly submitted that the 2nd Respondent State of Telangana has no right to construct PRLIS as the same is contrary to the provisions of AP Re-organisation Act, 2014. There is no allocation to PRLIS by any competent Tribunal. However, in this context it is relevant to bring to the kind notice of this Tribunal, that the 2nd Respondent State of Telangana and the 6th Respondent State of Andhra Pradesh are successor States of the erstwhile State of Andhra Pradesh by virtue of Sections 3 and 4 of Andhra Pradesh State Re-organisation Act, 2014, (Act, 2014). KWDT-I allocated 811 TMC of water to the erstwhile State of Andhra Pradesh under its gazetted decision dated. 31.05.1976 and the same is binding on the successor States. The 2nd and 6th Respondent States agreed to share the allocation of 811 TMC by KWDT-I in the proportion of 299 TMC and 512 TMC respectively as per the inter-State agreement dated 18th/19th June, 2015 before Krishna River Management Board constituted under Section 85 of Act, 2014. Initially, this agreement is for the water


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year 2015-16. However, the said agreement being acted upon for every subsequent water years till date. On 06.10.2020, in the 2nd meeting of the Apex Council, it was decided that this interim arrangement should be continued till the reference under Section.89 is answered by KWDT-II. In addition to this, the 2nd Respondent and the 6th Respondent are entitled to complete the construction of ongoing projects started by erstwhile State of Andhra Pradesh as mentioned in Para 10 of the Eleventh Schedule of Act, 2014. The 2nd Respondent State of Telangana is permitted to construct the ongoing projects of Kalwakurthy LIS and Nettempadu LIS to the extent of its allocation, made by the erstwhile State of Andhra Pradesh. Similarly, the 6th Respondent State of Andhra Pradesh is permitted to continue the construction of the ongoing projects viz., Telugu Ganga, Handri Niva Sujala Sravanthi, Galeru Nagari Sujala Sravanthi and Veligonda projects. Para 7 of the Eleventh Schedule states that undertaking of any other project for which KWDT-I & II did not make any allocation, it should be treated as a "New Project".

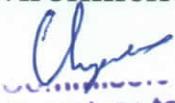
4. It is submitted that as per Sections 84(3)(ii), 85(8)(d) and Para 7 of the Eleventh Schedule of Act, 2014, a "New Project" need to be appraised by the Central Water Commission and Krishna River Management Board and based on such appraisal, Apex Council has to sanction the



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New project. Without following this mandatory procedure under Act, 2014, without any allocations, the 2nd Respondent State of Telangana has issued G.O. Ms. No: 105 dated. 10.06.2015 in respect of Palamuru RangaReddy LIS (PR LIS) to lift 90 TMC of flood water from foreshore of Srisaillam Reservoir to create irrigation for 12.3 lakh acres new ayacut and also for drinking water needs. Thus, without following the mandatory procedure under AP Re-organization Act, 2014, the 2nd Respondent State of Telangana has no right to construct the PR LIS.

5. In answer to the further allegations in para 12 of counter affidavit, It is submitted that Ministry of Environment Forest and Climate Change has issued EIA notification dated 14.09.2006 under Sub section 3 of Section 3 of Environment (Protection) Act 1986. In view of the admitted classification, PR LIS is one falling under category 'A' as per Clause 2(i) and Annexure 1(c) appended to the said notification. Any project which is so classified on the basis of material available is obligated to undertake the compliances mandated under Clause 4(ii) of the said Notification. PR LIS being one classified under item 1(c) of the Schedule to the EIA Notification is subjected to the procedure and process to be complied with under the said Notification. Clause 7(II)(ii) of the said notification categorically mandates that a prior Environmental


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Clearance is required for new projects.

6. It is submitted that the projects requiring the prior environment clearance are subject to a scrutiny indicated in Clause 7(i) comprises of 4 stages viz.,

- i) Stage (1) Screening (Only for Category 'B' projects and activities)
- ii) Stage (2) Scoping
- iii) Stage (3) Public Consultation
- iv) Stage (4) Appraisal

and the 2nd Respondent State of Telangana has adopted different strategies to evade the above said procedure of 4 stages by making prevaricate representations to the jurisdictional Tribunals. Initially, the contention of the 2nd Respondent is that PR LIS is limited only to drinking water purposes and therefore not subject to the rigor of the compliances under EIA Notification, dated 14.09.2006. In previous proceedings before this Hon'ble Tribunal, the Respondent No.2 has noticed orders passed by this Hon'ble Tribunal and had changed its stand to evade scrutiny and submission of the papers as required under EIA Notification and provisions of Act, 2014.

7. In answer to the allegations in para 13 to 25, It is submitted that the issue is not only confine to Udandapur Reservoir, it relates to all the Reservoir under PRLIS. It is clear from Executive Summary submitted by the 2nd Respondent State


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of Telangana for Environmental clearance of PR LIS during July, 2021 would show that in Phase – I of PR LIS, it is proposed to construct approach channels, open canals (50.490 km), tunnels (61.577 km), pump houses (5), reservoirs (6) with total storage capacity of 67.97 TMC for conducting water to various stages of lift and storing it for consumption use in drinking water, industrial use and irrigation. The reservoirs proposed in Phase-I are Anjanagiri, Veeranjanya, Venkatadri, Kurumurthiya Udandapur, K.P.Lakshmidhevipalli. The total length of the Bund in respect of these reservoirs, is about 64.223 Km, which requires large quantity of soil, excavated from several lakes, tanks and other agricultural fields offending several water bodies causing several environmental concerns beside causing water, noise and air pollution. These are about 1098 minor irrigation tanks within 10 km radius of these 6 reservoirs. The detailed information on M.I tanks under each reservoir is filed herewith as **Annexure-1**. Similar environmental offences are being committed under the entire reservoir in the respective minor irrigation tanks. Phase – II of PR LIS involves construction of thirteen main canals totalling to a length of 915 km and distribution network to serve an ayacut of 4,97,976 hectares providing water for Kharif and Rabi irrigation season.


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Proposal submitted on 10.01.2017	Proposal submitted on 13.09.2017
Presented as an Integrated Project	Present the proposal in two phases. i.e. Phase-I for drinking Phase-II for irrigation
90 TMC in 60 days	90 TMC in 60 days
4,04,858 Ha (10.00 L. Acres)	4,97,976 (12.30 L.Acres)
Submergence: 20 Nos Hamlets 3 Villages 24 M House holds 11025 Population	Submergence: Not mentioned
Land Acquisition	Land Acquisition
Non-Forest LA – 23778.96 Ha	Canals – 15,790 Ha
Forest LA – 229.04 Ha	
Under Reservoirs – 9664 Ha	
Conduit – 2198 Ha	
Canals – 12146 Ha	
Amarabad Tiger Reserve – 11.95 km from Forest Core area Buffer area – 2.56 km Ecosensitive Zone is 1.56 km away from Anjanagiri reservoir	Nor mentioned
Break up of 90 TMC 8.00 Drinking 2.00 Industries 80.00 Irrigation	Not mentioned

A perusal of the above table would show that under the guise of drinking water, the 2nd Respondent State of Telangana is executing major part of the Irrigation Project, misleading the ministry of Environment & Forests and also this Hon'ble Tribunal. The infrastructure sought to be created under the guise of drinking water project, involves substantial environmental issues for which, this Hon'ble Tribunal has originally stayed the execution of the project in OA 273/2016.


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The execution of the project is contemptuous as it is in violation of undertaking given before this Hon'ble Tribunal dated 17.02.2017 and which was recorded by this Tribunal on even dated.

8. It is submitted that the Pre-Feasibility Report (PFR) of PR LIS shows that Phase – I involves construction of Six major reservoirs, canals, tunnels and lifts disproportionate to limited drinking water requirement, which can be carried in a pipeline. The Phase – I works involve

S. No.	Name of the Reservoir	No. of MI tanks @ 10 km radius	Length of bund (kms)	F.R.L. (m)	Capacity (TMC)	
					Gross	Live
1	Anjanagiri (@Narlapur)	60	6.647	345	8.51	7.95
2	Veeranjaneya (@Yedula)	318	7.716	445	6.55	5.91
3	Venkatadri (@Vattem)	178	14.75	542	16.74	16.4
4	Kurumurthiraya (@Karivena)	129	13.185	531	17.34	16.83
5	Udandapur	329	15.875	629	16.03	15.76
6	K.P. Lakshmidvipally	84	6.05	670	2.8	2.49
TOTAL		1098	64.223		67.97	65.34

9. It is submitted that the infrastructure sought to be created in Phase-I of PR LIS undisputedly includes 'the infrastructure necessary for irrigation' which mandatorily requires 'prior Environmental clearance' which is offending the Environment in the 2nd Respondent State of Telangana due to various constructions being carried out as indicated above, suppressing submergence of 20 No.s hamlets, 3


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villages, 24 M households, 11025 population specifically mentioned in the proposal dated 11.01.2017. In fact, the 2nd Respondent called for common tenders for Phase I & II for the entire scheme and with an oblique motive to misleadingly enter into agreement excluding the distributary canals for irrigation purpose. This is nothing but ingenious way of executing the project without disclosing the scope of the entire work and quantities of raw materials needed for its construction and the source from which the raw material is procured needed for the construction. Thus, the 2nd Respondent State licentiously has chosen to proceed with PR LIS in scant disregard to the EIA Notification dated 14.09.2006 and evading the powers of scrutiny in the Statutory Authorities as well as power of scrutiny consecrated in this Hon'ble Tribunal. Thus, the 2nd Respondent State is misleading this Hon'ble Tribunal and MoEF & CC and others by adopting evading tactics, which are condemnable.

10. It is submitted that construction of PR LIS in phase I is to meet a meagre demand of 6.10 TMC for drinking water needs and evaporation losses, as per notes filed before KWDT-II on 28.06.2019 with all particulars on scientific basis. It is nothing but completing entire PR LIS project including irrigation demands without obtaining prior environmental clearance as mandated under EIA


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Notification, dated 14.09.2006. Further, every drinking water project does not require environmental clearance, is a misnomer, especially when the 2nd Respondent State of Telangana is creating a huge infrastructure for irrigation and simultaneously offending hydrological, geological, structural, climatologically factors of environment in the State of Telangana in all possible ways and also by wasting thousands of crores of public money.

11. It is submitted that in minutes of the 8th meeting of EAC categorically observed that

“After deliberations and considering all the facts of the project as presented by the Project Proponent, the committee had the concerns about Techno-Economic Viability of the project. However, the EAC recommended for grant of scoping clearance/ToR for the proposed project with the following additional conditions along with standards ToR .i. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of the Srisailem project on Krishna river at Yellur village through five separate stages, ending at K.P. Laxmidevipally village. Therefore, water availability analysis at Yelluru village (point of drawl) during monsoon season is to be submitted to ascertain sufficiency of water available”.

By this it is clear that the TOR issued by the MoEF is for both Phase I & Phase II, not just for Phase II which is the own assumption of the 2nd Respondent State.

12. It is submitted that the 2nd Respondent state of Telangana has filed a Project notes before KWDT II showing the drinking water requirement and evaporation losses as 6.10


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TMC out of 90 TMC proposed to be utilized under PR LIS. The 2nd Respondent State of Telangana has also filed TAC Report showing crop water requirement has 83.9 TMC. The witness of 2nd Respondent State of Telangana filed a crop water requirement of 84.85 TMC. Thus, as per the above two reports the drinking water requirement is only 6.1 TMC and 5.15 TMC respectively. From the above, by any stretch of imagination, the infrastructure built under Phase-I of PR LIS is not for drinking water and it is for irrigation which mandatorily requires 'prior environmental clearance' as per EIA Notification Dated 14.09.2006 Phase-II involves providing distributaries from the infrastructure created in Phase-I. Thus, the integrated operation of Phase-I and Phase-II would only enable the 2nd Respondent State of Telangana to utilise the irrigation component of either 83.9 TMC or 84.85 TMC. Thus, Phase-I of PR LIS is for providing irrigation and not for meeting the drinking water requirement. The extracts from TAC report dt:11.12.2017 and Affidavit of Telangana Witness Dr.K. Palanisami dt:13.02.2019 are filed herewith as **Annexures- 2 and 3** respectively.

13. It is submitted that most of the drinking water needs of the 2nd Respondent State of Telangana are met through Mission Bhagiratha, utilizing a quantity of 23.4 TMC of water in Krishna Basin and the present ingenious attempt by the 2nd


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Respondent State of Telangana is with an oblique motive is to clandestinely completing the entire PR LIS, under the guise of meeting the drinking water necessity, without obtaining prior Environmental clearance knowing fully well it is not entitled such clearance as it cannot full fill all compliances legally required to be complied.

14. It is submitted that the alleged permission granted by the Chief Engineer on 31.05.2016 and 05.08.2016 vide Annexure are R2 to R3 are not a statutory compliance as per EIA notification 14.09.2006. Same is the case with Annexure R1. The alleged permission granted by the Chief Engineer and Executive Engineer in respect of minor irrigation Tanks has no relevance and have to be totally ignored. Had the 2nd Respondent State of Telangana obtained environmental clearance, the 1st Respondent would have given appropriate direction as to wherefrom the raw material has to be procured without offending environment, the method and manner the raw material be transported for construction of the reservoir without offending environment and the precautionary measures to be taken to avoid air, water and dust pollution besides and steps to be taken to protect the ground water. Without following any emission norms, the 2nd Respondent State of Telangana is creating massive infrastructure like construction of pump houses, six reservoirs with earthen bund of length about 54 Km,


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tunnels, huge canals etc. without obtaining any clearances from Pollution Control Board. The standard emission norms for operating Bharat stage-II heavy vehicles, relevant standard norms of air quality and noise pollution are given below:

Emission norms for Heavy Diesel Vehicles: (Vehicular exhaust)

Assuming Type of Vehicles used: Bharat Stage-II Vehicles

1. Carbon Monoxide(CO) Emission rate: 4.0g/kmhr (Source: Central Pollution Control Board(CPCB)-Bharat-II)
2. Nitrous Oxide (NO) Emission rate: 7.0g/Kmhr -(Source: CPCB-Bharat-II)
3. Particulate Matter (PM) Emission rate: 0.15g/kmhr (Source: CPCB-Bharat-II)

Air Quality Standards Norms:

Considering the area as Industrial/Residential/Rural

1. Sulphur Dioxide (SO₂), µg/ m³ : 50 Annual (Source:CPCB)
2. Nitrogen Dioxide (NO₂), µg/m³ : 40 Annual (Source:CPCB)
3. Particulate Matter PM₁₀µg/m³ : 60 Annual (Source:CPCB)
4. Carbon Monoxide (CO) mg/m³ : 2 for 8hours (Source:CPCB)

Noise Standard Norms:

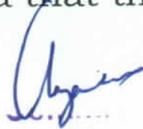
1. Industrial Area: 75DB (Source:Telangana Pollution Control Board (TPCB))
2. Commercial area : 65 DB (Source:TPCB)

The 2nd Respondent State of Telangana while denying BC soils are extracted from minor irrigation tanks and nearby agricultural lands, disturbing the ecology and ecosystem, contrastingly, it is contending that under mission Kakatiya, the


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minor irrigation tanks were restored and desilting of minor irrigation tanks will improve ground water recharging capacity and increase the capacity of tanks and thereby increase the availability of water, without disclosing all the particulars as regards contractor of PRLIS.

15. It is submitted that the other allegations in these paras that the Executive Engineer gave permission to utilise BC Soils is not in accordance with law. It is for the Ministry of Environment & Forest & Climate Control has to give permission for excavation of BC soils and the manner in which the raw materials have to be procured and distributed and how the remaining muck to be handled. The 2nd Respondent State of Telangana cannot assume jurisdiction in itself, cannot act on its own preventing the scrutiny of all the Statutory Authorities under Environmental Protection Act and EIA Notification. The State of Telangana blatantly evaded scrutiny of all these works knowing full well that the huge construction which involves a lying of earthen bund to a length of more than 64 Km needs lot of digging of the minor irrigation tanks and also construction of pump house and tunnels damages the environment in several ways. It is learnt that there are more than 1098 minor irrigation tanks in and around the 6 reservoirs contemplated under the PRLIS and a huge environmental abuse was made. The admission of the 2nd Respondent State of Telangana that the


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infrastructure undertaken under Phase-1 would be ultimately utilised for the irrigation only, which mandatorily require 'prior environmental clearance' and the quantum of utilisation for drinking water needs under this project are very meagre i.e., 8TMC, as against a huge infrastructure of 90TMC is built under Phase-1. Thus, the licentious intention of the 2nd Respondent State of Telangana is to avoid the scrutiny by statutory authorities in respect of Phase-1 is very apparent. It is a settled law that there is no "ex-post-facto clearance" and the same is alien to environmental jurisprudence and if a project is constructed without obtaining the mandatory permissions under EIA notification dt.14.09.2006, it should be pull down and it cannot be regularised as it is an unauthorised project without any allocation and the 2nd Respondent State of Telangana has no right to construct PRLIS.

16. In answer to allegations in para 26 to 33, It is humbly submitted that the 2nd Respondent State of Telangana filed an application for Environmental Clearance on 11.01.2017 for the entire PR LIS both for drinking and irrigation purposes for Lifting 90 TMC of flood water from Srisailam Reservoir by constructing canals and storage reservoirs. The 2nd Respondent State of Telangana filed project notes before ongoing Krishna Water Disputes Tribunal-II (KWDT-II) wherein, it has stated that out of 90 TMC, 83.90 TMC for

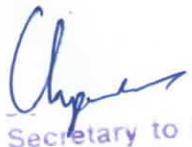

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irrigation and 6.10 TMC towards evaporation losses and drinking water requirement.

17. It is submitted that In OA 273 of 2016, one Harshavardhan challenged the actions of the 2nd Respondent State of Telangana is going ahead with construction of PRLIS without obtaining mandatory prior Environmental Clearances (herein after referred as EC). The 2nd Respondent State of Telangana on 17.02.2017 gave an undertaking before this Hon'ble Tribunal that it will execute the project only to the extent of Drinking water component and it will withdraw its application for Environmental Clearance submitted to MOEF on 11.01.2017. The order dated 17.02.2017 read as follows:

“On behalf of RepondentsNos 2 and 3, the Chief Engineer, PalamuruRangareddy Lift Irrigation Scheme filed an affidavit stating that the Government of Telangana would be withdrawing the application submitted for Environmental Clearence (EC) before the Ministry of Environment, Forests and Climate Change (MoEF& CC) on 11.01.2017. The affidavit also asserts that the State of Telangana would be implementing the disputed project only with regard to the supply of drinking water and not for irrigation.....”

18. It is submitted that the application OA 273/2016 was transmitted to Principle Bench at New Delhi and renumbered as O.A 2/2018. On 22.07.2019, the case was dismissed as not pressed by the petitioner therein. In fact, such a dismissal ought not have been permitted by the


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Hon'ble Tribunal without verifying the nature of PR LIS and the infrastructure being created which requires several mandatory clearances to protect environment in the State of Telangana. Such an order would not operate as resjudicata as there is no adjudication on merits by this Hon'ble Tribunal.

19. It is submitted that the 2nd Respondent State of Telangana submitted a fresh proposal for Environmental Clearance on 04.09.2017. The said proposal was accepted on 13.09.2017 and was considered in the 8th meeting of EAC on 22.09.2017 vide Item No.8.4. In the fresh proposal, the 2nd Respondent State of Telangana bifurcated the PR LIS into two phases. Phase - I is for drinking water and Phase - II is for irrigation. The 1st Respondent has issued TOR on 11.10.2017 and additional TOR was also issued for Phase-I.
20. It is submitted that the earlier in minutes of the 8th meeting of EAC categorically observed that

“After deliberations and considering all the facts of the project as presented by the Project Proponent, the committee had the concerns about Techno-Economic Viability of the project. However, the EAC recommended for grant of scoping clearance/ToR for the proposed project with the following additional conditions along with standards ToR .i. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of the Srisailam project on Krishna river at Yellur village through five separate stages, ending at K.P. Laxmidevipally village. Therefore, water availability analysis at Yelluru village (point of drawl) during monsoon season is to be submitted to ascertain


Secretary to Government
Water Resources Department
VIJAYAWADA, A.P

sufficiency of water available”.

By this it is clear that the TOR issued by the MoEF is for both Phase I & Phase II, not just for Phase II which is the own assumption of the 2nd Respondent State. Thus, PRLIS is totally an unauthorised projects and the 2nd Respondent State of Telangana has no right to undertake this project for the reasons stated by the Applicant and the additional facts brought to the kind notice of this Hon'ble Tribunal by this Counter affidavit.

21. Hence it is prayed to this Hon'ble Tribunal may be pleased to pass appropriate orders in the above O.A. since the 2nd Respondent State of Telangana has no right to construct PRLIS without obtaining permission under EIA notification dt.14.09.2006 and pass such other order or orders, as this Hon'ble Tribunal deem fit and proper.

22. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional reply in the course of proceedings, if required.


Secretary to Government
Water Resources Department
VIJAYAWADA, A.P

Hence, it is humbly prayed that this Hon'ble Tribunal may be pleased to restrain the 2nd Respondent/ State of Telangana from the construction of PR LIS and pass such order or orders as this Hon'ble Tribunal deems fit and proper.


DEPONENT
 Secretary to Government
 Water Resources Department,
 VIJAYAWADA, A.P

Solemnly affirmed at Vijayawada
 District Andhra Pradesh on
 this the 20th day of September, 2021
 and signed his name in
 my presence

BEFORE ME


ADVOCATE, Vijayawada
PENUMAKA AJAY BABU
 ADVOCATE M.A.,L.L.M.,
 HIGH COURT OF A.P.
 CELL: 9493494444, 9966370959


 Secretary to Government
 Water Resources Department
 VIJAYAWADA, A.P

VERIFICATION

I, J. Syamala Rao, S/o Sri. J. Satyanarayana Murthy (Late), aged about 54 years, Occ: Secretary, Government of Andhra Pradesh, R/o Vijayawada, do do hereby state that what is stated above in paragraphs 1 to 22 are true to the best of my knowledge and belief.

Dated at Vijayawada on this the 20th day of September 2021.



DEPONENT
Secretary to Government
Water Resources Department
VIJAYAWADA, A.P

Veeranjaneya Reservoir			Venkatadri Reservoir			Udanadapur Reservoir			
Mandal name(4)	village	No of tanks	Mandal name(4)	village	No of tanks	Mandal name(7)	village	No of tanks	
Kodair (97 Tanks)	BAWAIPALLE	4	Bijinapalle (58 Tanks)	BIJINAPALLE	7	Bhoothpur (27 Tanks)	AMISTAPUR	6	
	GANTRAOPALLE	1		BOYAPUR	4		BHOOTHPUR	3	
	JANUMPALLE	14		GUDLANARVA	3		HASNAPUR	2	
	KHANAPUR	4		KARUKONDA	3		KARVENA	2	
	KODAIR	10		KHANAPUR	6		KOTHUR	2	
	KONDRAOPALLE	1		LATPALLE	2		POTHULAMADUG U	1	
	MACHUPALLE	9		LINGASANIPALLE	1		TADPARTHY	11	
	MUTHIREDDIPALLE	11		MANGANUR	7		Hanwada (9 Tanks)	DACHEKPALLE	3
	NAGULAPALLE	11		none	1		GUDDIMALKAPUR	3	
	PASPULA	5		PALEM	2		KOTHAPETA	2	
	RAJAPURAM	12		POLEPALLE	4		TANKARA	1	
	SINGAIPALLE	1		VADDEMANU	2		Jadcherla (121 Tanks)	ALLOOR	9
	TEEGALAPALLE	3		VASANTHAPUR	3		AMBATAPUR	2	
	TURKADINNE	5		VATTEM	4		BADEPALLE	6	
YETHAM	6	VELGONDA	7	BUREDDIPALLE	7				
Nagar_Kur nool (25 Tanks)	AURASPALLE	1	Nagar_Kurno ol (24 Tanks)	VENKATAPUR	2	BURUGUPALLE	7		
	CHANDUBATLA	2		NAGANUL	2	EARLAPALLE	1		
	GANYAGULA	6		NAGARKURNOOL	1	GANGAPUR	13		

Veeranjaneya Reservoir			Venkatadri Reservoir			Udanadapur Reservoir		
Mandal name(4)	village	No of tanks	Mandal name(4)	village	No of tanks	Mandal name(7)	village	No of tanks
	GUDIPALLE	4		NALLAVELLI	4		GOLLAPALLE	10
	NAGAPUR	1		SRIPURAM	8		JADCHERLA	12
	PEDDAMUDNUR	4		UNMAPPED	1		KHANAPUR	5
	PEDDAPURAM	3		UYYALAWADA	4		KISHTARAM	3
	THOODUKURTHY	3		YENDABETLA	4		KISTARAM	2
	VANAPATLA	1	Tadoor (39 Tanks)	AITHOLE	3		MACHARAM	2
Peddakoth apalle (119 Tanks)	ADIRALA	4		BHALLANPALLE	5		MALLEBOINPALLE	8
	CHANDRAKAL	12		CHERLAITIKYALA	4		NAGASALA	1
	CHENDRAKAL	1		INDRAKAL	9		POLEPALLE	28
	CHENNAPURAOPALLE	1		KUMMERA	2		VALLUR	5
	DEDINENIPALLE	1		PARVATHAYAPALLE	1	Mahabubnaga r_Urban (32 Tanks)	AMISTAPUR	1
	DEVALTHIRUMALPUR	5		TADOOR	5		BOYAPALLE	8
	DEVULATERUMALAPU	1		THIRUMALAPUR	2		DIVITI PALLY /EDHIRA	1
	GANTRAOPALLE	8		THUMMALALSUGU	2		MAHBUBNAGAR (M+OG)	2
	GANTRAOPALLY	1		YADIREDDIPALLE	3		PALAKONDA	3
	GANYAGULA	1		YATDHARPALLE	1		YEDIRA	11
	JONALABOGUDA	1		YATMATAPUR	2		YENUGONDA	5
	JONNALABOGUDA	1	Thimmajipeta (57 Tanks)	ALLAMPALLE	6		ZAINALLIPUR	1
	KALWAKOLE	2		APPAJIPALLE	1	Nawabpet (113 Tanks)	FATHEPUR	8
	MARRIKAL	3		BAJIPURAM	5		HAJILAPUR	1
	MUSTIPALLE	13		BHAVAJIPALLE	4		HANMASANIPALLE	4
	MUSTIPALLY	1		CHEGUNTA	2		IPPATUR	8
	NAKALAPALLY	2		GORITA	6		KAKARLAPAHAD	9

Veeranjaneya Reservoir			Venkatadri Reservoir			Udanadapur Reservoir		
Mandal name(4)	village	No of tanks	Mandal name(4)	village	No of tanks	Mandal name(7)	village	No of tanks
	NARAYANPALLE	1		KODUPARTHY	8		KARKONDA	7
	PASPULA	1		MAREPALLE	4		KAROR	4
	PEDDAKOTHAPALLY	1		NERELLAPALLE	3		KONDAPUR	6
	PEDDAKARPAMULA	20		POTHIREDDIPALLE	6		KUCHOOR	8
	PEDDAKOTHAPALLE	14		THIMMAJIPETA	5		LOKIREV	3
	PEDDAKOTHAPALLY	1		VEDIREPALLE	6		POLEPALLE	1
	PEDDSKARPAMULA	1		VELGONDA	1		RUDRARAM	11
	SATHAPUR	12			178		SIDDOTAM	5
	SATHSPUR	1					TEEGALAPALLE	5
	VENNACHERLA	9					THIRUMALAPUR	2
Revally (77 Tanks)	BANDARAIPAKULA	5					YEMMANAGANDL A	31
	CHEERKAPALLE	11				Rajapur (26 Tanks)	CHENNAVALLI	4
	CHENNERAM	6					DONDLAPALLE	4
	KESAMPETA	1					KUCHCHERKAL	2
	NAGAPUR	14					KUTHNEPALLE	3
	POLKEPAHAD	1					RAIPALLE	2
	REVALLY	14					RAJAPUR	3
	SHANAIPALLE	2					THIRUMALAPUR	8
	THALPUNUR	11				Thimmajipeta (1 Tanks)	MARIKAL	1
	VALLABHANPALLE	1						329
	VENNACHERLA	1						
	YEDULA	10						
		318						

Kurumurthy Reservoir			Lakshmidivally Reservoir			Anjanaigiri reservoir			
Mandal name(5)	village	No of tanks	Mandal name(3)	village	No of tanks	Mandal name(2)	village	No of tanks	
Bhoothpur (57 Tanks)	GOPALPUR (KHURD)	1	Chowdergudem (58 Tanks)	CHEGIREDDY GHANPUR	4	Kollapur (44 Tanks)	ANKIRAOPALLE	4	
	KAPPETA	7		EDIRA	14		BOLLARAM	1	
	KARVENA	13		GUNJALAPAHAD	3		CHINTALAPALLE	1	
	KOTHAMOLGARA	4		GURRAMPALLE	1		CHOUTABETLA	3	
	MADDIGATLA	14		INDRANAGAR	2		CHUKKAIPALLE	6	
	PATHAMOLGARA	5		JAKARAM	4		DEVALTHIRUMALPUR	1	
	POTHULAMADUGU	1		JILLED CHOWDERGUEM	10		KALWAKOLE	1	
	YELKICHARLA	12		MALKAPAHAD	1		KOLLAPUR	4	
Bijinapalle (9 Tanks)	GOURARAM	3		PADMARAM	4		KUDIKILLA	6	
	LATPALLE	4		PEDDA YELKICHERLA	9		MACHINENIPALLE	3	
	MANGANUR	2		RAVIRYAL	2		MALABASWAPUR (D)	1	
Ghanpur (20 Tanks)	ALLAMAIPALLY	2		THOOMPALLE	2		MALACHINTAPALLE	5	
	ALMAIPALLE	2		VEERANNAPETA	1		NARLAPURAM	2	
	APPAREDDIPALLE	2		VENKIRYAL	1		WARDYAL	1	
	KAMALUDDINPUR	1	Kondurg (25 Tanks)	CHERUKUPALLE	5		YELLUR	5	
	MALKIMIANPALLE	4			KONDURG (E)	8	Peddakot hapalle (16 Tanks)	MAREDUMANDINNE	13
	MAMIDIMADA	5			KONDURG(WEST)	7		SATHAPUR	1
	SALKALAPUR	3		VENKIRYAL	4			THIRUMALAMPALLE	2

Kurumurthy Reservoir			Lakshmidivipally Reservoir			Anjanaigiri reservoir		
Mandal name(5)	village	No of tanks	Mandal name(3)	village	No of tanks	Mandal name(2)	village	No of tanks
	THIRUMALAIPALLE	1		VISWANATHPUR	1			60
Jadcherla (8 Tanks)	ALWANPALLE	1	Nawabpet (1 Tanks)	KOLLOOR	1			
	GANGAPUR	1			84			
	IPPALAPALLE	1						
	NASRULLABAD	5						
Thimmajipeta (35 Tanks)	AVANCHA	3						
	CHEGUNTA	3						
	GORITA	2						
	IPPALAPALLE	9						
	MARIKAL	7						
	PULLAGIRI	8						
	THIMMAJIPETA	3						
		129						

Kurumurthy Reservoir			Lakshmidivipally Reservoir			Anjanaigiri reservoir		
Mandal name(5)	village	No of tanks	Mandal name(3)	village	No of tanks	Mandal name(2)	village	No of tanks

Annexure-2

**BEFORE THE KRISHNA WATER DISPUTES TRIBUNAL
NEW DELHI**

(In the matter of Reference by the Union of India in terms of Section 89
of the AP Reorganisation Act 6 of 2014)

State of Telangana

Vs.

State of Andhra Pradesh

To
The Hon'ble Chairman and
His companion Hon'ble Members of
The Krishna Water Disputes Tribunal,
New Delhi

Annexure 7 of

**Affidavit of Sri Ghanshyam Jha in lieu of Chief Examination on issues relating to
Project wise specific allocation.**

**Water requirements in the State of Telangana from Krishna River
(In three separate volumes)**

S.No	Description	Page No.
1	Volume - I	1-35
2	Volume - II	1-67
3	Volume - III	1-144

**BEFORE THE KRISHNA WATER DISPUTES TRIBUNAL,
NEW DELHI**

(In the matter of Reference by the Union of India in terms of Section-89
of the AP Reorganisation Act 6 of 2014)

IN THE MATTER OF –

**STATE OF TELANGANA
Vs
STATE OF ANDHRA PRADESH**

To
The Hon'ble Chairman and
His companion Hon'ble Members of the
Krishna Water Disputes Tribunal,
New Delhi

**CORRECTED AFFIDAVIT OF SRI K. PALANISAMI
ON ASSESSMENT OF IRRIGATION WATER REQUIREMENT
OF MAJOR PROJECTS IN TELANGANA AND ANDHRA PRADESH**

*Received
G.K. Swami
13/2/2019*

Filed by:

**KRISHNAMURTHI SWAMI
Advocate on Record,
State of Telangana**

Filed on : 13-02-2019

Table - 13
Gross irrigation requirement for the ongoing projects - Telangana
(Revised)

1.IRRIGATION WATER REQUIREMENT FOR PALAMUR RANGAREDDY LIS (PRLIS)									
Season	Crop details	Cropping pattern in Acres	Sowing date	Crop period in days	CWR at field in mm	ER in mm	NIR in mm	GIR in mm	GIR in TMC
1	2	3	4	5	6	7	8	9	10
Mahabubnagar District									
Kharif	Maize	135000	16th June	110	431.7	255.7	176.1	293.4	5.66
	Redgram	150000	16th June	180	630.3	274.9	355.4	592.3	12.70
	Castor	100000	16th June	180	572.4	278.3	294.1	490.1	7.01
	Cotton	85000	16th June	180	647.6	281.9	365.7	609.4	7.41
	Groundnut	100000	15th Sep	120	434.5	79.2	355.3	592.1	8.47
	Jowar	100000	10th Sep	120	360.3	81.2	279.2	465.3	6.65
Rabi	Bengalgram	30000	10th Oct	110	368.7	39.0	329.8	549.6	2.36
Total		700000							50.26
Ranga Reddy District									
Kharif	Redgram	125000	16th June	180	580.0	308.0	272.0	453.3	8.10
	Cotton	100000	16th June	180	597.4	311.5	288.9	481.5	6.88
Rabi	Jowar	100000	10th Sep	120	364.8	87.1	277.7	462.8	6.62
	Vegetables	75000	1st Sep	100	338.0	133.2	204.8	341.3	3.66
	Groundnut	100000	15th Sep	120	378.6	81.3	297.2	495.4	7.08
Total		500000							32.34
Nalgonda District									
Kharif	Maize	10000	16th June	110	431.7	218.9	212.8	354.7	0.51
	Redgram	10000	16th June	180	624.2	269.2	355.1	591.8	0.85
	Cotton	10000	16th June	180	650.9	276.7	374.2	623.7	0.89
Total		30000							2.25
Total for PRLIS		1230000							84.85