

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION NO. 17 OF 2022 (SZ)

IN THE MATTER OF:

Permandlla Kiran Kumar,
Gajularamaram (V), Shapurnagar,
Jeedimwetla, Quthbullapur (M),
Medchal-Malkajgiri District.

... Applicant(s)

Versus

The State of Telangana,
rep by its Secretary Public,
Govt of Telangana & 15 Others

... Respondent(s)

RUNNING INDEX

S. No.	Particulars	Page No.
1.	Counter affidavit filed by the Respondent 8	1-4
2.	Report of Executive Engineer North Tank Division	5
3.	FIR Copy of 205/2015 with Compliant Inspection Report and Photographs.	6-15
4.	Nalas Superimposed on google map	16
5.	Nalas Superimposed on Topo Sheet	17

Place: Hyderabad
Date: 18.11.2023


H. Yasmeen Ali
Counsel for R-8

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI

ORIGINAL APPLICATION No.17 OF 2022 (SZ)

BETWEEN:

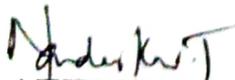
Sri Perumandla Kiran Kumar,
H.No.2-28, Gajularamaram(V),
Shapurnagar Jeedimetla,
Quthubullapur(M),
Medchal-Malkajgiri District
Hyderabad, Telangana-500 055.

... Petitioner

AND

1. The State of Telangan,
Rep.by its Secretary Public,
5th Floor, B.R.K.Bhavan,
NH 44, Hill Fort,
Adarsh Nagar, Hyderabad,
Telangana – 500 063.
2. The Government of India,
Rep.by its Secretary,
Ministry of Environmental and Forests,
New Delhi-110003.
3. Telangana Forest Department,
Aranya Bhavan, Saifabad,
Hyderabad-500 004.
4. To 14 Other Respondents.

... Respondents


ATTESTOR

Dr. Nandakrishna

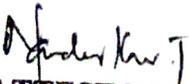
Hyderabad


DEPONENT
EXECUTIVE ENGINEER
mgation & CAD Department
North Tanks Division
HYDERABAD

COUNTER AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT
NO.8 TO THE EXTENT OF MATTER RELATES TO IRRIGATION
DEPARTMENT

I A.Narayana S/o A.Rajaiah aged 58 years Occupation Executive Engineer, North Tanks Division, 3rd Floor, Buddha Bhavan, do hereby solemnly and sincerely state as follows.

1. It is most respectfully submit the brief facts of the case are that the surplus course and the Field channel at Pedda Cheruvu of Gajularamaram(V) are demarcated on the ground as per village map available with Mandal Surveyor of Revenue department on 24.04.2022.
2. It is further submit that in pursuance of the Hon'ble NGT, The Superintending Engineer, HL&WBM Circle, Irrigation department and his team taken up the joint survey of the Surplus Course and Irrigation Channel of Pedda Cheruvu ,Gajularamaram along with, Forest department , Town Planning wing of GHMC, and Thasildar from Revenue Department and demarcated the surplus course and Irrigation channel of Pedda Cheruvu, Gajularamaram on 20.4.2022.
3. Further it is to respectfully submit that on 24.4.2022 Irrigation officials along with Mandal Surveyor from Revenue department demarcated the alignment of Surplus course and Irrigation cahnnel of Pedda Cheruvu , Gajularamaram on ground as per the Village map available with Revenue authorities.
4. It is respectfully submit that, the width of the surplus course worked as per discharge calculations is of 9.5 M and as per the demarcation on the ground as per village map on that, i.e 24.04.2022 day one building and two compound walls are coming in the alignment.


ATTESTOR
 Dy. Executive Engineer
 Irrigation & CAD Department
 North Tanks Division
 Hyderabad.


DEPONENT
 EXECUTIVE ENGINEER
 Irrigation & CAD Department
 North Tanks Division
 HYDERABAD.

3

5. It is further submit that the colony people diverted this surplus course during the formation of their layout, for which a police case was booked in Jeedimetla Police station vide FIR No: 205/2018. The colony people had diverted this nala in their layout through pipeline, due to which the discharge from the Pedda Cheruvu Gajaularamaram is insufficient to accommodate in these pipe line during rainy season, for which the entire layout is get submerged.
6. It is respectfully submit that the Irrigation Channel from Pedda Cheruvu, Gajularamaram is of width 1.80M is also demarcated on ground, due to rapid urbanisation and private lands several houses came in this channel alignment and their count is of 22 numbers.
7. It is further respectfully submit that the people who illegally occupied the Irrigation channel against them suitable action for eviction has been initiated and notices have been issued by the Town Planning wing of GHMC, Hyderabad.

Solemnly and sincerely affirmed
on this 18th November, 2023


ATTESTOR
Dy. Executive Engineer
Irrigation & CAD Department
North Tanks Division
Hyderabad.


DEPONENT
EXECUTIVE ENGINEER
Irrigation & CAD Department
North Tanks Division
HYDERABAD

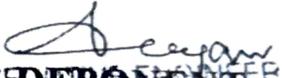
09.01.2025

4

VERIFICATION

I, A.Narayana. s/oA.Rajaiah, aged 58 years, working as Executive Engineer, North Tanks Division do hereby verify and stated the contents in the above paras are true and correct to the best of my knowledge belief and information.

Verified on this 18th Novemeber,2023


~~EXECUTIVE ENGINEER~~
Migration & CAD Department
North Tanks Division
HYDERABAD

5

Report of Executive Engineer, North Tanks Division on O..A.17 of 2022 (EZ)

The site was inspected by the NGT team and discussed on the Nala issue and encroachments.

The surplus course of Pedda Cheruvu, Gajularamaram is marked on the ground as per alignment of village map available with Revenue authorities.

The width of the Nala worked out as per discharge calculations is of 9.5mt and marked on ground along with surveyor on 24.04.2022. The whole alignment was marked on ground in which one building and two compound walls with open land are coming in the alignment and Nala should be open Nala.

The colony people are diverted the surplus course through pipe line. Due to which during rainy season these pipes are not sufficient to discharge flood during rainy season and whole colony gets inundated with flood waters. On this act of colony people, a police case was also booked in Jeedimetla Police Station in the year 2018 (FIR copy enclosed FIR No.205/2018).

The original surplus course is blocked by land owners and the pipe line is in the alignment of colony internal road. There are no encroachments in diverted Nala.

Another Nala from Pedda Cheruvu, Gajularamaram is of width 1.80 X 0.30 mts is also marked on the ground. Due to rapid urbanization and of private lands several houses are came in the alignment and there are about 15 houses are coming in the Nala alignment.

1. FIR copy of 205/2015
2. Nalas superimposed on google plan.
3. Nalas superimposed on Topo sheet.


Executive Engineer
North Tanks Division
Hyderabad

**FIRST INFORMATION REPORT**

(Under Section 154 and 157 Cr.P.C) A.P.P.M. Orders 470,500

6

1. District : Cyberabad P.S : Jeedimetla Year : 2018 FIR No. 205/2018 Date : 07/03/2018
 2. Acts & Section(s) : 447,427-IPC
 3. a) Occurrence of Offence : Day : _____ Date & Time From : _____
 Date & Time To : _____ Prior To : 07/03/2018 15:30 Time Period : _____
 b) Information Received at P.S. : Date & Time : 07/03/2018 15:30
 c) General Diary Reference: Entry No : 6 Date & Time : 07/03/2018 15:30

4. Type of Information : Written
 5. Place of Occurrence:
 a) Distance and Direction From P.S. : 3 Kms, North-West Beat No. : _____
 b) Address Place : _____ Area/Mandal : _____ Street/Village : _____
Balaji layout _____ Gajularamaram _____
 City/District : Cyberabad State : Telangana PIN : _____
 c) In case , outside the limit of this Police Station, then
 Name of P.S. : _____ District : _____

6. Complainant / Informant :
 a) Name : Rama Rao R
 b) Father's / Husband's Name : _____
 c) Date/Year of Birth : _____ Age : _____
 d) Nationality : _____ e) Caste : _____
 f) Passport No : _____ Date of issue : _____ Place of issue : _____
 g) Occupation : _____
 h) Address House No : _____ Area/Mandal : _____ Street/Village : _____
North Tanks Division _____ Hyderabad _____ No Ward _____
 City/District : Cyberabad State : Telangana PIN : _____

7. Details of known/suspected/unknown accused with full particulars :
 Serial No : 1
 a) Name : Balaji layout owner
 b) Father's / Husband's Name : _____ c) Occupation : _____
 d) Caste : _____ e) Gender : _____ f) Age : _____ Nationality : _____
 g) Address House No : _____ Street/Village : _____ Area/Mandal : _____

 City/District : _____ State : _____ PIN : _____
 h) Phone(Off) : 0 Phone(Res) : 0 Cell No : 0
 i) Email : _____

Physical features, deformities and other details of the Suspect :

S. No	Sex	Date/Year of Birth	Build	Height (cms)	Complexion	Identification Marks(s)
1	2	3	4	5	6	7
1		DOB/AGE:0		0cm		

Deformalities/ Peculiarities	Teeth	Hair	Eyes	Habbit(s)	Dress Habit(s)	Languages/ Dialect
8	9	10	11	12	13	14

Place Of				
Burn Mark	Leucoderma	Mole	Scar	
15	16	17	18	

8. Reasons for delay in reporting by the complainant / Informant :

No delay

9. Particulars of properties stolen/involved (Attach separate sheet, if necessary) :

10. Total value of property stolen :

11. Inquest Report/ U.D. Case No. if any :

12. Contents of the complaint / statement of the complainant or Informant :

IN THE COURT OF HONOURABLE Vth METROPOLITAN MAGISTRATE AT MEDCHAL, CYBERABAD, MEDCHAL DISTRICT.

Honored Sir,

Today i.e. on 07.03.2018 at 1530 hours, received an English typed complaint from Sri. R. Rama Rao, Assistant Engineer, North Tanks Division, Hyderabad. Ph No. 9989930596.

BRIEF FACTS OF THE CASE AS FOLLOWS:-

On 07.03.2018 at 1530 hours, received an English typed complaint from Sri. R. Rama Rao, Assistant Engineer, North Tanks Division. In which he stated that on the instructions of Executive Engineer, on 05.03.2018 the complainant inspected the surplus Nala of Pedda Chervu and its alignment along with Revenue Inspector, Section Officer and Town planning of GHMC. During the inspection it is noticed that the Balaji layout owner has damaged the existing Nala and changed its alignment. Further he has taken up the Nala into underground with pipes without information or permission from Govt. the Nala is coming from Pedda chervu, and poses through Sy.Nos. 130, 132, 147, 175 and 185 etc. Therefore he requested to take necessary action. Hence the FIR.

(The original complaint is enclosed herewith)

As per the contents of above complaint a case is registered in Cr. No. 205/2018 U/s 447, 427 IPC and investigation entrusted to N. Kishta Reddy-SI.

Copy W/c Submitted to

The Assistant Commissioner of Police, Balanagar, Cyberabad for favor of information.

13. Action taken:

Since The above information reveals commission of offence(s) U/s as mentioned at item No : 2

1) Registered the case and took up the investigation or : Name : KISHTA REDDY NANCHARY

2) Directed to take up the Investigation or Rank : Sub-Inspector

3) Refused investigation due to :

4) Transferred to P.S : District : on point of jurisdiction.

F.I.R. read over to the complainant / Informant, admitted to be correctly recorded and a copy given to the complainant /Informant, free of cost.

R.O.A.C

Signature of Officer in charge, Police Station

14. Signature / Thumb impression of the complainant / informant.

Name : Chavva Shankar Reddy

Rank : Inspector

15. Date and time of dispatch to the court :

2024

8

To
The Station House Officer,
P.S. Jeedimetla,

Date: 06.03.2018.

Sir,

Sub: Surplus Nala - Gajularamaram (V), Tampering of alignment and
laying underground pipe line- Reg.

&&&&&&

Based on the instructions of Executive Engineer, inspected the surplus nala of Pedda Chervu and its alignment along with Reveune Inspector, Section Officer, Town planning of GHMC on 05.03.2018. during the inspection it is noticed that the Balaji layout owner has damaged the existing nala and changed its alignment. Further he has takenup the nala into underground with pipes without information or permission from Govt. the nala is coming from Pedda chervu, and posses through Sy.Nos. 130, 132, 147, 175 and 185 etc.

Tampering the nala and diverting the nala alignment is a serious offence as per the provisions of Andhra Pradesh (Telangana Area) irrigation act 1357 Fasli, and punishable under the above act.

In this connection, I request to take action against culprits and put a case against Balaji Layout owner of Sy.Nos. 130, 132, 147, 175 and 185 etc. of Gajularamaram (V), Quthbullapur Mandal, Medchal district since they have violated the provision of above Irrigation Act.

Yours faithfully,

R. Rama Rao

(R.Rama Rao)

Assistant Engineer,
North Tanks Division, Hyd.
Ph. No.9989930596.

Received on 07-03-2018 at 1530 hrs.

AS per the contents of the above complaint I registered a case in Co No. 205/2018 of Sec 417, 427 IPC and entrusted to SLP M. Krishna Reddy

M. Krishna Reddy
Secretary

↓

9

Inspection of Gajularamaram (V), Quthbullapur (M), Medchal on 05.03.2018

The following officers are participated joint inspection of Banda Kunta FTL and Sy No 147 nala.

1. Sri M. Srinivasa Rao – ACP Town Planning
2. Sri N. Saibaba – AE Town Planning
3. Sri Sudhakar – Revenue inspector
4. Sri Rajnikanth – VRO
5. Sri Satyanarayana – VRA
6. Sri Durga Prasad – AEE Projects Division
7. Sri Rama Rao – AE Irrigation
8. Sri Raju – R.V Consultant Engineering

Bandam Kunta

The tank was inspected on 05.03.2018 along with above staff and it was noticed that there is a Quarry metal stocking point is mentioned in Sy.Nos. 446, 448 & 449 which was pointed out that there is a encroachment of metal Quarry in the FTL area of Bandam kunta, the metal Quarry was encroached for FTL points 34 to 40. The owner of the metal Quarry was informed that he will himself remove the existing the metal in the FTL area.

Sy.No.147 Nala

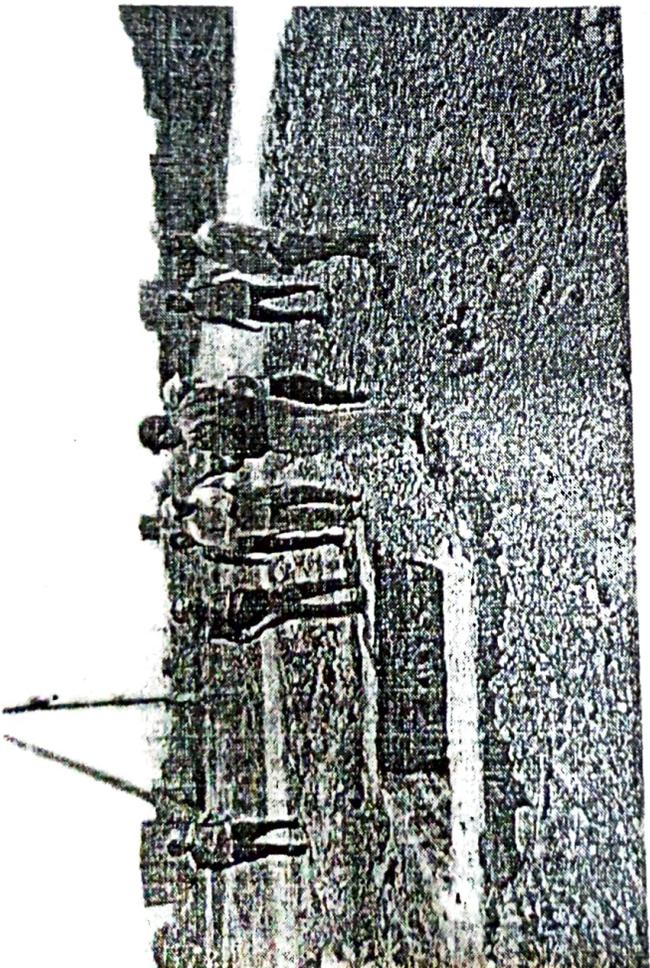
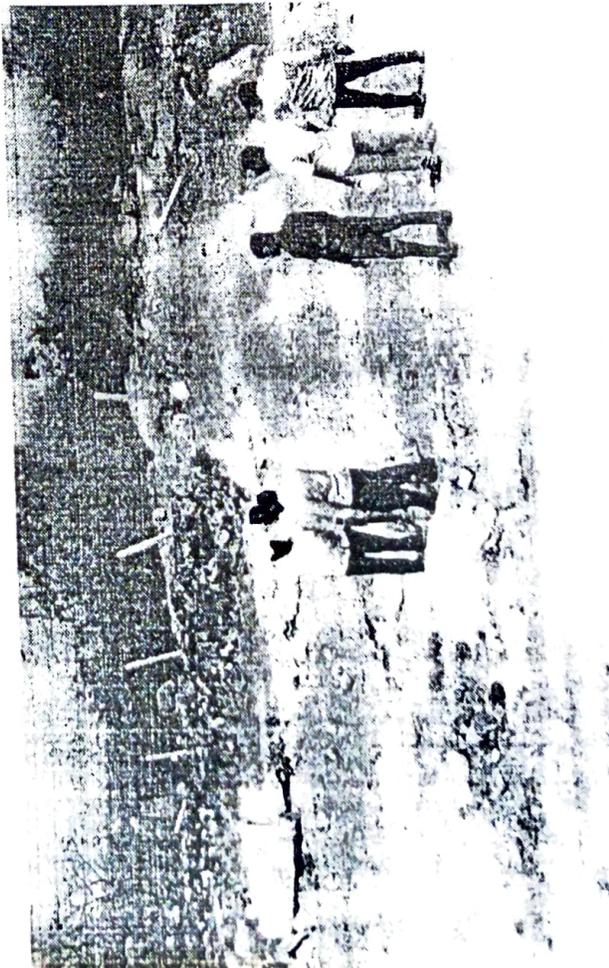
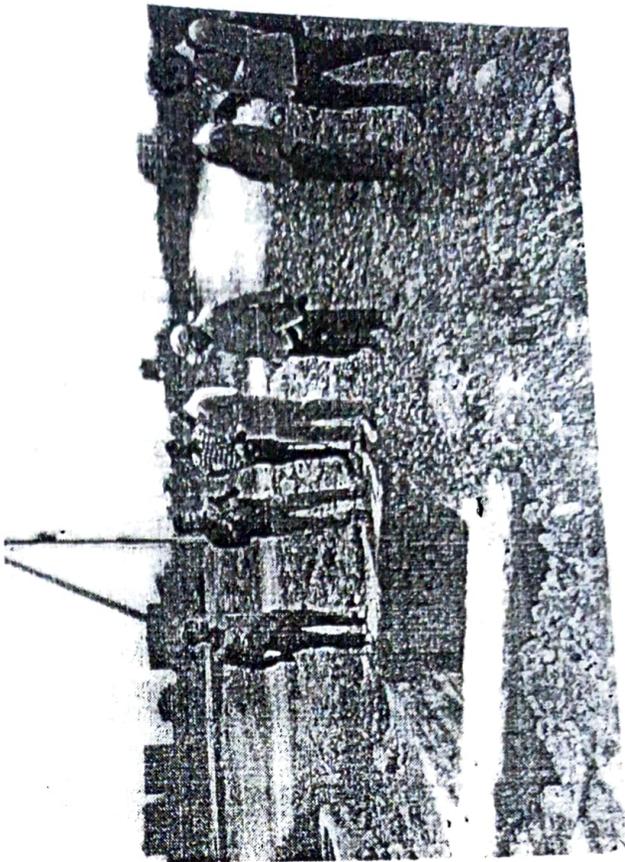
This was inspected by the team and it was noticed that there is surplus course is coming from Pedda Cheruvu, Gajularamaram (V) is passing through the Balaji layout in Sy.No.147. The nala passed through the layout is about 150 mt in laid by the layout owner in his own cost as underground Nala with a 2.0 Ø pipe. The balance Nala is open Nala i.e. only 150 mt was underground Nala.

Actually the Nala should be open Nala as storm water drain

Submitted for orders please.

R. Kanakar

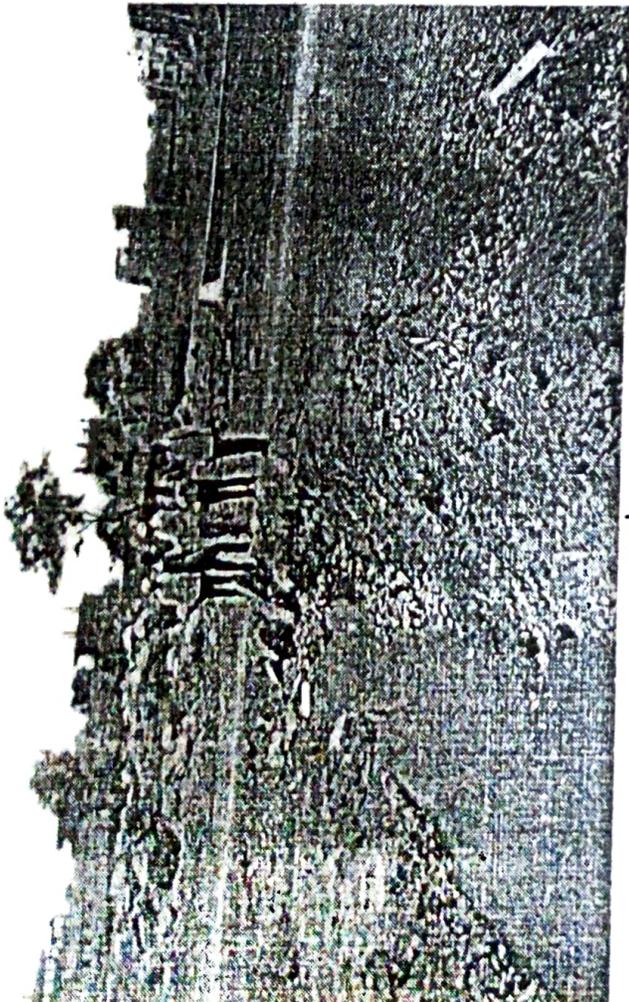
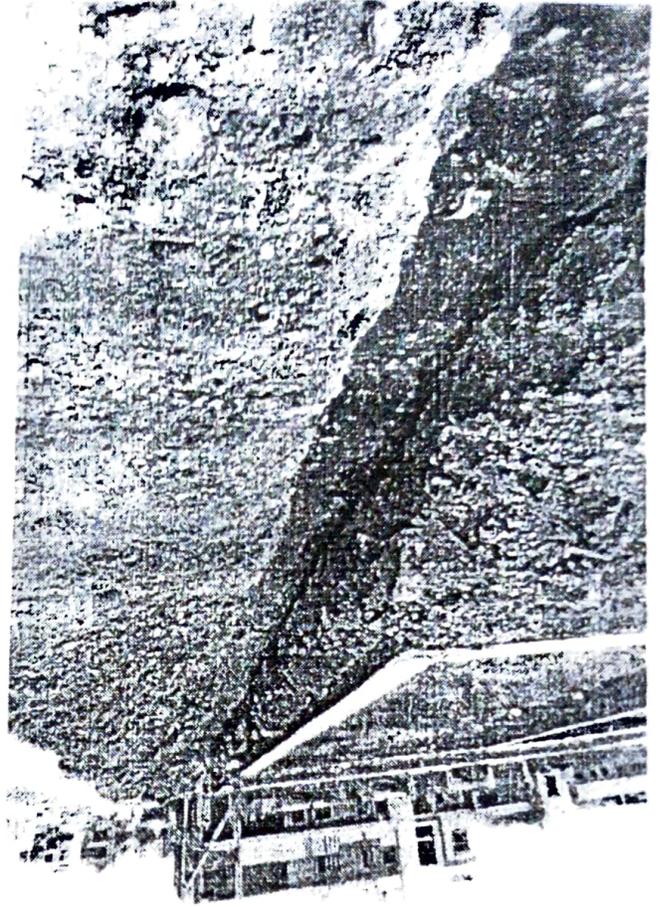
10



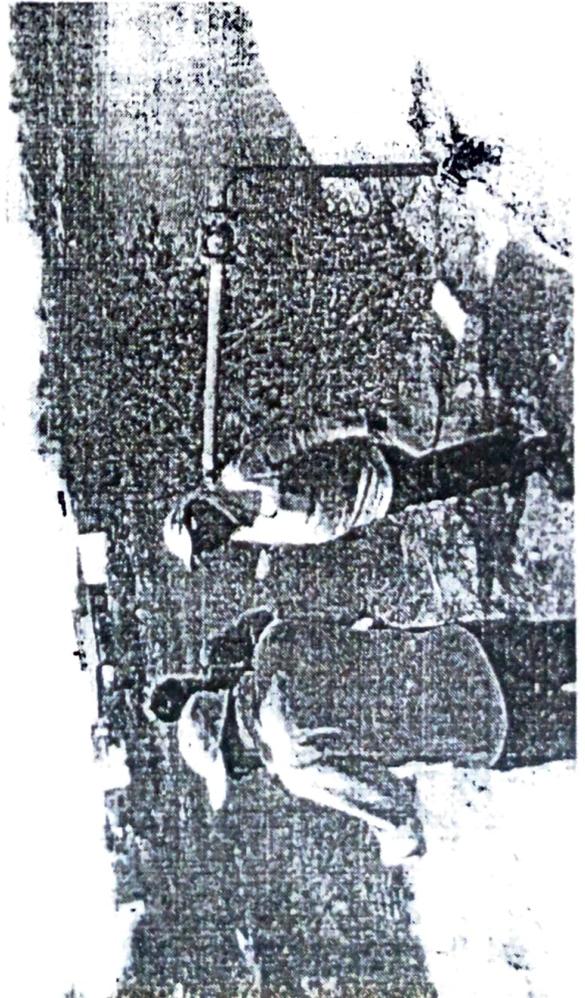
Wader

11

Mada



Mada



F. I. & B. andam kuntu



Shot on OnePlus
Powered by Triple Camera



Shot on OnePlus
Powered by Triple Camera

13



14



Shot on OnePlus
Powered by Triple Camera



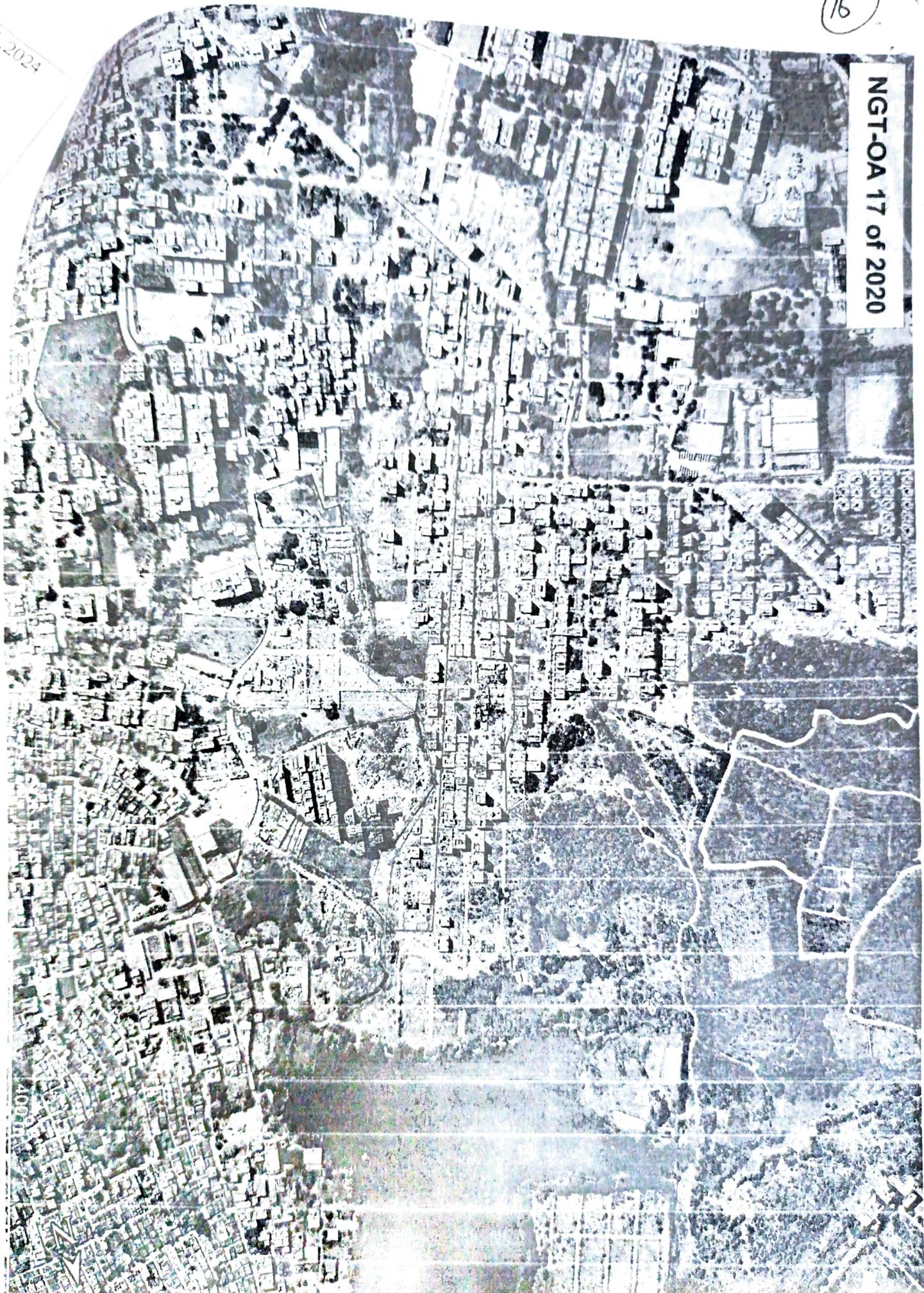
Shot on OnePlus
Powered by Triple Camera

2022/04/20

15



NGT-OA 17 of 2020



2024

1000

17

