

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE),  
AT CHENNAI**

O.A No.148 of 2021

**IN THE MATTER OF:**

D. CHANDRAMOULESWARA REDDY

...APPLICANTS AND 8 OTHERS

VERSUS

UNION OF INDIA AND 5 OTHERS

...RESPONDENTS


**AFFIDAVIT FILED BY THE 5<sup>th</sup> RESPONDENT**

I, Rajat Kumar, I.A.S S/o. B.K Sinha, Aged about 58 years, Occ: Special Chief Secretary, Irrigation and Command Area Development Department, State of Telangana, R/o. Hyderabad do hereby solemnly affirm and sincerely state on oath as follows;

1. I am the Special Chief Secretary, Irrigation and Command Area Development Department, State of Telangana and as such I am well acquainted with the facts of the case.

2. It is respectfully submitted that the Palamuru – Ranga Reddy Lift Irrigation Scheme ('PRLIS') was planned and the subsequent land acquisition process for this purpose was started in the year 2015. PRLIS had received approval from the Government vide G.O.Ms No. 105 (Irrigation and CAD (Projects – I) Department) on 10.06.2015 (almost six years back) contracts have been awarded immediately thereafter and the works were being executed.


3. It is submitted that Palamuru Ranga Reddy Lift Irrigation Scheme (PRLIS) is one of the foremost and largest welfare projects being under

  
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 Hyderabad-500 063.

taken by the Government of Telangana to supply clean potable water to the draught prone districts of Mahabubnagar, Nagarkurnool, Narayanpet, Rangareddy, Vikarabad and Nalgonda by utilizing excess flood water (90TMC) in about 60 days during the flood season from the fore shore of the Srisailem Reservoir project on Krishna river at Yellur (V), Kollapur (M) in Nagarkurnool (D) through five separate stages, ending at K.P.Laxmidevipalli (V), Kondurg (M), near Shadnagar town in Rangareddy district. These five stages each comprise of a reservoir and conduit between each reservoir for taking the water forward with pump houses being constructed where necessary. This project is to provide water for drinking water to enroute villages including Hyderabad city in First phase.

Therefore, the first phase of Palamuru-Ranga Reddy Lift Irrigation Scheme envisages to provide drinking water facilities to enroute 1226 villages in 70 mandals of Mahabubnagar, Rangareddy, Narayanpet, Nagarkurnool, Vikarabad and Nalgonda Districts, Hyderabad City and water to industrial use in Mahabubnagar, Rangareddy and Nalgonda Districts by constructing series of approach channels, open canals, tunnels, pump houses and reservoirs by lifting 90 TMC of flood water in 60 days during flood season (1.50 TMC per day) from foreshore of Srisailem reservoir located at Yellur (V), Kollapur (M) in Nagarkurnool district to K.P.Laxmidevipalli (V), Kondurg (M), in Rangareddy district which is the highest elevation in Mahabubnagar and Rangareddy districts with 5 stage lifting and then utilizing water by gravity.

4. It is submitted that Environmental Clearance as per Environmental Impact Assessment Notification, 2006 dated 14.09.2006, is not presently

  
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required for PRLIS, since it does not presently cater to irrigation. However, the environmental clearance under the EIA notification 2006 has been applied for well in advance in anticipation for the stage when the scheme would also be extended to irrigation. The MoEF& CC has issued ToR for PRLIS vide I.No/ J-12011/31/2017-IA-( R) Dt:11.10.2017. As per ToR, the project will be implemented in 2 phases.

5. It is submitted that the Project Proponent has prepared draft EIA/EMP as per EIA Notification of 2006 and submitted to the State Pollution Control Board for conducting Public Consultation; the Project Proponent has collected Monsoon data in this Project and requested the EAC to accept the same for use in the EIA/EMP report.

6. It is submitted that after following due process as contemplated under EIA Notification,2006 the Project Proponent has conducted public hearing on 10.08.2021; conducting of public hearing was postponed twice on account of heat wave during summer season and also on account of COVID-19 pandemic which affected the globe from March, 2021 onwards. The Project Proponent has prepared the detailed Project report along with EIA and EMP reports and the same are being presented before the Ministry of Environment and Forest as per the Notification,2006.

The following is the Status of compliance of the Terms of Reference(ToR) including the Additional Terms of Reference:

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 Srisaillam project on Krishna river at Yellur village through five separate stages, ending at K.P. Laxmidevipally village. Therefore, water availability analysis

  
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at Yelluru village (point of drawl) during monsoon season is to be submitted to ascertain sufficiency of water available.

**Has been complied.**

ii. As the area is on fluoride affected zone, therefore, provisions should also be made to recharge the groundwater through proposed reservoirs to dilute fluoride levels.

**Has been complied.**

iii. Groundwater be treated for removal of fluoride and then the treated water be supplied to the villagers for drinking purposes.

**Has been complied.**

iv. Provision of e-flow should be ensured for the sustenance of aquatic life in the downstream river.

**Has been complied.**

v. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.

**Has been complied.**

vi. Though, total power requirement has been provided, but its firm linkage is to be supported with documents.

**Has been complied.**

vii. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month, if any.

**Has been complied.**

viii. Information on species composition in particular to fish species from any previous study/literature should be included.

**Has been complied.**



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ix. The clearance from Standing Committee of NBWL under the Wildlife (Protection) Act, 1972 should be obtained, as applicable.

**Has been complied.**

x. Wildlife Conservation plan be prepared for the area located within the project and implemented by the project proponent in consultation with the State Forest Department. Wildlife Conservation plan also to be prepared for the impacted area due to construction of the project falling outside the project area and implemented by the local state Forest Department.

**Has been complied.**

xi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.

**Has been complied.**

xii. Resettlement & Rehabilitation Plan should be implemented as per the prevail guidelines of the Govt. of India.

**Has been complied.**

xiii. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.

**Has been complied.**

7. It is submitted that during the course of the hearing learned Counsel appearing for MoEF has contended that TOR for PRLIS granted on 11.10.2017 was valid for 04years and the same has expired on 10.10.2021 which is factually incorrect. Ministry of Environment, Forest and Climate Change had issued a Notification vide S.O 751(E), dated 17.02.2020 amending the Notification, 2006 (Copy enclosed herewith).

  
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According to which, if Terms of Reference (TOR) is granted in case of the River valley and Hydro-electric projects, the validity will be for five years. Therefore, the TOR dated 11.10.2017 granted for PRLIS is still alive, as the 05 years period has not expired from the date of grant i.e., 11.10.2017.

In view of the above, the Project Proponent humbly pray this Hon'ble Tribunal to grant one year time to enable the Project Proponent to process and obtain the Environmental Clearance(EC) for PRLIS and in the meanwhile, permit the Project Proponent to complete the ongoing head works which were halted on account of Stay granted by this Hon'ble Tribunal on 29.10.2021, with a condition not to commission the Project till Environmental Clearance(EC) is obtained and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

8. Hence this Affidavit.

Deponent  
  
Special Chief Secretary to Government  
Irrigation & CAD Department  
Telangana Secretariat,  
Hyderabad-500 063.

**VERIFICATION STATEMENT**

I, Rajat Kumar, I.A.S , S/o. B.K.Sinha, Aged about 58 years, Occ: Special Chief Secretary, Irrigation and Command Area Development Department, State of Telangana, R/o. Hyderabad the deponent herein do hereby state the contents of the above paras are true to the best of my knowledge and belief.

Verified on this the <sup>16<sup>th</sup></sup> day of August, 2022at Hyderabad.

  
Deponent  
Special Chief Secretary to Government  
Irrigation & CAD Department  
Telangana Secretariat,  
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**AFFIDAVIT FILED BY THE 5<sup>th</sup> RESPONDENT**

Mr.Sanjeev Kumar  
Government Pleader for the State of Telangana.  
Mrs.H.Yasmeen Ali  
Standing Counsel for the State of Telangana

