

**BEFORE THE NATIONAL GREEN
TRIBUNAL
SOUTHERN ZONE, CHENNAI
O.A.No.163 of 2021(SZ)**

Tribunal on its own motion Suo-Motu based on the news item
Published in Telugu Eenadu news paper, Telangana Edition
Dated 13-07-2021 under the caption "Indiscriminate Encroachment
of Tanks and Pond in Hyderabad Corporation and other Municipalities

..... Applicants

Versus

The Special Chief Secretary to Government of Telangana
Department of Irrigation & Command Area Development,
Telangana Secretariat, BRK Bhavan
Tank Bund, Basheer Bagh,
Hyderabad, Telangana – 5000 22 and others

..... Respondents

**INTERIM REPORT BY THE 2nd RESPONDENT i.e. SPECIAL CHIEF
SECRETARY TO GOVERNMENT, IRRIGATION & CAD
DEPARTMENT**

Detailed report on the News item published in Telugu Eenadu Newspaper,
Telangana Edition Dated 13.07.2021 under the caption "Indiscriminate
Encroachment of Tanks and pond in Hyderabad Corporation and other
Municipalities" in O.A.No.163/2021.

**I. (1).The detailed report on tanks in Boduppall Village in Medchal
Malkajgiri District:**

There are four (4) Tanks in the Boduppall village vicinity, Medipally
mandal, Medchal Malkajgiri District, Telangana.

- I. Suddakunta
- II. Rah Cheruvu
- III. Almas Kunta
- IV. Nalla Cheruvu

- a) The problem of large scale Encroachments in water bodies has
been highlighted especially in the Urban areas.


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- b) In view of the above facts, the Government has instructed to take up the FTL boundary surveys for the tanks in HMDA area. The HMDA has concluded agreement with M/s Arvee Associates and Consultants for taking up the FTL survey and fixing the FTL boundaries of lakes in HMDA area (including GHMC area), preparation of FTL boundary maps.
- c) Therefore, the FTL boundary surveys of above tanks have been completed in the presence of Irrigation and Revenue Officials and the same are certified by the concerned departments. All the tanks are preliminary notified by the HMDA authorities and placed in HMDA website for general public domain. The final notification proposals are also submitted to HMDA and the same are yet to be notified by the HMDA. (FTL maps enclosed).
- d) In view of the above it is to submit that, there are some encroachments exists within FTL and buffer zones before FTL demarcation of lakes and the same were mentioned in the FTL boundary maps, which are preliminary notified by the HMDA authorities.
- e) All the above tanks are Geo tagged and Geo coordinates of FTL boundary are mentioned in the respective FTL boundary maps.
- f) During the routine site inspection of field Engineers, if any new encroachments/dumping of debris observed in FTL and buffer zones, the same are informed to the concerned revenue authorities and local urban civic bodies (GHMC and other Municipalities)

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time to time for removal of Encroachments as per 1357 fasli Act and G.O.No.168, Dt.07.04.2012.

Further, the FIR's are being filed in concern Police Stations by the concerned officials and also correspondence are made with Revenue Department.

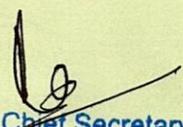
(2).Pocharam Village, Ghatkesar Mandal, Medchal - Malkajgiri District

- a) It is to submit that, the News item published in Telugu Eenadu Newspaper, Telangana Edition dt:13.07.2021 regarding Vaduloni Kunta, located in Sy.No 10 and 13 of Pocharam Village, Ghatkesar Mandal, Medchal - Malkajgiri District. The land in the Sy.No.10 and 13 is classified as "Patta Land" as per oldest available pahani for the year 1960-61 and in the latest pahani as per issued clarification, and recorded in the name of M.Venkatamma, M.Ravinder Reddy, Y.Sabitha, M.Vidya Sagar, M.Latha@Aparna and M.Narendar Reddy as pattadar & possessor.
- b) Further, Sri.M.Ravinder Reddy has applied for Clarification regarding the Water Body in the above Sy.No10 and 13. In this regard the official of Irrigation Department along with Revenue Department conducted on 23-08-2019 .Accordingly, the location-sketch was prepared by the concerned Mandal surveyor by locating the water body duly fixing the FTL of Vaduloni Kunta which is situated in sy.no.10.
- c) Further, the Vaduloni Kunta lake is a restored tank and being maintained by Irrigation Department. As there are no memoirs for this tank, Irrigation Department has fixed the Full Tank Level (FTL) by conducting FTLsurveyon 23-08-2019 and fixed the area covered under FullTank Level (FTL) as Ac 02-18 Gts (as per earlier given clarification of water body)in sy.no.10 of PocharamVillage, Ghatkesar Mandal, with a Buffer Zone of 9m (asthe water spread area is less than 25 Acres vide


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GO.No.168(MA&UD) on 07-04-2021) and also clearly demarcated on the ground.

- d) Further, an extent of Ac 02-04 Gts (out of total FTL area or Ac 02-18 (Gts) are falling in the area covered under Full Tank Level (FTL) of Tank and an extent of Ac 00-30 Gts (out of Ac 01-10Gts total buffer zone including bund buffer) are falling in Buffer Zone in the Sy.No 10/p of Sri.M.Ravinder Reddy. A clarification has been given by the Irrigation Department to the balance land of an extent Ac 17-06 Gts out of total extent of land 20 Ac.02 Gts (free from water body and its buffer zone). It indicates that the Irrigation Department has issued the clarification to Sri.M.Raviuder Reddy, duly deducting the area covered in the FTL and its Buffer Zone along with the following terms and conditions (Duly taking undertaking from Sri.M.Ravinder Reddy on 100/- INDIA NON JUDICAL BOND.
- i. There should not be any kind of construction in tank vicinity/ FTL/MFL/Buffer Zone portion and the Buffer Zone area is clearly demarcated in the Revenue Sketch map submitted by the mandal surveyor & the Tahasildar of Ghatkesar(M) Medchal —Malkajgiri District.
 - ii. Applicant has to provide access to the Surplus Water of the tank out and join the stream water Channel present adjacent to the applicant's land in the Survey Nos.10/P & 13/P, situated at Pocharam Village, Ghatkesar Mandal, Medchal-Malkajgiri District by constructing Box Culvert and also the applicant has to restore the Breached bund to its original condition.
 - iii. The natural flow in the catchment area through the applicant land in the above Survey Nos. should not be obstructed or deviated or utilized for any purpose and open drain- should be constructed to required size with sufficient vents for the catchment flow into the Tank/Kunta/Nala/Channel/storm water drain.


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- iv. There should not be any kind of dumping (or) throwing of Garbage (or) any kind of material into the Tank/ Kunta/ Nala/ Channel/ storm water drain.
- v. Any kind of sewerage (or) any kind of effluents should not be allowed to let into the Tank/Kunta/Nala/Channel/storm water drain.
- vi. No construction is allowed in FTL/MFL area and Buffer zone areas has to be left for Greenery only.
- vii. The officials of the Irrigation & CAD Department or any Government representatives will have the right to inspect the free natural flow through applicant in the Survey Nos.10/P & 13/P, situated at Pocharam Village, Ghatkesar Mandal, Medchal-Malkajgiri District and there should not be any restrictions or obstructions for their entry for inspection.
- viii. Any objection by the higher authorities of the Irrigation Department for conversion of applicant land to residential/commercial use zone is liable for cancellation of permission without any prior notice and no compensation or reimbursement of cost and no maintenance due to above permission will be paid by the I & CAD Department/ Government for any reasons what so ever.
- ix. For any construction/layout in the survey no., the applicant should follow the term and conditions laid down in G.O.Ms.No.168, dt:07.04.2012 of MA & UD Department and G.O.Ms.No.7 dt:05.01.2021, of MA & UD Department and other related G.O's ., scrupulously and as per the guidelines issued by the Erstwhile Chief Engineer, Minor Irrigation .
- x. Any violation of any condition laid above will instantly tend for cancellation of permission issued to the applicant without any prior intimation or notice.
- xi. Further, the rainfall of 25.40 cm has received in Sy.No 10 and 13 of Pocharam Village, Ghatkesar Mandal, Medchal — Malkajgiri District and also received the maximum flood to this tank and tank surpluses.

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e) Further, the site was inspected on 07.09.2021 by the official of I&CAD Department and verified that the area of Full Tank Level(FTL) and observed no deviation. It is also observed that RCC pipe of Dia 100mm is arranged at the inlet of the tank and a natural by wash weir (outlet left across the bund by Sri M Ravinder Reddy) is on Right flank of Tank

II. (1). Oora Cheru , Choutuppal(V&M), Yadadri Bhuvanagiri District:

Encroachment of Oora cheru , choutuppal(V&M), Yadadri Bhuvanagiri District as per Eenadu clipping Dt. 13.07.2021 & Lr.No. G1 /328/2021/22/ Dt.14.07.2021, it is to inform that the 1)MPDO Office, Chotutppal 2) Tahsildar office,Choutuppall 3) RDO Office, Choutuppall 4) Mother Diary Milk center ,Choutuppall 5) TTD Kalyana Mandapam, Chotuuppall 6)Ayyappa Swamy Temple ,Chotuppall 7) A.C.C Shed are in Full Tank Level of Oora cheruvu ,Chotuppall (V&M), Yadadri Bhuvanagiri district falls under Full Tank Level (FTL) limits of Erra Kunta, Choutuppall (V& M).

(2). Erra kunta, Choutuppall(V&M), Yadari Bhuvnagiri District:

The Erra Kunta submergence is encroached and constructed below cited building submerged area 1) the office of Assistant Engineer, TSSPDCL, Choutuppall Mandal 2) 33KV Substation.

Further, the Executive Engineer, Division 12, Choutuppall had served notices to vacate the above offices which falls under Full Tank Level (FTL) limits of Erra Kunta, Choutuppall (V&M) vide Lr.No.DEE/IBSD/Choutuppall/2020-21/ 272,Dt.03.11.2020 Presently the buildings except RDO Office, Choutuppall and office of Assistant Engineer, TSSPDCL Choutuppall Mandal and 33KV Substation were vacated from the FTL due to Heavy rains occurred on 15-07-2021.


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The concerned officials are pursuing the matter with higher authorities to obtain necessary permission from the competent authorities to clear the submergence area. Also submit that the encroached buildings will be dismantled after obtaining permission from the competent authority.

III. Sadashivapalli, Arepally, Sitharampur of Karimnagar District

- a) The District Collector, Karimnagar has conducted review meeting with concerned officials regarding protection of SRSP/Irrigation Tanks/FTL's and Government lands falling in Municipal Area in Karimnagar District and instructed to identify encroachments.
- b) Further, District Collector directed to carry out the following:
 1. Fixing of FTL for all tanks through boundary stones, Geo Tagging of the boundaries and prepare sketch maps of the same.
 2. Conduct survey of Nalas as per Revenue Village maps and identify encroachments, if any, and prepare sketch maps duly showing the encroachment along with its extent and survey nos.
 3. Conduct Survey of all Government lands in the Format given.
- c) Accordingly, Team was constituted with the concerned Department officials i.e Municipal Corporation, Revenue Department and Irrigation Department to Identify the Encroachments and fixation of FTL (Full Tank Level) to restore the Water bodies and the survey is under progress.
- d) Further, the tanks of Sadashivapalli, Arepally, Sitharampur of Karimnagar Municipality limits which were mentioned in the News item published in Telugu Eenadu paper, Telangana, dated: 13.07.2021 and the same was communicated by the Municipal Commissioner, Karimnagar in the Proc.No.GI/5204/2020, dt.23.08.2021 for verification and to identify the encroachments. In this regard, the survey of FTL encroachment identification work is in progress and boundary pillars for the FTL boundaries will be fixed duly removing the encroachments if any, after completion of survey works.


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IV. (1). Lakaram tank in Khammam District:

The Lakaram Tank situated in Khammam Town consists of Shikam land of Ac.163-15Gts. covering an extent of Ac.129-04 Gts. in Sy.No.234 and an extent of Ac.34-11 Gts. in Sy.No.66. Three decades back, it was a good source of irrigation with a registered ayacut of 126 Acres. Due to the rapid urbanization of Khammam town, the ayacut under the tank was converted as residential plots and houses.

In the year 2014 -15, in order to restore the tanks, the Government of Telangana introduced the Mission Kakatiya Scheme in which the Lakaram tank was taken up for restoration. During the execution of work, about 150 temporary houses were demolished with the help of Revenue Department which were constructed by illegal encroachment of the Bund of the Lakaram tank and also acquired the major portion of encroached land from M/s Sequel Resorts. Later, at various stages, the tank was developed as Lakaram Mini Tank Bund and now serving as a tourism and recreational zone for the people of Khammam Town.

Earlier, in the year 2010, as per the instructions of the Collector & District Magistrate, Khammam, the Joint Collector, Khammam inspected the tank bed area of the Lakaram Tank in Sy.No.234 of Khanapuram Haveli of Khammam on 03.06.2010 and instructed the Revenue Divisional Officer, Khammam and Assistant Director, Survey & Land Records, Khammam to conduct a joint survey along with the line departments and also instructed the Tahsildar, Khammam Urban to issue notices to the encroachers and evict them immediately and to protect the tank bed land from further encroachments.

The Assistant Director, Survey & Land Records, Khammam has submitted a detailed report on the encroachments in Sy. No:234 and Sy.No:66 of Lakaram Shikam land on 24.06.2010. Some of the encroachers filed a Writ Petition Nos. 24084 of 2015 and 18324 of 2015 in the Hon'ble High Court. In


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turn, the Hon'ble High Court issued stay orders for evicting them and issued interim direction to the respondent not to interfere with the above houses and plots without following due process of law until further orders.

The details of Encroachments of Lakaram Tank:

- 1.Total Extent of Tank: Ac163-15Gts.
- 2.Total No of Illegal Encroachments:26Nos.
- 3.Total Extent of Land underEncroachment: 23906Sq.Yds /4.93Ac.
- 4.Total extent allotted to RWS Summer Storage Tank:30Ac

(2) Peddacheruvu, Dhamsalapuram, Khammam:

The Pedda Cheruvu, Dhamsalapuram Village situated in Sy.No.178 consist of Shikam land of Ac.128-14Gts.The Full Tank Level (F.T.L.) survey has been conducted for the tank by the Irrigation Department along with Municipal officials and Revenue officials and demarcated the tank boundaries to protect the tank from encroachments. As per the instructions of the Collector, Khammam District, an amount of Rs.10.00 Lakhs was sanctioned by the Commissioner,KMC in February, 2021 for the construction of the boundary pillars and the work is yet to be commenced.

The details of Encroachments of Pedda Cheruvu,Dhamsalapuram

- 1.Total Extent of Tank: Ac128-14Gts.
- 2.Total No of Illegal Encroachments: NIL.
- 3.Total Extent of Land under Encroachment: NIL

(3) Ooracheruvu, Khanapuram, Khammam:

The Oora Cheruvu, Khanapuram situated in the Sy.No.13 consist of Shikam land of Ac.75-23 Gts. On 06.07.2021, during regular inspection of tanks, the field staff has identified an unauthorized laying of approach road to the nearby lay-out within the Shikam land of the tank. The Irrigation officials have lodged a police complaint against the illegal encroachers. Subsequently, the Irrigation Officials along with Municipal and Revenue officials have removed the approach road and restored the Minor Irrigation tank to its original state. The Full Tank Level (F.T.L.) survey has been conducted for the above tank by the Irrigation Department

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along with Municipal officials and Revenue officials and demarcated the tank boundaries from encroachments.

Also, as per the instructions of the Collector, Khammam District, an amount of Rs.10.00 Lakhs was sanctioned by the Commissioner, KMC in February for the construction of the boundary pillars and the work is yet to be started.

On instructions of "Task Force committee" formed in 09-07-2021, Irrigation officials have taken up survey for identification of un-authorized structures constructed within the F.T.L (Full Tank Level) and Buffer zone (30 meters from the F.T.L. of tank) and identified 35 Nos. of structures and notices have been issued to all the residents of the identified structures. The same has been reported to the Revenue authorities and Municipal authorities for taking further necessary action.

The details of unauthorized structures of Oora Cheruvu, Khanapuram:

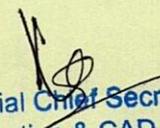
- 1.Total Extent of Tank: Ac75-23Gts.
- 2.Total No of unauthorized Structures:35Nos.
- 3.Total Extent of un authorized Structures: Appx 7400Sq.yds/
1.50Acres.

(4) Pedda Cheruvu, Velugumatla, Khammam:

The Pedda Cheruvu, Velugumatla Village, situated in the Sy.No:565, consist of Shikam land of Ac.164-22Gts. The Full Tank Level (F.T.L.) survey has been conducted for the above tank by the Irrigation Department along with Municipal officials and Revenue officials and demarcated the tank boundaries to protect from encroachments. As per the instructions of the Collector, Khammam District, and Municipal Commissioner, KMC, an estimate has been prepared by the Irrigation Department for an amount of Rs.10.00 Lakhs and submitted to the Municipal Commissioner, KMC for administrative approval for construction of boundary pillars.

The details of Encroachments of PeddaCheruvu, Velugumatla:

- 1.Total Extent of Tank: Ac164-22Gts.
- 2.Total No of Illegal Encroachments: NIL.
- 3.Total Extent of Land under Encroachment: NIL.


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(5) Nalla Cheruvu, Somavaram (V), Wyra Municipality:

The Nalla Cheruvu, Somavaram village, Wyra Mandal situated in the Sy.No.55 having shikam land of Ac 183.19 Gts. The Full Tank Level (F.T.L.) has been conducted for the above tank by the Irrigation Department along with Revenue officials.

The details of Encroachments of Nalla Cheruvu, Somavaram:

- 1.Total Extent of Tank:Ac 183.19 Gts.
- 2.Total No of Illegal Encroachments: NIL.
- 3.Total Extent of Land under Encroachments: NIL.

(6) The details of Madhira and Sathupally Municipal limit tanks are as follow:

There are no encroachments in tabulated six M.I. tanks.

Sl. No	Name of the Municipality	Name of the Village	Name of the Tank	GEO ID/ Latitude & Longitude	Tank Capacity in Mcft	Tank ayacut in Acs.	Water Spread Area in Ha.	Tank FTL in(+) M lts.
1	Madhira	Madupalli	Oora Cheruvu	803355 169318	8.55	472	30	57.01
2		Madhira	Large Tank	803777 169297	52.5	557	20	56.085
3		Madupalli	Bullodu Vagu	803305 169130	34.03	112	3.73	72.24
4	Sathupally	Ayyagaripeta	Damara Cheruvu	808245 172268	35.6	267	2.1	176.31
5		Sathupally	Veshyakantala Cheruvu	808490 172097	73.33	590	6.29	167.335
6		Ayyagaripeta	Chakali Kunta	807956 173256	2.77	25	4.25	100.00 (arbitrary)

During, the meeting held by the Collector, Khammam District on 09.07.2021, a "Task Force committee" with conglomeration of Revenue, Irrigation, Municipal and Police Department headed by Additional Collector, Khammam District has been formed for identification of illegal encroachments with in water bodies i.e Canals, Tanks, Vagus, Nala etc. and also to take necessary action to evict such encroachments.

Accordingly, necessary instructions were issued to the subordinate officers for regularly monitoring of all the water bodies i.e., Canal, Tanks, Vagus, etc. and to report any type of illegal


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encroachments to the higher officers and initiate action against the encroachers by booking cases against the offenders in concerned Station Office immediately. They were also instructed to evict the encroachments immediately with the co-ordination of Revenue and Police officials.

V. Warangal & Hanamkonda District:

There are 390 Nos of tanks and water bodies in six Mandal's, under Warangal & Hanamkonda Districts, the details are as follows.

SI.No	Name of District	Name of the Mandal	Total no of tanks
1	Hanamkonda	Nadikuda	71
2	Hanamkonda	Parkal	47
3	Hanamkonda	Damera	85
4	Hanamkonda	Athmakur	38
5	Warangal	Geesugonda	76
7	Warangal	Sangem	73

Further, there are 22 Nos of tanks in Geesukonda Mandal are under GWMC limits and 14 Nos of tanks in Parkal are under Parkal Municipality limits and there are no encroachments of tanks and nalas in GWMC limits and Damera, Nadikuda, Athmakur, Sangem and Geesukonda Mandal Villages. The surplus course and field channel of Damera cheruvu of Madaram (V) of Parkal Mandal in Parkal Municipal Limits is encroached due to urbanization and the surplus course of Damera Cheruvu was surveyed and demarcated by the Irrigation, Revenue, Municipal and Town planning Officers of Parkal Municipality to constitute a committee to remove the encroachment and widening the Nala boundary and field channel. The details of encroachments of tanks covered under Warangal & Hanamkonda districts are as follows.


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Sl.No.	Name of the District	Name of the Mandal	No. of Tanks	No. of Tanks Encroached	Remarks
1	Hanamkonda	Hanamkonda	15	5	Encroachment due to Urbanization
2	Warangal	Warangal	20	12	Encroachment due to Urbanization
3	Warangal	Khila Warangal	48	5	Encroachment due to Urbanization
4	Warangal	Wardhannapet	68	1	Encroachment due to construction of Eidgah
5	Warangal	Parwathagiri	63	1	Encroachment due to pilgrimage point
6	Warangal	Inavole	92	Nil	
7	Hanamkonda	Kazipet	53	8	
8	Hanamkonda	Hasanparthy	74	7	
Total			433	39	

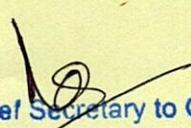
The details of encroachment in the FTL area in Nizam Cheruvu, Kambala Cheruvu, Gundla Cheruvu, Rambhadru Cheruvu, Bandam Cheruvu, KrishnaSwamy kunta. As per the records, it was found and noticed certain constructions in the FTL area of the said tanks.

VI. Mahaboobabad Dsitriect:

1. Nizam Cheruvu:

As per the Revenue records the Minor irrigation tank, Nizam Cheruvu situated in Mahbubabad (V&M) is having an ayacut of Ac 29.19 gts. In year 2011, the Irrigation Officials along with Revenue officials has fixed FTL and the encroachments, some of the individuals who have raised the structures in the FTL approached, the Hon'ble High Court of Andhra Pradesh, Hyderabad covered by writ Petition 15095/2011 and got orders dated 20.06.2012 that "there shall be a direction to the respondents not to interfere with the possession of the petitioners over the subject land without following due process of law".

During the survey some of the encroachers have already constructed the houses and some others have raised their open plots in the tank bed duly filling the earth and the encroachers are strongly obstructing to enter in to the area by citing the court orders.


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Further, the Hon'ble High Court of Judicature at Hyderabad for the Andhra Pradesh State and Telangana State in WP No. 15065 has directed the respondents to fix the FTL boundaries to the tank. The Tahsildar, Mahabubabad, the Mandal surveyor Mahabubabad, and Assistant Executive Engineer, Mahabubabad has fixed the FTL boundaries as per the survey report. Regarding the Constructions of houses in the FTL limits of Nizam Cheruvu, it was requested to the Municipal Commissioner, Mahabubabad to stop the constructions in order to safe guard the tank FTL lands.

2. Gundla Kunta:

Though the FTL was fixed up, the FTL area of Gundla kunta of Gummudur (V), Mahabubabad District was encroached. In this regard, it was requested to the Municipal Commissioner, Mahabubabad to stop the constructions for safe guard of tank FTL lands. Which is covered by Sy. No. 302 admeasuring an extent of Ac.9.27 gts.

3. Bandham Cheruvu:

The Bandham Cheruvu is situated in Mahabubabad (V&M) covered by Sy.No.307/1 admeasuring extent Ac.29.24 gts. The FTL was fixed up and found encroachments in the FTL area and requested the Municipal Commissioner, Mahabubabad to stop the constructions to safe guard the tank FTL lands.

4. Rambhadru Cheruvu:

The Rambhadru Cheruvu is situated in Gummudur(V), Mahabubabad town covered by Sy.No.23 admeasuring extent Ac.46.10 gts and requested the Municipal Commissioner, Mahabubabad to stop the constructions to safe guard the tank FTL lands.

5. Kambala Cheruvu:

The Kambala Cheruvu is situated in Mahabubabad (V&M) covered by Sy.No.442 admeasuring extent Ac.84.07 gts.


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6. Krishna Swamy kunta:

As per the revenue records, the kunta is covered by patta land with sy. No. 552 admeasuring Ac.22.39 gts. The FTL will be fixed in coordination with Revenue officials.

Further, there are court cases pending in the High Court regarding encroachments in FTL lands by the encroachers and Hon'ble High Court orders are still awaited.

VII. Jangaon District:

1. Illegal construction at Budugu Kunta, Jangaon.

During the inspection in Monsoon Season-2020, it was noticed that burial ground was present in the tank. And the same was reported to District collector Jangaon to instruct the Municipal Authorities, Jangaon to take necessary action.

2. Illegal construction in Dharmavani kunta:

During, the inspection of monsoon Season-2020, in irrigation tanks & throughout Jangaon town, at Dharmavani kunta, FTL was fixed. In the FTL area, one building is constructed unauthorizedly, which was dismantled jointly by Irrigation/RDO/MRO and Municipal authorities as per instructions of the then District Collector, Jangaon.

3. Illegal Constructions in Kotha (Rangappa cheruvu)

During the inspection of monsoon Season-2020, it was noticed that, there are 5 No.s of constructions were developed in Rangappa cheruvu (Kotha kunta) very long back & the Municipal authorities have given permissions to construct 3 out of 5 and two were not permitted. The structures are falling in buffer zone and the municipal authorities have not informed irrigation department and NOC was issued without Irrigation Department permission. The issue was brought to the notice of the then District Collector, Jangaon to instruct the Municipal authorities, Jangaon to take necessary action.

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4. Illegal Constructions in Kummari kunta (Banda kunta)

During the inspection of monsoon Season-2020, it was noticed that the forest department has encroached in the kunta land and developed forest nursery. This is brought to the then District Collector to instruct the Tahsildar, Jangaon to demarcate the tank boundaries.

5. Illegal Constructions in Rangappa Cheruvu:

During, the inspection of monsoon Season-2020, it is noticed that there are some houses constructed in the FTL area and the notices were issued. The Municipal authorities were also requested not to give permissions in the FTL & buffer zone area for construction of houses without NOC from Irrigation department. This was brought to the notice of the then District collector, Jangaon to instruct the Municipal authorities Jangoan to take necessary action.

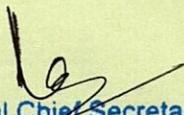
VIII. Nagarkurnool District:

Kesarisamudram tank

The Collector and District Magistrate, Nagarkurnool filed Counter Affidavit on dt:07.10.2021, where in, it was requested that since the matter of O.A No.163/2021 already been dealt under O.A No.182/2020 before National Green Tribunal, South Zone, Chennai and to club the O.A.163 of 2021 in O.A No.182/2020 .

Further, Vide ENC(G), Lr.ENC(G)/CE(I)DCE-IV/OT4/AEE12/ MBNR/NCBC/2021, dated:13.02.2021, directed the Chief Engineer, Irrigation, Nagarkurnool and the Chief Engineer, Hyderabad (Formely CE, KB) to conduct a joint survey again in FTL/Buffer Zone of Kesarisamudram Tank in the presence of Revenue Officials and Assistant Directors of Survey and Land Records, Nagarkurnool and land owners duly giving a prior notice.

Accordingly, notices were issued vide Lr.No.A/2300/2019, dated 16.02.2021, by the Revenue Divisional Officer to Pattadars of the Agriculture land and the owners of the


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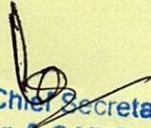
buildings constructed in the Full Tank Level/Buffer Zone informing that survey will be conducted on 26.02.2021 to ascertain the Full Tank Level/Buffer Zone of Kesarisamudram Tank.

Further, on the said date, the Chief Engineer (Irrigation), Nagarkurnool and Chief Engineer (Irrigation), Hyderabad (Formerly Chief Engineer, Krishna Basin, Hyderabad), the Superintending Engineer, Irrigation Circle Nos.1 and 2, Executive Engineer, Irrigation Division No.5, Nagarkurnool along with field staff and Mandal Surveyor present to conduct Joint Survey in the presence of concerned Pattadars/Possessors.

But, Pattadars vehemently protested the proceedings and obstructed the survey work. Therefore, the survey work could not be taken up. Meantime, the Chief Engineer, Nagarkurnool and the Joint Chief Environmental Engineer, Zonal Office, Hyderabad were affected by Covid-19 and survey could not be taken up on the said date due to the law-and-order problems.

The Full Tank Level survey of Kesarisamudram tank in Nagarkurnool (V) & (M) was conducted again from 12.08.2021 to 14.08.2021 duly issuing notices to all the concerned from Revenue Divisional Officer, Nagarkurnool vide Notice dated 30.07.2021 and also issuing a general notice. During the FTL survey of Kesarisamudram tank, 41 encroachments were identified in FTL and Buffer Zone. The Irrigation official has requested the Revenue Divisional officer, Nagarkurnool and the Municipal Commissioner, Nagarkurnool for taking action on 41 illegal encroachments in to the water body as per the act and for changing/altering the nature of land of KesariSamudram Tank.

The Municipal Commissioner, Nagarkurnool given the intimation and issued Notices U/s 174 (4) & U/s 178 (2) & (8) of Telangana Municipality Act 2019, to the 41 encroachers in FTL and buffer zone for eviction vide No. G/1116 /NGKL/ 2020, dated 07.10.2021 under Kesarisamudram tank till now


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six new W.P are filed in Hon'ble High Court, Hyderabad and total around Eighteen cases (18) by the encroachers of Kesarisamudram.

In O.A.No. 182/2020, third report was submitted by the Collector and District Magistrate to the Hon'ble National Green Tribunal, South Zone, Chennai. The Collector and District Magistrate, Nagarkurnool issued notifications by marking of the particular land as FTL with land Co-Ordinates vide District Gazette Notification No. 195/1 dated 25.10.2021. The Municipal Commissioner, Nagarkurnool instructed the DTF Team (Enforcement Squad), for initiating enforcement action on encroachments and demolished the Z.P.P. Building in survey No. 303.

IX. Bhupalpally District

1. Thummala cheruvu, Pulluri Ramaiahpally (V), Bhupalapally (M).

Sri. T. Mukunda Reddy, R/o Hanamkonda who is the owner of agriculture patta land has given representation duly stated that the Nala to feed Thummala cheruvu, Pulluri Ramaiahpally(V), Bhupalapally(M) is dividing his 13.32 acres of agriculture land of survey no. 142 and requested to divert the stream by detouring its original route and feed the tank. The pattadar also made undertaking to bear the cost of diversion at his own expenses.

After careful examination, the request of pattadar was conceded and permitted the diversion under Memo No. DEE/T1/2299/s Dt:-21.10.2016. The diversion was taken up by the pattadar and the work was completed upto merge point of FTL. Since then, the feeder channel is functioning well and filled with water effectively without any obstruction.

Later on, in the FTL of Thummala cheruvu, the integrated district collector office complex (IDOC) constructed by diverting the existing nala all along parallel to the back side wall of District head quarter hospital.

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Due to diversion of old Nala, the length about 225 meters has been excavated by the pattadar filled with gravel and blocked the old Nala without obtaining any orders from the concerned authorities.

Regarding above, the Tahasildhar and the Executive magistrate, Bhupalapally Mandal has given notice to the pattadar. In response to the above, the developers rectified by removing the filled silt gravel and restored the feeder channel and functioning successfully now.

2. Gorentla kunta cheruvu, Pulluri Rarnaiahpally(V), Bhupalapally(M).

Necessary joint inspection has been conducted by Irrigation official of Bhupalapally with the Revenue department and all along the FTL, the boundary trench excavation was taken up.

Hence, there are no indiscriminate encroachments of above kunta.

X. Mahabubnagar District.

The news item stated that encroachment happened in 5 tanks of Mahabubnagar Municipality. The details of Encroachments noticed in these 5 tanks as follows.

1. Gandloni Cheruvu, Boyapally Village, Mahabubnagar Urban Mandal:

The said Irrigation source is situated in Sy.No. 162 & 163 of Boyapally (V) Mahabubnagar Urban (M). The total FTL area of tank is Ac: 05-35 Gts, which is patta land. At present, there are no constructions in the FTL & Buffer zone area.

2. Pedda Cheruvu (Mini Tank Bund), Mahabubnagar Urban:

The FTL area and Buffer zone of this tank consists of Government land as well as patta land. No constructions have been made in Government land. In patta land, 58 houses have been constructed in FTL area and 115 Houses have been constructed in Buffer Zone area. The FTL and Buffer zone of the said irrigation source has been fixed and the unauthorized


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constructions have been enumerated by the Joint Committee Constituted by the District Collector.

3. Palkonda Cheruvu (Pedda Cheruvu), Palkonda (V), Mahabubnagar Urban (M):

The FTL area and Buffer zone of the Pedda Cheruvu is located in Government land as well as in Patta land. No constructions have come up in Government land. In the patta lands, 29 Houses have been constructed in the FTL area and 25 Houses constructed in Buffer Zone Area. The FTL of the said irrigation source has been fixed and the above unauthorized constructions have been enumerated by the Joint Committee Constituted by the District Collector.

4. Dongala Kunta at Christianpally (V) Mahabubnagar Urban(M):

The said kunta is not found in Revenue village map. Previously some tanks having an ayacut of below 100 acres were maintained by the Panchayat Raj Department. Later, such kuntas were handed over to Irrigation Department vide G.O.Ms.No.216, Dt.13.06.2005. In the source list handed over by Panchayat Raj Department, the above kunta does not exist under the control of Irrigation. Hence it is Private Kunta.

5. Imamsab Kunta, Old Palamoor, Mahabubnagar UrbanMandal:

The Mandal Level committee members have inspected Imamsab Kunta which is situated at Sy.No.439, Mahabubnagar near Patha Palamoor and at present No houses are constructed in FTL and Buffer zone area.

Further, (3) Committees have been constituted by the District Collector, Mahabubnagar vide Procs.No. Rev/D4/Irri/0003/2020, Dated 22.02.2020 for preventing and removing encroachments of water bodies.

Accordingly, necessary measures are being taken up from time to time to protect environmental zone covered by Water


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Bodies, Hillocks and Green Belt areas in Mahabubnagar District as per rules in vogue.

XI. Mancherail and Khagaznagar District.

1. Pedda Cheruvu (Mini tank bund) Chennur Village & Urban Mandal:

At present there is no encroachments in the FTL of the tank and in the Buffer zone area.

2. Kummarikunta (Mini Tank Bund), Chennur Village & Urban Mandal:

The said Irrigation source is situated in Sy.No. 971 of Chennur (V) & Urban (M). The total FTL area of the tank is Ac:16-24 Acs- Gts. which is shikam land. At present, there is one existing RCC building found and the work completed up to Piers & Slab. The construction was being taken up during the year 2014 with the permission of Grama panchayat. But the I&CADD stopped the work at the stage of RCC building work partially done. Therefore, the person who encroached into the FTL of the tank filed a petition in the Hon'ble High Court and as per the interim orders of Hon'ble High court, there is no progress of work since 7 years to this date.

Due to the urbanization of the chennur town, a Road is laid adjacent to the tank which is detached the catchment area and water spread area of the tank. There are large numbers of RCC buildings constructed in the catchment area due to urbanization. The tank is converted into MTB and like Laying bund around the tank and other beautification works are in progress. Therefore, the drain water & the flood in the rainy season is proposed to divert by the Chennur Municipal Authority to the D/S of the tank.

3. Oora Cheruvu, Mandamarri, Mandamarri village & urban Mandal:

At present, there are no encroachments in the FTL of the tank and in the Buffer zone area.


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4. Chinnaboinakunta, Kyathanpalle, Mandamarri village & urban Mandal:

At present, there are no encroachments in the FTL of the tank and the Buffer zone area.

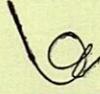
5. Oora Cheruvu, Kyathanpalle village & Mandamarri Mandal:

At present, there are no encroachments in the FTL of the tank and the Buffer zone area.

6. Oora Cheruvu, Amarwadi, Amarwadi village & Mandamarri Mandal:

At present, there are no encroachments in the FTL of the tank and the Buffer zone area.

Further, the necessary measures are being taken up from time to time to protect the environmental zone covered by Water Bodies, Hillocks, and Green Belt areas in the Chennur, Mancherial, Sirpur, and Asifabad Assembly constituencies as per rules in vogue.


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IRRIGATION & CAD DEPARTMENT.

Mrs. H. Yasmeen Ali
Counsel for Respondent No: 2

Dated: 03/02/2022
PLACE: Hyderabad

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