

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI**

ORIGINAL APPLICATION NO. 180 of 2021

IN THE MATTER OF: -

Baddam Raji Reddy and Others

.... Applicant(s)

Versus

Union of India and Others

.... Respondent(s)

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Place: New Delhi
Dated: 23.01.2022

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**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

MOST RESPECTFULLY SHOWETH:

I, **Dr. E. Arockia Lenin**, S/o **J. Emanuvel**, aged about **34** working as **Scientist C** in the Ministry of Environment, Forest and Climate Change, having an office located at 2nd Floor, Vayu Block, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-03, do hereby solemnly affirm on oath and state as under:

1. It is submitted that I am working as **Scientist C** in the office of the **Integrated Regional Office, MoEF&CC, Hyderabad** and as such am well acquainted with the facts and circumstances of the case on the basis of the records available in my office and am thus duly authorized to file this Affidavit on behalf of the Respondent No. 1 herein, i.e. the Ministry of Environment, Forest & Climate Change (hereinafter referred as answering Respondent). Specifically admitted hereunder:
2. It is submitted that the present Original Application has been filed as the Irrigation & CAD Department of State of Telangana, under Re-Engineering Proposal, issued orders for expansion of Gouravelli Reservoir, situated in

Siddipeta District, from 1.410 TMCs to 8.23 TMCs without obtaining the prior environmental clearance from the answering Respondent.

3. It is submitted that the applicant has contended that the State of Telangana is heading with old EC which was granted on 14.05.2003 for the expansion of the Gouravelli Reservoir in 2021. The Flood Flow Canal (FFC) project envisages an irrigation facility to an area of 2.2 lakh acres in the drought-prone areas of the Telangana region, diverting about 20 TMC of surplus of water from the Sri Ram Sagar Project during floods and storing in Balancing Reservoirs. Further, under Re-Engineering of the FFC Project, the ayacut has also been allegedly increased to 2.52 lakh acres.

Further, it is alleged that the State of Telangana is in gross violation of the provisions of EIA Notification, 2006, Water (Prevention and control of pollution) Act, 1974, Environment (Protection) Act, 1986 on account of initiating several changes in irrigation projects without obtaining prior Environmental Clearance (hereinafter referred to as 'EC') from the answering Respondent and without undertaking mandatory impact study that led to submergence of four villages and has caused damage to the environment and loss of livelihood.

4. It is submitted that the present application has been filed by the applicant seeking the following reliefs:
 - i. Direct the respondents to stop all construction activities relating to expansion of the Flood Flow Canal and Gouravelli reservoir by the State of Telangana until the Project Proponent obtains prior EC.
 - ii. Direct the respondents of Telangana not to damage natural resources for the expansion of the Flood Flow Canal and Gouravelli reservoir in Siddipeta District until the EC is granted by the answering Respondent.

- iii. Direct the State of Telangana, District collector of Siddipeta not to damage the agriculture lands of farmers until the approvals are accorded for the expansion of the Flood Flow Canal and Gouravelli Reservoir project by MoEF, CWC, Godavari River Management Board, etc. and allow the Applicants/farmers to cultivate their lands.
 - iv. Direct for an appointment of Expert's Committee to undertake a comprehensive study on the flood flow canal and Gouravelli Reservoir expansion project as it was done in OA No. 147 of 2021 and OA No. 7I of 2020 (SZ).
5. It is submitted that the proposal for the project in question was granted site clearance vide J-12011/26/2000-IA-I on 24.06.2002. Thereafter, the said project was considered by the Expert Appraisal Committee (EAC) in its 14th minutes of meeting, held on 29.11.2002. After detailed deliberation of the EAC, the project was deferred on account of the clarification for requirement of the revised planning of the said project. Thereafter, the proposed project was again taken up for consideration of the EAC in its 15th minutes of meeting held on 16.01.2003 whereby, after deliberation at length, the proposal was considered and recommended with suggestions regarding groundwater quality and its depletion.

Copy of Site Clearance dated 24.06.2002 is annexed as **Annexure R-1**.

Copy of 14th and 15th minutes of the meeting held on 29.11.2002 and 16.01.2003 is annexed as **Annexure R-2** and **Annexure R-3** respectively.

6. It is submitted that, based on the recommendations of EAC, the answering Respondent has accorded Environmental Clearance to Flood Flow Canal Project from Sri Rama Sagar Project vide J-12011/26/2000-IA-I on 14.05.2003 as per the provision of Environmental Impact Assessment

Notification, 1994 (hereinafter referred to as EIA, Notification, 1994) subject to the strict compliance of the environmental safeguards provided in the above said environmental clearance. Here it is pertinent to mention the condition no. 6 of the said environmental clearance which is reproduced hereunder:

"In case of change in the scope of the project, project would require a fresh appraisal."

Copy of Environmental Clearance to Flood Flow Canal Project from Sri Rama Sagar Project vide J-12011/26/2000-IA-I on 14.05.2003 is annexed as **Annexure R-4**.

7. It is submitted that the issue of expansion of the Gouravelli reservoir in Siddipeta District comes under Flood Flow Canal Project from Sri Rama Sagar Project. The said project envisaged to provide irrigation facilities to the upland drought-prone areas of Karimnagar, Warangal and Nalgonda districts of Andhra Pradesh to an extent of 89,029 ha. An area of 40,468 ha. will be irrigated by gravity flow and the rest 48, 561 ha. by lift irrigation to utilize 339 Mcum of surplus water from the foreshore of Sri Rama Sagar Project Reservoir. The detailed features of the project in question are mentioned hereunder:

- a. Total land requirement for the project is 12,930.50 ha.
- b. For the construction of three reservoirs, 31 villages (17 full and 14 partial) consisting of 9,942 households will be affected.
- c. The components of the project site comprise of Mid-Manair Reservoir and Gouravelli Reservoir.
- d. The total ayacut that was proposed was 2.2 lakh ha.

8. It is submitted that the environmental clearance dated 14.05.2003 to Flood Flow Canal Project from Sri Rama Sagar Project was valid for a period of five years from the date of issuance of their respective environmental clearances for commencement of construction work.

Here it is pertinent to mention that as per the EIA Notification, 1994 vide notification no. S.O. 60(E) dated 27.01.1994 if the said projects had commenced their construction work within the validity period then the grant of the environmental clearance to the said projects continues to be valid. The relevant extract of EIA Notification, 1994 in this regard is reproduced below:

“.....I(a) Any person who desires to undertake any new project in any part of India or the expansion or modernization of any existing industry or project listed in the Schedule-I shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi.....”

9. That the provisions of EIA Notification, 1994 were superseded vide notification S.O. 1533(E) dated 14.09.2006, issued by the answering Respondent namely, Environment Impact Assessment (EIA) Notification, 2006 (hereinafter referred to as EIA, Notification, 2006). The preamble of the EIA Notification, 2006 clearly states the requirement of prior Environmental Clearance (“EC”) before the start of any construction work in case of new projects or expansion and modernization of existing projects or activities. The operative part in this regard is provided hereunder:

“Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O.

60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.”

Para 2 of the EIA Notification, 2006 further categorizes the Projects/Activities which require prior environmental clearance from the MoEF&CC or SEIAA, as the case may be. The relevant part of Para 2 of the EIA Notification, 2006, is reproduced as under:

“(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with the addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which crosses the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in the product - mix in an existing manufacturing unit included in Schedule beyond the specified range...”

10. That the EIA Notification, 2006, as amended provides for categorization of all the projects and activities, listed in the Schedule appended to the said notification, based on the spatial extent of potential impacts on human health and natural and man-made resources. Here it is pertinent to mention that only

those projects which fall under Category 'A' require prior EC from the answering Respondent.

11. It is submitted that vide order dated 13.08.2021, the Hon'ble Tribunal constituted a Joint Committee, comprising of a Sr. Officer from MoEF&CC, Regional Office, Hyderabad along with other expert members of other government offices/ departments, to ascertain the issues raised in the matter. The Joint Committee conducted the site visit and based on the observations therefrom, the report was filed on 29.09.2021. Some of the significant observations of the report are reproduced below:

- i. *“...Project proponent has constructed three reverse pumps at flood flow canal of the Sri Rama Sagar project without obtaining an amendment in the environmental clearance granted to this project. It is submitted that, as per conditions 6 of Environmental clearance granted to this project, the change of scope of the project requires a fresh appraisal...”*
- ii. *“...Changing the scope of project without the approval of MoEF&CC attracts violation of EIA notification 2006...”*
- iii. *“...non-compliance of environmental clearance conditions may lead to environmental damages...”*
- iv. *“...It has been found that no fresh environmental impact assessment study has been done by the project proponent for the expanded project...”*
- v. *“...Due to the enhancement of capacity, the area of submergence will increase from about 769.25 ha to 1566.8 ha, with an increase in partially submerged villages to 6 from 2 and number of PDFs increase to 1104 from 937...”*

- vi. *“...It is observed that in proceeding with the construction without seeking extension of the Environmental Clearance granted for start of the construction work for Flood flow canal of which Gouravelli Reservoir which is 85% complete as on date, is a part, environmental laws have been violated...”*
- vii. *“...that an amount of Rs. 20,531,250/- is calculated as environmental compensation...”*

12. It is submitted that the Joint Committee has also observed the following non-compliance of Environmental Clearances conditions which are reproduced hereunder:

- a) Proponent did not submit any six monthly compliance report to Ministry since the grant of Environmental clearance letter.
- b) Compliance of specific conditions of environmental clearance issued to project authority has not been complied so far.
- c) Dumping of Over Burden and stabilisation are not carried out properly.
- d) Ambient air, fugitive emission, water (surface & ground water), and noise level have not been monitored so far.
- e) Generation and Disposal of wastes, mucks, hazardous wastes are not monitored and submitted.
- f) Vehicle movements and emissions were not monitored.
- g) Water sprinkling to control fugitive emission and green belt are not provided.
- h) Details of DG sets emissions are not submitted.
- i) Facility of STP and ETP are not provided.
- j) The labourers to be engaged for construction works shall be thoroughly examined by health personnel and adequately treated before issuing them work permit.

k) Medical facilities as well as recreational facilities shall also be provided to the labourers adequate arrangements for providing free fuel like kerosene/wood/LPG shall be made at the project cost for the labour engaged in the construction work so that indiscriminate felling of trees is prevented.

Copy of Joint Committee Report is annexed as **Annexure R-5**.

13. That in light of above, it is submitted that since the project profile w.r.t Flood Flow Canal Project from Sri Rama Sagar Project has been modified by an expansion of the Gouravelli Reservoir under the project in question without the consideration of the answering Respondent for further amendment; therefore it does amount to change in scope of the project, attracting the provisions of EIA Notification, 2006. Further, serious non-compliance of EC conditions has been observed wherein it has been found that none of the specific conditions were undertaken.

14. It is submitted that the answering Respondent, after the perusal of the Joint Committee Report, has issued a show cause notice under Section 5 of the Environment (Protection) Act, 1986 to the Respondent no. 3 dated 07.01.2021 on account of changing the scope of the project without prior environmental clearance and non-compliance of environmental conditions.

Copy of showcause notice dated 07.01.2022 is annexed as **Annexure R-6**.

15. It is submitted that the present reply affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

16. That other/ancillary issues raised in the application under reply do not pertain to the answering respondent. The answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.



DEPONENT

डॉ. इ. आरोकिया लेनिन/Dr. E. Arockia Lenin
 वैज्ञानिक 'सी'/Scientist 'C'
 पर्यावरण वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment Forest & Climate Change
 एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
 Integrated Regional Office, Hyderabad-500 004.

VERIFICATION

I, **E. Arockia Lenin** do hereby solemnly affirm and state that the contents of the aforesaid affidavit are true and correct to my personal knowledge and have been derived from the official records maintained by the Respondent. No part of it is false nor has anything material been concealed therefrom.

Verified at Hyderabad on this 23 day of December, 2021.



DEPONENT

डॉ. इ. आरोकिया लेनिन/Dr. E. Arockia Lenin
 वैज्ञानिक 'सी'/Scientist 'C'
 पर्यावरण वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment Forest & Climate Change
 एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
 Integrated Regional Office, Hyderabad-500 004.

Disputed = 07



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भारत सरकार

पर्यावरण एवं वन मंत्रालय

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT & FORESTS

पर्यावरण भवन, सी. जी. ओ. कॉम्प्लेक्स

PARYAVARAN BHAVAN, C.G.O. COMPLEX

लोदी रोड, नई दिल्ली-110003

LODHI ROAD, NEW DELHI-110003

No.J-12011/26/2000-IA-I

June 24, 2002.

Shri D. Chakrapani
Secretary (projects) &
Member Secretary
Godavari Water Utilisation Authority
Irrigation & CAD department.
A.P.Secretariat.
Hyderabad-500022.

Subject:- Flood flow canal project from Sri Rama Sagar- Site clearance for investigation & survey regarding.

Sir,

This has reference to your letter No. 08217/SRSP.I (I)/2002-I dated 17.5.2002 on the subject. It has been noted that the proposal envisages to draw the floodwaters from the SRSP Reservoir through an off-take regulator and carried out through flood flow canal to store in the proposed storage Reservoir-I across Peddavagu-II and Korutlavagu near Konaraopet village of Karimnagar district. The flood flow waters are further proposed to be carried out from this initial storage reservoir to another storage reservoir across Manair river near Manwada(V) of Karimnagar district, through Link canal. The flood waters stored in the second storage reservoir are proposed to be lifted and carried out through lift cum gravity canal into another reservoir proposed at Gouravelli(V) of Karimnagar District. Total area required for the project is 12,930.50 ha. No forest land is involved. 31 villages(17 full & 14 partial) consisting of 9942 households will be affected.

The above proposal has been examined taking into consideration the submitted project documents .The Ministry of Environment & Forests hereby accords site clearance as per the provisions of EIA notification, 1994 subject to strict compliance of the following terms and conditions -

1.7.02
AD/UB

S. K. Susarla
2/7/2002
RS

1. Comprehensive EIA report comprising the detailed report on ecological study, rehabilitation, catchment area treatment along with year wise physical target indicating on an index map and financial implications, seismicity, disaster management plan, minerals loss, migration path of the wild animals, impact due to construction of infrastructure required for the construction of projects such as roads, opening up of new quarries etc. should be undertaken and submitted to the Ministry within 18 months of issue of this letter.
2. N.O.C from Archaeological Department should be submitted in respect of submergence of certain religious and archaeologically important places under storage reservoir – I across Pedda Vagu – II and Korutle Vagu and also mid – Manair reservoir.
3. Clearance is only for undertaking investigations at the above-mentioned site and for collection of environmental data for preparation of comprehensive EIA report and management plans. This should not in any way be construed as commitment for environmental clearance.
4. Clearance under Forest(Conservation) Act 1980 should be separately obtained.
5. No civil work of permanent nature on the project shall be initiated in anticipation of the final approval of the Ministry. The Project Authority would have to apply for environmental clearance by submitting environmental data and plans.
5. Ministry of Environment & Forests shall assess the proposal on its merit before taking a final view.
6. The fund requirements for environmental aspects should be included in the budget of the project for evaluation of economic feasibility of the project.
7. Ministry reserves the right to suggest additional measures for environmental protection during the investigation stage, if found necessary.

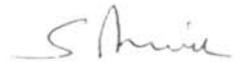
Yours faithfully,



(Dr. S. Bhowmik)
Additional Director

Copy to:-

1. Secretary, Ministry of Water Resources, Shram Shakti Bhavan, Rafi Marg, New Delhi.
2. Secretary, Deptt. of Ecology & Environment, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
3. Secretary, Department of Irrigation, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
4. Adviser(I/CAD), Planning Commission, Yojana Bhavan, New Delhi.
5. The Chief Engineer, Project Appraisal Directorate, Central Water Commission, Sewa Bhavan, R.K. Puram, New Delhi-110066.
6. Regional Office, MOEF, Bangalore.
7. EI Division, MOEF, New Delhi.



(Dr.S. Bhowmik)
Additional Director

Sub:Summary Record of Discussions of the 14th Meeting of the Expert Committee for River Valley & Hydroelectric Projects held on 29th November, 2002 at 10 A.M. in Paryavaran Bhawan, New Delhi.

The list of participants is appended.

The Chairman welcomed all the members. The Committee was introduced to two new Members, Shri A.D. Bharadwaj, Chief Engineer, Central Water Commission and Shri S.Shiva Kumar who will officiate as Member Secretary of the E.C. Dr. S. Bhowmik, Addl. Director, MoEF participated as a Special Invitee. Chairman, at the outset, informed that the EIA and other documents received from project authorities do not follow uniform codes, analytical methods and adoption of standards. He suggested that with the assistance of members, guidelines and references materials of relevant standard practices should be brought out that could provide valuable information while preparing EIA reports. This will also help in standardizing certain parameters and streamlining project scrutiny.

E.C. discussed the uniqueness of the River Valley projects that required to address such diversified issues as food security, cropping pattern, land management issues, water management, seismicity and dam safety, catchment area treatment, command area development, socio-economic issues of rehabilitation and resettlement biodiversity conservation, hydrology, landscape and landuse changes etc. The number of projects being received in this sector was also constantly increasing as indicated from the seven proposals placed before the E.C for discussion.

Committee discussed the date for convening the next meeting of the E.C. It was decided to tentatively hold the meeting on 16.1.03 if sufficient number of proposals were received. Chairman also referred to various national and international meets which focused on Water, Energy, Health, Agriculture and Biotechnology (WEHAB) issues, Session on Integrated water resources management at the annual convention of the Indian Water Works Association scheduled during mid February (13th to 15th) and suggested that E.C members take the opportunity to participate actively.

Actions taken since the last E.C. meeting was briefed by the Member Secretary. After examining the clarifications received from project authorities, issue of environmental clearances was processed in respect of Ghaggar Irrigation Project, Uhl hydroelectric Project, Kashang hydroelectric Project and Yamuna Irrigation Project. A large number of proposals were received for site clearance. It was pointed out that some of the proposals were a cascade of projects located in the same River Basin necessitating a basin approach to assess cumulative impacts. It was suggested that as in the case of Teesta River Basin in Sikkim, in-depth studies might be conducted to examine overall development in the region.

Confirmation of the Minutes of the last EC Meeting

The minutes of the 13th meeting of E. C for River Valley & Hydroelectric Projects were confirmed. Prof. Chanda sent some observations with respect to the Lower Subansiri Hydroelectric Project. Those would be kept in view while reviewing the response received from the project authorities.

Consideration of Projects

1 Bhima Lift Irrigation Project, Andhra Pradesh

This proposal was considered by E.C. at its meeting held on 10.7.02 .The proposal was reviewed by the Committee in the light of additional information that was provided.

Following points came up for discussion:

- (i) Sustainability of soil with water as a new agent requires close scrutiny.
- (ii) The classification of water is C3S1. While S1 implies low Sodium hazard, C3 implies a high salinity hazard. As high salinity water cannot be used on soils with restricted drainage, special management for salinity control may be required and lands with good salt resistance should be selected. It was necessary to state what special measures are proposed to mitigate the inevitable ill effects of using C3 water for irrigation and what type of salt resistant crops are planned to be grown.
- (iii) The discrepancy in salinity classification procedure should be rectified.
- (iv) It was suggested that a Monitoring Committee be set up to closely monitor interlay, salinity resistant crop selection.
- (v) Compliance to various comments of CWC.

The Committee recommended the project for environmental clearance subject to the submission of above clarifications from project authority.

2. Lower Subansiri Hydroelectric Project (200 MW), Arunachal Pradesh

The proposal was considered by the E.C. earlier at its meeting held on 28.2.02. The Committee examined the additional information provided by the Project Authorities and sought clarifications on the following:

- (i) Project will take seven years for completion deploying 5000 persons including labors. For the two villages and these persons, potable water is to be supplied for the construction period. So water analysis along with coliform count is imperative. Analytical data to be included in the EMP.
- (ii) It is mentioned that Bambusa mastersii is a rare and endemic species but also as a dominant plant, which is contradictory. Consultant informed that the species were classified as endangered as mentioned in the Red Book.

- (iii) The genus *Heritiera* belongs to the family Sterculiaceae that is a halophytic coastal mangrove plant and its occurrence in the mountains of Arunachal Pradesh is highly improbable. A specimen of this species in the flowering stage may be sent to Prof. Chanda for identification
- (iv) A few generic names of orchids have been mentioned in the list of epiphytes occurring in Gerukamukh II, but no species names have been stated. While clearing the forest to make room for submergence, it is likely that existence of rare orchid flora along with host trees will be seriously threatened.
- (v) On the question of the submergence of the Talle Sanctuary, the Committee suggested to obtain a letter from the Chief Wildlife Warden permitting diversion of the sanctuary area. The Report should also clearly state whether threatened species were present outside the project area.
- (vi) It was suggested that BSI and State Forest Research Institute, Itanagar, might be associated in recording rare species in the region and their occurrence to ensure that the lower plants are not ignored.

NHPC was requested to update the data and submit to Ministry. The Project was recommended for environmental clearance subject to the submission of clarifications sought by the members.

3 Sewa Hydroelectric Project Stage II (120 MW), J&K

Sewa Hydroelectric Project Stage II (120 MW) is a runoff the river scheme on the Right Bank of River Sewa located in Kathua District. The dam is located at Gatti Village and the power house is at Mashka Village. Sewa Stage II utilizes a drop of 560 ms between Gatti and Mashka just above the confluence of Sewa and Ravi rivers. Sewa Stage III located downstream of Sewa has an installed capacity of 6 MW.

The main components of the projects are 53 meter high concrete gravity dam, 2 Nos. of Desilting Chambers, 10.02 Kms long horse-shoe shaped concrete head race tunnel, 111 Meter high Surge Shaft and Surface Power House 3x 40 MW. NHPC clarified that Stage I of the project was not contemplated. The area required for the project is 94.04 ha of which 33 ha. is forest land. The gross storage capacity of the dam is 5.45 Mcum. Two villages comprising 86 families will be affected. Details of R&R Plans are not contained in the Report. Following comments were made by E.C.

- (i) Labour force will be supplied drinking water during the construction period. As manganese, iron and sulphate contents at some of the spots exceed permissible limits, remedial measures should be suggested.
- (ii) Baseline data of ambient air quality and water quality (including coliform count) should be indicated for environmental monitoring.
- (iii) High noise levels at construction site requires protective measures for the workers, this may be indicated in the EMP.
- (iv) Supply of LPG and Kerosene may be proposed instead of fuel wood.
- (v) Construction of dam should not prevent access of fish to their usual feeding, breeding and rearing grounds resulting in decline in fish diversity and reduction in their abundance. Contradictory statements to be rectified.

- (vi) The R&R Plan has not been worked out as the land is yet to be identified. NHPC was advised to expedite identification of the site and preparation of the R & R plan and submit the same to the Ministry.
- (vii) The pH value reported at Saundron spot C and Gatti is alkaline and beyond the limits of inland surface water specification (CPCB,1979).The data may be taken again for confirmation of reported value
- (viii) In Schedule-II it is stated that good foundation is available at the dam site. Standard practice is to report shear wave velocity of materials around site, which is an indirect measure of rigidity. The term seismic velocity is ambiguous. The reported velocities should always be specified with strain level induced to measure velocity.
- (ix) Publication quoted may not be proof of reservoir induced seismicity, as there is considerable disagreement on RIS. NSCDP of CWC will approve design seismic parameter of the dam.
- (x) Dr. Kushwaha pointed out that the project area has more than 60 TIV and the abundance in biodiversity required insitu and ex situ conservation. 7 species getting affected in the reservoir area and one species because of the Powerhouse required repositories to be created.
- (xi) Any economic loss due to vulnerable species and outline of R & R should be submitted alongwith TAC clearance from CEA.

Based on the information and clarifications to be furnished by project authority, the proposal will be reconsidered by the E.C.

4. Nira Deogarh Irrigation Project, Maharashtra

The Project is a part of Krishna Valley Development Plan and envisages construction of an earthen dam across Nira river near village Deogarh, Pune District. The location is in hilly terrain that surrounds the dam on three sides. The project construction started in 1989 and E.I.A study started when nearly 90% of construction was completed. Besides irrigating 41,400 ha, project envisages power generation of 7 MW, drinking water supply of 30.03 Mcum. Length of RBC 208 Kms and LBC is 21 Kms. Catchment area is 114.48 Sq.Km and the siltation rate is 1.5 acre foot /sq.mile /year.

The total project area is 3616.91 ha.of which 1450.55 ha. is under submergence and 2029.28 ha is for canal works. Area of forest land involved is 54.81 ha. Total project cost is Rs.990.19 crores and the cost of environmental measures proposed is Rs.79.11 crores. Project involves rehabilitation of 980 families. Public hearing was conducted on 22.10.02.

The Consultants presented the project. The Committee brought out the following points:

- (i) Information on the flow rate of water in the river and canal systems and the current status on malaria prevalence in the project area during different seasons is not furnished.
- (ii) Anti malaria measures proposed to be taken should be clarified.

- (iii) Committee suggested consideration of kharif hyb.Jowar-rabi hyb.jowar,kharif groundnut-rabi hyb.jowar,kharif hyb.jowar-gram,kharif hyb.jowar-rabi pulses-as cropping sequences for the project's irrigated area for being kept in view during the operational phase of the project.
- (iv) Rehabilitation plan for the affected persons from 8 villages need to be worked out and monitoring mechanism may be suggested for implementing the same.
- (v) Details of afforestation carried out so far should be furnished.
- (vi) The remedial measures in the command area against water logging and seepage have to be worked out. The cost provided for the remedial measures is very low.
- (vii) As 30.3 Mcum of drinking water is to be supplied ,remedial measures to bring down coliform levels should be indicated.
- (viii) It is stated that the reservoir will be emptied within an hour of dam failure. Include dam break analysis in the EMP.
- (ix) Dam falls in seismic zone III, recommendation of the code IS 1893 (Part I),2002 should be adhered to. In the past, earthquake with intensity of 7.5 Richter scale has occurred about 80 kms away from the dam site. As magnitude of earthquake is a quantitative measure of strength of an earthquake, this needs to be corrected. It is not clear how it has been concluded in page 159 of the EIA report that the possibility of earthquake is very remote.
- (x) Different figures mentioned in the documents for agricultural land getting affected and submergence areas to be reconciled.
- (xi) TAC clearance from CWC, Investment Clearance from Planning Commission, may be furnished.

E.C will reconsider the proposal after resubmission of additional information and clarifications.

5. Sri Rama Sagar Project (Stage-II), Andhra Pradesh

The project was accorded environmental clearance in 1980 and withdrawn as the project was not taken up for construction. The proposed project is an extension of the canal works to irrigate 4.4 lakh ha. of land in the drought prone districts such as Nalgonda . The Project Authorities informed that the Saraswati Canal earlier included the proposal which involved 6135 ha. of forest area had been delinked. The Project Authorities were advised to submit the revised proposal, reworking the project affected persons. Plan for excavation and transportation of monuments in the project area to be furnished. Approval may be obtained from the Ministry of Tribal Affairs for rehabilitating the tribal population. Details of the water quality including coliform counts may be furnished. Status on the soil quality, and measures for preventing water logging should be furnished as the project involves a very large command area.

The project will supply 11 Mcum of drinking water but the subsurface water during pre monsoon and post monsoon exceed permissible limits of coliform count. Remedial measures may be included in the EMP report. Similarly the iron level exceeds the permissible limits of A-grade drinking water. In questionnaire, ground water EC is furnished as 500-7000 d S/m but it should be 5-7 d S/m. Clearance obtained from CWC may be furnished. The proposal will be reconsidered after submission of revised documents and clarifications.

6. Flood Flow Canal Project from Sri Rama Sagar

The project involves providing irrigation facilities to 2.20 lakh ha in upland drought areas of Karimnagar, Warangal and Nalgonda districts of Telangana Region. As one of the objectives of the project is to supply 0.129 TMC of drinking water, remedial measures to bring own the coliform count within permissible limits of A-grade potable water should be included in the EMP.

Groundnut and chillies is proposed as the cropping pattern, since paddy is the existing successful crop of the region, it was suggested that cropping systems like paddy-groundnut, paddy-chillies, in light textured soils paddy can be taken as upland paddy.

The project will be reconsidered in continuation of the Sri Ram Sagar Project Stage II after the revised planning is fully clarified.

7. Markandeya Reservoir Project, Karnataka

The project proposed by Karnataka Neeravari Nigam Ltd. was presented. It was highlighted that the forest clearance, in principle, has already been obtained. The project will irrigate 18,354 ha in Hukkeri Taluka. Remedial measures for water logging and the budget provision should be indicated. Project Authorities were advised to submit the information in the revised questionnaire format alongwith reports on water quality, command area development plan, budget provisions, afforestation and plans for rehabilitation of the project affected families. The proposal will be reconsidered on the submission of documents.

Following specific comments were offered by members:

- (i) The project principally aims at supplying drinking and irrigation water to a large command area of 19,105 ha., but water analysis does not show coliform count. In water analysis data include the figures.
- (ii) Report lacks in providing command area development plan, existing and proposed cropping pattern and soil nutrient status.
- (iii) Post-project monitoring not mentioned in the report. Baseline data for effective monitoring should be included.

Project will be considered by the E.C after submission of all essential documents and clarifications.

Meeting ended with thanks to the chair.

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14th Meeting of Expert Committee for River Valley and Hydroelectric Projects.

Sl.No	Name	Designation
1	Shri M.A. Chitale, SATAC, GWP-SASTAC, Regional Office, C/O WALMI Campus, Kanchanwadi, Aurangabad- 431005	Chairman
2.	Dr. P.G. Sastri, H.No.1-8-678/A/1, Padma Colony, Nallakunta, Hyderabad	Member
3.	Dr. A.K. Bhattacharya, Water Technology Center, Indian Agricultural Research Institute, New Delhi-110012.	Member
4.	Shri A.D. Bhardwaj, Chief Engineer (EMO), 613 (S), Sewa Bhawan, RK Puram, New Delhi 110066	Member
5.	Prof. S. Basu, Deptt of Earthquake Engineering, Indian Institute of Technology, Roorkee 247667	Member
6.	Dr. S.P.S. Kushwaha, Head, Division of Ecology & Forestry, Indian Institute of Remote Sensing, Department of Space, 4 Kalidas Road, Post Box No.135, Dehradun 248001.	Member
7.	Dr. Apurba Sarkar, Project Directorate of Cropping System Research, Modipuram, Meerut, U.P.250110.	Member

8.	Prof S. Chanda, Center for Studies of Man and Environment, CK-II, Sector 2, Salt Lake, Calcutta 700091.	Member
9	Shri S.Shiva Kumar, Director, MoEF, CGO Complex, Lodi Road, New Delhi 110003	Member Secretary
10.	Shri R.K. Khanna, Director (EIA),	CWC
11.	Dr. Harendra Kharkwal, RA	MoEF

Project authorities

Bhima Lift Irrigation Project, Andhra Pradesh.

1. Shri P. Ramamohana Rao, Director, STEC, Hyderabad.
2. Prof I.V. Murlikrishnan, JNT University
3. Dr. P. Keshava Rao, JNT University, Hyderabad-28.
4. Shri K. Narender Reddy, Dy. EE
5. Shri P. Shivakantham, Supdt. Engineer, I& CAD, NKLI Circle, Mahbubnagar (A.P.)
6. Shri T.S. Prakash Rao, C.E. IA&CAD, Govt. of A.P. Hyderabad
7. Shri B. Ramana, Spl Liaison Officer, A.P. Bhawan, New Delhi.
8. Shri R.Y. Parishudda Rao, Faculty, EPTRI
9. Dr. BN Murthy, Scientist, EPTRI
10. Shri PVR S Surendra, Faculty, EPTRI.

Lower Subansiri Project (Arunachal Pradesh)

NHPC

1. Shri S.M. Hussain, GM (Plg), NHPC
2. Shri Ramesh Chandra, GM (Subansiri)
3. Shri V.K. Gupta, Chief Engineer (Design)
4. Shri Vipin Kumar, SM (Env)
5. Dr. (Mrs.) Usha Bhat, Chief (Env)
1. Dr. A.K. Sharma, Dy. GM (Env)
2. Dr. K.L. Sehgal, WAPCOS
3. Shri Vimal Garg, WAPCOS
4. Dr. Aman Sharma, WAPCOS

Sewa II Hydroelectric Project

1. Dr. GM Bhat, Deptt of Geology, Jammu University.
2. Dr. A.K. Tripathi, Manager (Env), NHPC
3. Mr. Neeraj Sharma, JRF, Deptt of Botany, University of Jammu
4. Shri Pankaj Punma, Manager (Ecology), NHPC
5. Shri S.M. Hussain, GM (Planning), NHPC

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6. Prof Shahshi Kant, University of Jammu
7. Prof I.A. Hamal, University of Jammu
8. Dr. GM Bhat, University of Jammu
9. Shri V.K. Kapoor, GM(Design), NHPC

Nira Deoghar Irrigation Project, Maharashtra

10. Shri R.M. Landge, Chief Engineer, ID, Maharashtra State,
11. Shri A.N. Diwan, Sub Divisional Engineer, Maharashtra State.
12. Shri B.M. Gaikwad, Sect Engineer, Maharashtra State
13. R.M.Landge, Chief Engineer, Pune Irrigation Deptt.
14. Shri V.S. Ghogare, Executive Engineer, Nira Deoghar Project, Div: Bher
15. Cdr. DD Naik, DD & Associates:

Sri Rama Sagar Project Stage II & Flood Flow Canal Project from Shri Rama Sagar

16. Shri P. Venkat Rama Rao, CE/SRSP Stage II, Ramnagar, Hanamkonda, A. P.
17. Shri G. Jyothi Lakshmi, Spl Liaison Officer, A. P. Bhawan
18. Shri B Ramana, Liaison Officer, A. P. Bhawan,
19. Shri R. Y. Parishudda Rao, Faculty, EPTRI
20. Prof. I.V. Murlikrishna
21. Dr. P. Kesava Rao, JNT University, Hyderabad 28
22. Shri P. Ramamohana Rao, Director, STEC, Hyderabad
23. Dr. BN Murty, Scientist, EPTRI, Hyderabad

Markandeya Reservoir Project

23. Shri A.P. Joshi, MD, Karnataka Neeravari Nigam, Bangalore.
24. Shri A.K. Hulakund, Executive Engineer, GRBII Division No.2, Hidkal Dam
25. Shri Vasant Gumaste, Scientist

Dated: 6.2.2003

Enclosed, please find herewith Minutes of the 15th Meeting of the Expert Committee for River Valley and Hydroelectric Projects held on 16.1.2003 for information.

It may also be noted that the next EAC meeting will be held in March, 03

S. Shiva Kumar
(S. Shiva Kumar)
Director (IA)

To

1. **Shri M.A. Chitale,**
SASTAC,
Vedant Grihakul,
Sawarkar Chowk,
New Shreya Nagar,
Aurangabad 431005
Maharashtra.
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4. **Shri A.D. Bhardwaj,**
Chief Engineer (EMO),
613 (S), Sewa Bhawan,
R.K. Puram,
New Delhi-110066.
5. **Prof. S. Basu,**
Deptt of Earthquake Engineering,
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6. **Dr. S.P.S. Kushwaha,**
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Forestry & Ecology Division,
Indian Institute of Remote Sensing,
Department of Space, 4 Kalidas Road,
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7. **Dr (Mrs.) V.M. Bendre,**
Director,
CWPRS,
Khadakvasla,
Pune 411024.
 8. **Commissioner (Fisheries),**
Deptt of Animal Husbandry,
Ministry of Agriculture,
Krishi Bhawan,
New Delhi.
 9. **Dr. Apurba Sarkar,**
Project Directorate,
Cropping System Research,
Modipuram,
Meerut 250110.
 10. **Prof S. Chandha,**
Centre for Studies of Man and Environment,
CK-11, Sector 2,
Salt Lake,
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 11. **Thiru E. Karunanithy, B.A.**
No.5, Thirupoor Kumaran Street,
Radhanagar, Chromepeet,
Chennai 600044.
 12. **Thiru R.S. Bharathi,**
Chairman,
Alandur Municipality,
New No.18, 29th Street,
Thillai Ganga Nagaar,
Chennai 600061.
 13. **Shri O.P. Sisodia,**
Asstt. Commissioner,
Ministry of Rural Development,
Block No.11, CGO Complex,
Lodhi Road,
New Delhi-110003.

Summary Record of Discussions of 15th Meeting of Expert Committee for River Valley & Hydroelectric Projects held on January 16, 2003 at 1100 hrs in Paryavaran Bhawan, New Delhi.

The list of participants is enclosed.

2. The Chairman welcomed all the Members. Minutes of the 14th Meeting of Expert Committee for River Valley & Hydroelectric Projects held on November 29, 2002 were confirmed.
3. The following projects were considered:

(I) Sewa Hydroelectric Project (Stage II), J&K

Details of resettlement and rehabilitation for 86 families from the villages of Gatte and Mashka were provided. The Project Authorities have worked out compensation for land and property for the 86 families that are affected from the project at a cost of Rs.257.32 lakhs. It was clarified that economic rehabilitation of the affected population would be covered through vocational training & Apiculture. It was also stated that an area of 2 ha for conservation of medicinal plants was proposed at Mashka. Implementation of conservation plans for medicinal plants would be carried out in consultation with the Monitoring Committee set up by the State Government. The Committee also recommended that the solatium for the project affected families (PAFs) may be increased from 15 per cent to 30 per cent in line with the Government of India guidelines.

The Committee recommended environmental clearance for the project subject to the above conditions.

(II) Nira Deoghar Irrigation Project, Dist Pune, Maharashtra

The Committee considered additional information provided by the Project Authority. The Committee was informed that formal constitution of the Project Level Monitoring Committee was under consideration of the State Government and would be notified shortly. It was suggested that the Committee may include representatives from the Project Affected Families, especially a representative of women, scheduled castes and scheduled tribes. A contour map indicating the natural drainage gradients system may be provided. The Committee also desired that the information provided on anti-malaria measures of 1996 may be updated.

The Expert Committee recommended the project for environmental clearance subject to above observations.

(III) Sriram Sagar Project Stage II, Andhra Pradesh.

Committee observed that though the TAC approval from CWC was obtained in 1996, suggestions made then are not yet carried out. The Committee desired that greater attention should be paid for Ground Water Management-based on the experiences in the Stage I. The Committee was informed that the Ground Water Board of the State Government was monitoring the Ground Water status. It was desired that the Ground Water Quality Mapping should be attempted using NRSA data and the same may be got examined from the State Command Area Development Authority. The Project Authorities were also asked to indicate the Ground Water drainage gradients in the area so as to assess the flushing capability.

The Committee recommended the project for environmental clearance subject to the follow up actions being taken by the Project Authorities.

(IV) Flood Flow Canal Project for SRSP-II, Andhra Pradesh.

The proposal was considered and approved with the following suggestions:

- (a) As the ground water quality is critical, a mapping of the same may be carried out with the help of Ground Water Board.
- (b) A mechanism to monitor Ground Water depletion in the old and new commands may be put in place. For the old command area, the status of ground water may be scrutinized by the State CADA.
- (c) Information on ground water quality may be updated from the 1996 data to reflect the present status.

(V) Bairobi Dam & Hydel Project (2 X 40 MW), Mizoram

At the outset, the Chief Minister of Mizoram, holding the portfolio of Power, highlighted the importance of the project for Mizoram indicating the contribution it would make to the state economy apart from power generation in terms of water, transport, tourism, fisheries and drinking water. The Planning Commission had given commitment to fund the project in the Tenth Plan. It was explained that Bairobi being the only rail head, the water storage will also facilitate transport link between Bairobi to Aizwal. The project received the TAC approval in November, 2000 and forest clearance has been obtained in October 2002 for diversion of 9294 ha with provision of compensatory afforestation in degraded forest land over an area of 18588 ha. The Project Authorities clarified on various observations made by the Expert Committee members:

- (i) There was an initial resistance from the Hartoki village and with the help of NGOs, the benefit of the project for the state has now been realised. There is an unanimous approval from all sections of the society.

- (ii) On the question of economic viability of the project, the Committee was informed that North Eastern Council has promised assistance of Rs.429 crores for the project. The benefit from the project to the State was of prime consideration.
- (iii) The aerial distance of Dampa Tiger Reserve was about 8 Kms.
- (iv) The Committee was informed that Monitoring Committee at the Advisory level and Project level would be set up for the implementation of R&R plans. The budgetary allocation for the same has been provided.
- (v) It was suggested that at least 3 Monitoring Stations for Seismic Data and Advanced Warning Systems may be set up in the valley.
- (vi) Details of the catchment area treatment plan were not reflected in the questionnaire proforma. This may be furnished.
- (vii) Base line data for monitoring various aspects of soil, air and water environments for periodical monitoring during construction and post-construction of the project.
- (viii) As 35 per cent of the drinking water is to be met from river, necessary disinfection should be carried out in view of high coliform levels.
- (ix) Sites for relocating 724 project affected families to be indicated.
- (x) The sedimentation rate of 0.06 hectare meter/sq mt/ year from the catchments would affect the dead storage. Any degraded catchment areas where jhooming is practised, proper assessment of silt generation rate should be evaluated for prioritisation of CAT.
- (xi) For R&R programme, farmers may be instructed to adopt the following cropping system instead of growing single crop a year:
Rice-wheat, rice-wheat-pulse (green gram) etc.

Following information in the report was sought to be rectified:

- (a) Sedimentation in 70 years in the reservoir of area of 106 sq.km at the rate of .064 ha.m/sq.km/year comes to about 456 ha.m based on 96% trap efficiency instead of 11787 ha.m. as mentioned on pages 2-6.
- (b) Contradiction regarding forest land required by the project since it is mentioned, as 7553 ha on pages 3-12 and only 75 ha on page 4.5
- (c) On page 4 of the questionnaire, the head 'flow rate of water' has been kept blank. This should have been referred to page 3-13 of EIA.
- (d) The data on area and production of paddy (WRC) are more than a decade old. Latest figures should be put as far as possible (Pages 8-6).
- (e) Spelling mistakes: On page 2-21 and on many other pages, write burrow area instead of borrow area

The Committee recommended the project for environmental clearance subject to conditions .

(VI) Gundlakamma Reservoir Project, Dist Prakasam, Andhra Pradesh.

This is an irrigation project to irrigate 38634 ha of gross command area (GAC). The reservoir will submerge 1777 ha of land affecting 1800 families with a population of 13500. There are no environmentally sensitive areas in the project site including forest land. The Committee discussed the project and made the following observations:

- (i) Though it is a major irrigation project, in the absence of soil data, it is difficult to ascertain the extent of pollution likely to occur through fertilisers and intensive use of pesticides. Moreover, in the absence of leaching data, it is uncertain to know about the degree of leaching of agro chemicals in such soils of moderately slow infiltration rate.
- (ii) As 13 million cubic meter of drinking water to Ongole town adjoining 43 villages are committed, remedial measures to bring down the alkalinity within permissible limits as also coliform count should be indicated.
- (iii) For project period and post project period monitoring, initial ambient air quality data may be collected.
- (iv) As instances of malaria is related to the flow rate of water, the rate of flow to be indicated.
- (v) The submergence area is mentioned differently on pages XI and XX as 1777 ha and 2166 ha, may be reconciled.
- (vi) The impact of iron ore mining in the project area may be looked into.
- (vii) The infiltration rate for three soil types indicate the same, minimum and maximum range, how this has been determined, is not clear.
- (viii) The unit of electrical connectivity is not correct. This may be reported in dS per meter.
- (ix) SAR of Ground Water should be reported.
- (x) The description of land capability/ irrigability/ classification indicates moderate/severe limitations on both, the same needs to be monitored.
- (xi) The outlay of Rs.40 lakhs for CAD works comes to meager Rs.124 per ha. The allocation is too little to achieve any meaningful data.

The Committee suggested that the above information may be clarified and corrected. Project will be reconsidered in the next meeting of the Expert Committee.

Any other items

The Committee was informed by the Member Secretary that the Ministry can provide funds for organising Workshop/Seminar which could be availed for organizing an interactive meet with State Governments and other Project Implementing Agencies that could would help to streamline environmental appraisal procedures and follow standard practices for evaluation. This will help in improving the quality of EIA/EMP Reports. The Chairman appreciated the idea and suggested that, in consultation with CWC, an event could be planned around

March 10, 2003. The Indian Water Works Association and the Regional office of CWC ,WALMI (Tezpur) could be consulted in organizing the event.

It was decided to hold the next meeting of Expert Committee on February 14, 2003, if sufficient number of projects come up or else, on March 10, 2003.

The meeting ended with a vote of thanks to the chair.

LIST OF PARTICIPANTS

**15th Meeting of Expert Committee for River & Hydroelectric Projects
held on 16.1.2003.**

Sl.No.	Name	Designation
1.	Shri M.A.Chitale, Vedant Grihakul, Sawarkar Chowk, New Shreya Nagar, Aurangabad 431005	Chairman
2.	Dr. A.K. Bhattacharya, Water Technology Centre, Indian Agricultural Research Institute, New Delhi-110012.	Member
3.	Shri A.D. Bhardwaj, Chief Engineer (EMO), Central Water Commission, 613(W), Sewa Bhawan, R.K. Puram, New Delhi-110066.	Member
4.	Shri R.K. Khanna, Director (EIA), Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi-110066.	Member
5.	Shri O.P. Sisodia, Ministry of Rural Development, New Delhi.	Member
6.	Dr. A. Sarkar	Member
7.	Prof. Susanta Basu, Professor, Department of Earthquake Engineering, Indian Institute of Technology, Roorkee-247667	Member
8.	Shri P.G. Sastry, H.No.1-8-678/A/1, Padma Colony, Nallakunta, Hyderabad 500 044.	Member
9.	Prof. S Chanda, Centre for Studies of Man and Environment,CK-II, Sector 2, Salt Lake, Calcutta 700091.	Member
10	Shri S. Shiva Kumar, Director, MoEF, CGO Complex, Lodhi Road, New Delhi- 110003.	Member Secretary
11.	Dr. Harendra Kharkwa, RA	MoEF

(169)

Project Authorities.**Sewa Hydroelectric Project, Stage II, J&K**

1. Shri S.M. Hussain, GM, NHPC
2. Shri Vipin Kumar, Sr. Manager, NHPC
3. Shri A.K.Rahut, Sr. Manager, NHPC
4. Shri Sandeep Mittal, Manager, NHPC
5. Prof Shahsi Kaul, Consultant, Jammu University.

Nira Deoghar Irrigation Project, Dist Pune, Maharashtra

1. Shri A.B. Patil,
Superintending Engineer,
Pune Irrigation Project Circle,
Pune (Maharashtra)
2. Shri V.S. Ghogare,
Executive Engineer,
Nira Deoghar Irrigation Project,
Division: Bhore,
Dist Pune (Maharashtra)

Sriram Sagar Project, Stage II, A.P.

1. Shri P.V. Rama Rao,
Chief Engineer,
I&CAD Dept,
SRSP Stage II, FFC,
WARANGAL 506001.
2. Shri J. Sridhar,
Senior Faculty,
EPTRI,
Hyderabad.-500 028.
3. Dr. P. Kesava Rao,
IPGSR, JNT University,
Hyderabad-500 028.

Flood Flow Canal Project for SRSP.II,A.P.

1. Shri P. V. Rama Rao,
Chief Engineer,
I&CAD Dept,
SRSP-II,
WARANGAL
2. Shri P. Sridhar,
EPJR
3. Shri B. Ramana,
AEE, LO

Bairabi Dam Hydrel Project, Mizoram

1. Shri H.L. Parthasarthy,
Superintending Engineer,
P&E Department,
Mizoram
2. Shri A.K. Das,
Advisor,
Deptt of Power,
MIZORAM
3. Shri D. Ravishankar,
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New Delhi-110009.
4. Shri T.S. Baathija,
Sr. Consultant, CES
5. Shri K. Guite,
SE,
Power & Electricity Department,
Mizoram
6. Shri L. Pachuau,
SE,
Power & Electricity Department,
Mizoram

- 0
7. Shri N. Ranjit Singh,
EE(Civil),
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Aizwal
 8. Dr. Roma Makherjee,
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CES,
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Gundalkamma Reservoir Project, A.P.

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IA&CAD,
Govt of A.P.,
Hyderabad
2. Shri B. Ramana
Spl Liaison Office,
A.P. Bhawan,
New Delhi.
3. Shri U.M. Lal,
Consultant,
Hyderabad
4. Shri P.Ramachandra Rao,
AEE,
Office of CE, (Investigation),
Origole 523001
5. Shri K.S. Prasad,
Deputy EE,
Office of CE (Investigation),
Orgole 523001.



Annexure R-4 35

Sl. No. / 1000

भारत सरकार
पर्यावरण एवं वन मंत्रालय
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS

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F. No. J- 12011/26/2000-IA-I.

Dated: 14.05.2003.

To,

The Secretary to Govt. of A.P.,
Department of Irrigation & CAD (PW),
A.P. Secretariat,
Hyderabad -
Andhra Pradesh

Subject – Flood Flow Canal project from Sri Rama Sagar project (District Mahabubnagar, Andhra Pradesh – Environmental Clearance - regarding.

Sir,

This has reference to your letter No. 30788/SRSP-1(1)/2002-1, dated 28.9.2002, and subsequent letter department of Irrigation & CAD letter No. CE/SRSP-II&FFC/Wgl/TS/AEE/FFC/2962 & 2979 dated 18.11.02, 26.11.2002, 21.12.2002 & 07.01.2003 on the subject.

2. The above referred proposal was considered by the Expert Committee for River Valley & Hydroelectric projects at its meeting held on 29.11.2002 & reconsidered on 16.01.2003. The proposed Flood Flow Canal project from Sri Rama Sagar project will provide irrigation facilities to the upland drought prone areas of Karimnagar, Warangal and Nalgonda Districts of Andhra Pradesh to an extent of 89,029 ha. An area of 40,468 ha. will be irrigated by gravity flow and the rest 48,561 ha. by lift irrigation to utilise 339 Mcum of surplus water from the foreshore of Sri Ram Sagar Project Reservoir. No forest land is involved. In all 17,056 persons will be affected due to this project. The estimated cost of project is Rs 1331.30 crores, at 1992-93 price level.

3. The Ministry of Environment and Forests hereby accords environmental clearance as per the provision of Environmental Impact Assessment notification, 1994, subject to the strict compliance of the terms and conditions mentioned below –

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Part – A: Specific conditions

1. Catchment area treatment plan as proposed should be completed in five year. The plan is reproduced below –

Sl. No.	Type of treatment	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year	Total
	MID MANAIR RESERVOIR						
1. Biotic treatment measures (Area in Sq. km.)							
a.	Social forestry, Agree-forestry, Silviculture	75.00	100.00	100.00	100.00	73.13	448.13
b.	Afforestation and Re-vegetation	10.00	20.00	20.00	20.00	24.38	94.38
c.	Soil and moisture Conservation measures with vegetation barriers and horticulture	300.00	375.00	375.00	375.00	279.00	1704.00
d.	Soil and moisture Conservation measures with Agro-horticulture / Agro-forestry	4.00	7.00	7.00	7.00	3.75	28.75
e.	Overseeding of grasses	1.00	1.00	1.00	1.00	1.00	5.00
2. Engineering / Gully control works (In No.)							
a.	Gully Plugs	30	30	30	30	30	150
b.	Rock fill dam	15	15	15	15	15	75
c.	Check dams	-	-	-	-	-	-
II. GOURAVELLI RESERVOIR							
1. Biotic treatment measures (Area in Sq. km.)							
a.	Social forestry, Agree-forestry, Silviculture	2.000	2.500	2.500	2.500	1.425	10.925
b.	Afforestation and Re-vegetation	-	-	-	-	-	-
c.	Soil and moisture Conservation measures with vegetation barriers and horticulture	0.600	0.700	0.700	0.700	0.675	3.375
d.	Soil and moisture Conservation measures with Agro-horticulture / Agro-forestry	-	-	-	-	-	-
e.	Overseeding of grasses	0.030	0.050	0.050	0.050	0.045	0.225
3. Engineering / Gully control works (In No.)							
a.	Gully Plugs	1	2	2	1	1	6
b.	Rock fill dam	-	1	1	1	-	3
c.	Check dams	-	-	-	-	-	-

2. In all 17,056 persons will be affected due to this project. The affected persons should be rehabilitated as per the Government of Andhra Pradesh policy & report submitted to this Ministry.

Part -B. General conditions.

- i) Provision of supplying kerosene or cooking gas / Pressure Cooker to the labourers should be kept instead of supplying fuel wood.
 - ii) Fuel depot may be opened at the site to provide the fuel (kerosene/wood /LPG). Medical facilities as well as recreational facilities should also be provided to the labourers.
 - iii) All the labourers to be engaged for construction works should be thoroughly examined by health personnel and adequately treated before issuing them work permit.
 - iv) Restoration of construction area including dumping site of excavated materials in the project area should be ensured by levelling, filling up of burrow pits, landscaping etc. The area should be properly afforested with suitable plantation.
 - v) A multidisciplinary committee should be constituted with representatives from the disciplines of forestry, ecology, wildlife, soil conservation, NGO etc. to oversee the effective implementation of the suggested safeguard measures.
 - vi) Financial provision should be made in the total budget of the project for implementation of the above suggested safeguard measures.
 - vii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office, Bangalore for review.
4. Officials from Regional Office MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection.
 5. The responsibility of implementation of environmental safeguards rests fully with the Irrigation Department, Govt. of Andhra Pradesh.
 6. In case of change in the scope of the project, project would require a fresh appraisal.
 7. The Ministry reserves the right to add additional safeguard measures subsequently if found , necessary and to take action including revoking of the clearance under the provisions of the environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time- bound and satisfactory manner.

8. This clearance letter is valid for a period of five years from the date of issue of this letter for commencement of construction work.
9. A copy of the clearance letter will be marked to concerned Panchayat /local NGO, if any, from whom any suggestion/representation has been received while processing the proposal.
10. State Pollution Control Board / Committee should display a copy of the clearance letter at the regional office, district industries centre and collector's office / tehsildar's office for 30 days.
11. The project proponent should advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the State Pollution Control Board/Committee and may also be seen at Website of the Ministry of Environment and Forests at <http://www.envfor.nic.in/>.

(S. Shiva Kumar)
Director (IA)

Copy to: -

1. The Secretary, Ministry of Water Resources, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110001.
2. Secretary, Department of Ecology & Environment, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
3. Secretary, Department of Irrigation, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
4. The Advisor (I&CAD) Planning Commission, Yojana Bhawan, New Delhi - 110 001.
5. The Chief Engineer (PAD), Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi - 100062.
6. CCF, Regional Office, Ministry of Environment & Forests, Bangalore.
7. EI - Division, MOEF, New Delhi - 110001.
8. Guard file.


(S. Shiva Kumar)
Director (IA)



भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और
गंगा संरक्षणविभाग
गोदावरी नदी प्रबंधन बोर्ड
५वीं मंजिल, जलसौधा
एररुम मंजिल, हैदराबाद- ५०००८२



Government of India
Ministry of Jal Shakti
Department of Water Resources, River
Development and Ganga Rejuvenation
Godavari River Management Board
5th Floor, Jalasoudha, Errum Manzil
Hyderabad- 500 082

No.GRMB/INSP-REP/2021 / 1985

Dt.:29.09.2021.

To

Ramesh Kumar, Advocate, No. 27 Lal
Mohammad Lane, Chepauk, Chennai-
600005.

Sub.: Report of Joint Committee in pursuance of Hon'ble NGT Chennai Bench order
dated 13.08.2021 in OA No.180/2021 Baddam Raji Reddy and others vs Union
of India and others—E-filing in NGT-reg.

Sir,

Please find enclosed the Report of Joint Committee as per Para 7 of the above Hon'ble
order for e-filing as per para 10 of the same order.

Encl.: as above.

Yours faithfully,

(P S Kutiyal)

Member, GRMB &
Nodal Member of the Joint Committee

Report on Hon'ble NGT's Orders in O.A.No.180/2021 (SZ) in connection with Change in Scope of the Flood Flow Canal and Gouravelli Reservoir in Telangana.

The Hon'ble National Green Tribunal (NGT) Southern Bench, Chennai has constituted Joint Committee in O.A. of 180 of 2021 of NGT(SZ). The members of the committee as per the order for O.A. 180 of 2021 (date of hearing: 13.08.2021) para 7 are as follows:

1. Sr. Officer, MoEF & CC, GoI, Integrated Regional Office, Chennai or its subsidiary office at Hyderabad, if any;
2. Sr. Officer from Godavari River Management Board;
3. Sr. Officer, Central Water Commission, Integrated Regional Office, Hyderabad.

Members of Joint Committee:

Accordingly, the following is the composition of members as nominated by the respective organisations:

1. Dr E. Arockia Lenin, Scientist 'C', IRO, MoEF&CC, Hyderabad;
2. Shri P. S. Kutiyal, Member, GRMB, Hyderabad;
3. Shri M. Ramesh Kumar, Director, CWC, KGBO, Hyderabad.

Site inspection of Joint committee: The team undertook to visit to embankment, off-take points of left side and right side canals, pump house & delivery cistern

of Gouravelli Reservoir. One of the three pump houses constructed at 73 Km, 34 Km & 0.10 Km of Flood Flow Canal.

1. **Gouravelli Reservoir:** Both off taking structures for left side and right side canals from reservoir were seen almost completed. Earthen embankment was raised except for the portions for the access to the reservoir area and near the delivery cistern to the reservoir from the pump house and shaping, pitching, drainage etc., are partially taken up. No construction activities was going on in other components except installation of pump in the pump house at the time of inspection.
2. **Pump House at 73.00 Km near Rampur (V), Malyal (M), Jagityal (Dt):** Pump house system with cross regulators across & left side of FFC, 8 pumps of 6.5 MW (52 MW) with total discharge capacity of 11000 cusecs between fore bay and delivery cistern, completed in all respects.

Project Background: It is observed from documents made available and on site visit that the capacity of Gouravelli Reservoir project which was originally envisaged to store water of 1.41 TMCft to provide irrigation facilities to 48561 Ha (1,20,000 acres) is now being constructed for an enhanced capacity of 8.23 TMCft with consequent increase in the pump house capacity and feeder canal and the irrigation being envisaged to the same area i.e. 48561 Ha during Kharif. Due to this enhancement of capacity, the area of submergence will increase from

769.25 ha to 1566.8 ha, with an increase in partially submerged villages from 2 to 6 with number of Project displaced families (PDFs) increase from 937 to 1104.

The project has been given clearance by the Technical Advisory Committee (TAC) of MOWR on 03.04.1996. At that time, the project envisaged formation of 3 number reservoirs of capacity 7.346 TMCft, 25.873 TMCft and 1.095 TMCft at Gouravelli Village. However, the State Govt. again approached CWC with a revised proposal in which there was only 2 reservoirs of capacity 25.873 TMCft and 1.41 TMCft at Gouravelli Village. Approval was accorded for this project by TAC of MOWR in its 128th Meeting dt. 29.02.2016. However, the ayacut to be served in the earlier proposal was 2,20,000 acre and in the second proposal it was 2 lakh acre out of which the Gouravelli Reservoir was envisaged to provide irrigation facility to 1,20,000 acre in both the proposals. Environmental clearance was granted to this project vide letter No.12011/26/2000-IA-1 dt.14.05.2003 under the provisions of EIA Notification 1994 for commencement of work within 5 years from the date of issue of the letter with specific condition as below:

S. No.	Type of treatment	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year	Total
Mid Manair Reservoir							
I	Biotic treatment measures (are in sq.km.)						
i	Social forestry, Agree-forestry, Silvipasture	75.00	100.00	100.00	100.00	73.13	448.13

ii	Afforestation and Re-vegetation	10.00	20.00	20.00	20.00	24.38	94.38
iii	Soil and Moisture conservation measures with vegetation barriers and horticulture	300.00	375.00	375.00	375.00	27.00	1704.00
iv	Soil and Moisture conservation measures with Agro-horticulture / Agro-forestry	4.00	7.00	7.00	7.00	3.75	28.75
v	Overseeding of grasses	1.00	1.00	1.00	1.00	1.00	5.00
II	Engineering / Gully control works (in No.)						
i	Gully Plugs	30	30	30	30	30	150
ii	Rockfill dam	15	15	15	15	15	75
iii	Check dams	-	-	-	-	-	-
Gouravelli Reservoir							
I	Biotic treatment measures (are in sq.km.)						
i	Social forestry, Agree-forestry, Silviculture	2.000	2.500	2.500	2.500	1.425	10.925

ii	Afforestation and Re-vegetation	-	-	-	-	-	-
iii	Soil and Moisture conservation measures with vegetation barriers and horticulture	0.600	0.700	0.700	0.700	0.675	3.375
iv	Soil and Moisture conservation measures with Agro-horticulture / Agro-forestry	-	-	-	-	-	-
v	Overseeding of grasses	0.030	0.050	0.050	0.050	0.045	0.225
II	Engineering / Gully control works (in No.)						
i	Gully Plugs	1	2	2	1	1	6
ii	Rockfill dam	-	1	1	1	-	3
iii	Check dams	-	-	-	-	-	-

However, it has been found that none of the specific conditions mentioned above have been undertaken.

Further, interventions were made to back pump water to the Sri Ram Sagar project (SRSP) by supplementing water from another new project viz.,

Kaleswaram project. For this purpose three pump houses were constructed on the Flood Flow canal with the required paraphernalia such as cross regulators, forebay, delivery cistern etc. thus changing the scope of the earlier project approved by the Technical Advisory Committee of MOWR.

Terms of Reference of Joint Committee:

The NGT order directed the joint committee to ascertain the points:

(i) Whether the proposed project requires prior environmental clearance:

As already mentioned above, environmental clearance was sought and it was granted vide letter dated 14.05.2003 for commence of work within a period of 5 years which expired on 13.05.2008. However, the State Government of both the combined Andhra Pradesh and new State of Telangana neither sought extension nor granted any further environmental clearance, which was necessary for taking up the construction work. Also, the general conditions stipulated in case of Change in Scope of the project would require a fresh proposal-i.e. a fresh EIA along with EMP has to be carried out and to be submitted to MoEF&CC for their appraisal and grant of Environmental Clearance as per EIA Notification 2006, which was also not done.

- Further, the change in scope of flood flow canal was observed as alleged by applicant. Project proponent has constructed three reverse pumps at flood flow canal of Sri Rama Sagar project without obtaining amendment

in the environmental clearance granted to this project. It is submitted that, as per conditions 6 of Environmental clearance granted to this project, the change of scope of the project requires fresh appraisal.

- In case of Gouravalli reservoir, construction work has not been started till 2017 according to Google earth images. The project proponent would have obtained renewal/fresh environmental clearance from MoEF&CC, as per condition no. 8 of environmental clearance letter granted to this project stating Environmental Clearance is valid for period of five year from the date of issue of this letter for commencement of construction work.
- Joint committee is opined that, though the project proponent has obtained environmental clearance for flood flow canal project, amendment from MoEF&CC would have been obtained by project proponent in both the cases as scope of the project changes. Therefore, changing the scope of project without approval of MoEF&CC attracts violation of EIA notification 2006.
- Given the above facts and circumstances, the Hon'ble NGT may pass appropriate order as deemed fit.

(ii) Impact of this project on environment:

- The Joint committee is opined that non-compliance of environmental clearance conditions may lead to environmental damages. The observation on prima facie evidences by Joint committee are mentioned below,

- Proponent did not submit any six monthly compliance report to Ministry since the grant of Environmental clearance letter.
- Compliance of specific conditions of environmental clearance issued to project authority has not been complied so far.
- Dumping of Over Burden and stabilisation are not carried out properly.
- Ambient air, fugitive emission, water (surface & ground water), and noise level have not been monitored so far.
- Generation and Disposal of wastes, mucks, hazardous wastes are not monitored and submitted.
- Vehicle movements and emissions were not monitored.
- Water sprinkling to control fugitive emission and green belt are not provided.
- Details of DG sets emissions are not submitted.
- Facility of STP and ETP are not provided.
- The labourers to be engaged for construction works shall be thoroughly examined by health personnel and adequately treated before issuing them work permit.
- Medical facilities as well as recreational facilities shall also be provided to the labourers adequate arrangements for providing free fuel like kerosene/wood/LPG shall be made at the project cost for the labour engaged in the construction work so that indiscriminate felling of trees is prevented.

- (iii) Whether any study has been conducted by the State of Telangana before going into the question of expanding the project as alleged by the applicant:**

It has been found that no fresh environmental impact assessment study has been done by the project proponent for the expanded project.

- (iv) What is the nature of consequential impact on the villagers due to subsequent receding area of the reservoir, which is likely to lead to submergence or inundation of nearby villages:**

Due to the enhancement of capacity, the area of submergence will increase from about 769.25 ha to 1566.8 ha, with an increase in partially submerged villages to 6 from 2 and number of PDFs increase to 1104 from 937.

Additional recommendations for implementations PAFs:

- The project proponent has to prepare the R&R benefits & plan for PAFs as per the “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” which has come into effect since January, 2014.
- For the land losing households will be as per the National Rehabilitation and Resettlement Policy, 2007 or as per the State Rehabilitation and Resettlement Policy, whichever is more beneficial to project affected persons (PAFs). Adequate publicity of the compensation package of NRRP 2007 shall be given in the affected villages. All R&R issues shall be

completed before commissioning of the project. In case latest Act of 2014 is applicable, the same Act is to be followed

- The implementation of R&R shall be closely monitored and is to be ensured that all project affected families (PAFs) get adequate & timely compensation before commissioning of the project
- A Monitoring Committee for R&R shall be constituted which must include representatives of project affected persons including from SC/ST community and at least a woman beneficiary

(v) Whether any alternate rehabilitation projects have been envisaged by the Govt to replace or re-settle the persons likely to be affected by the project:

The authorised officer for land acquisition and Revenue Divisional Officer of Husnabad, Govt. of Telangana informed that due to receding area of submergence, 5 hamlets (thandas) are being totally submerged and 166 additional families are affected. The State Govt. has offered a R&R package which is under finalisation. He also informed that in the earlier submergence 937 PDFs are there out of which 924 PDFs are made payment and the balance would be paid shortly.

- (vi) **Whether any ecologically sensitive areas are likely to be affected on account of the project being expanded, if so, what are the remedial measures to be taken to protect the same:**

No ecologically sensitive areas are being affected on account of the expanded project.

- (vii) **If there is any violation committed in proceeding with the project against the environmental laws, then the Committee is directed to assess the environment compensation and also suggest remedial measures to restore the damage caused to the environment:**

It is observed that in proceeding with the construction without seeking extension of the Environmental Clearance granted for start of the construction work for Flood flow canal of which Gouravelli Reservoir which is 85% complete as on date, is a part, environmental laws have been violated.

As directed by Hon'ble NGT, the environmental compensation and immediate restoration measures are given below.

Environmental compensation: The environmental compensation is calculated based on following formula of CPCB.

$$E=PI \times N \times R \times S \times LF$$

$$E=50 \times 1095 \times 250 \times 1.5 \times 1$$

$$E=Rs. 20,531,250/-$$

(E=Environmental compensation

PI=Pollution index of industrial sector (average PI of 50 is taken for orange category)

N=Number of days violation took place (three years = 1095 days)

R= A factor in Rupees for EC (250 is considered for environmental compensation for violation)

S = Factor for scale of operation (medium scale of 1 is considered)

LF = Location factor (1 is considered for less one million population)

Therefore, it is submitted that an amount of Rs. 20,531,250/- is calculated as environmental compensation.

Remedial measures to restore the damage caused to the environment:

Recommendations for Immediate Remedial measures for restoration of environment are given below for implementations:

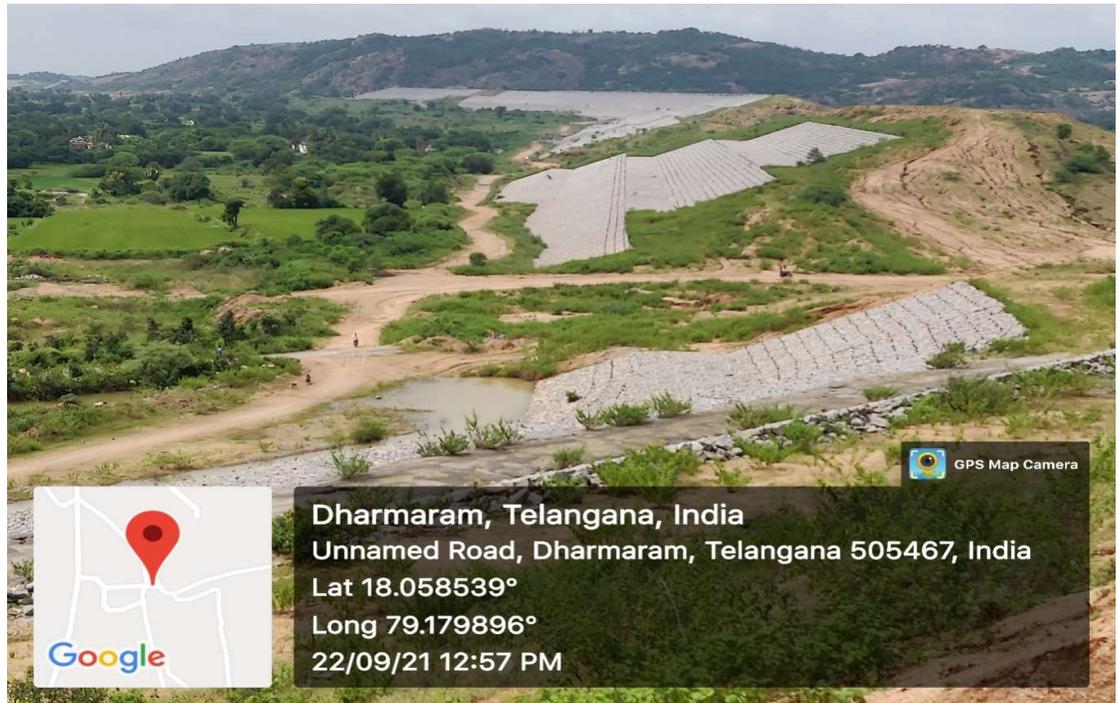
- A separate environment cell need to establish. Allocations budget and implementations of environment management protection measures to be maintained in separate account.
- Restoration of construction area including dumping sites of excavated materials shall be ensured by leveling, filing up of borrow pits, landscaping etc. The area should be properly treated with suitable plantation.

- Environmental parameters shall be monitored and six monthly monitoring reports shall be submitted to the concerned Regional Office of the Ministry and to Ministry
- Water sprinkling arrangements shall be made to suppress the fugitive emissions
- Dump stabilisation, catch drains, green belt and desiltations are to be carried out properly
- Used drums, vehicles, scraps, pipes and other materials have to be disposed off with TSPCB authorised vendor.
- The proposed green belt development around various project appurtenances, colony rows with ornamental plants in consultation with State Forest Department shall be strictly adhered to. The green belt development shall be taken along with the construction of dam so that the rim is stabilized at the time of impounding.
- Occurrence of stagnant pools/slow moving water channels during construction and operation of the project providing breeding source for vector mosquitoes and other parasites. The river should be properly channelized so that no smell pools and puddles are allowed to be formed
- Longitudinal connectivity ensuring hydraulic compatibility at bed level is to be provided to ensure non-disruptive biota movement and sediment transportation. For this necessary feature may be incorporated in design of dam

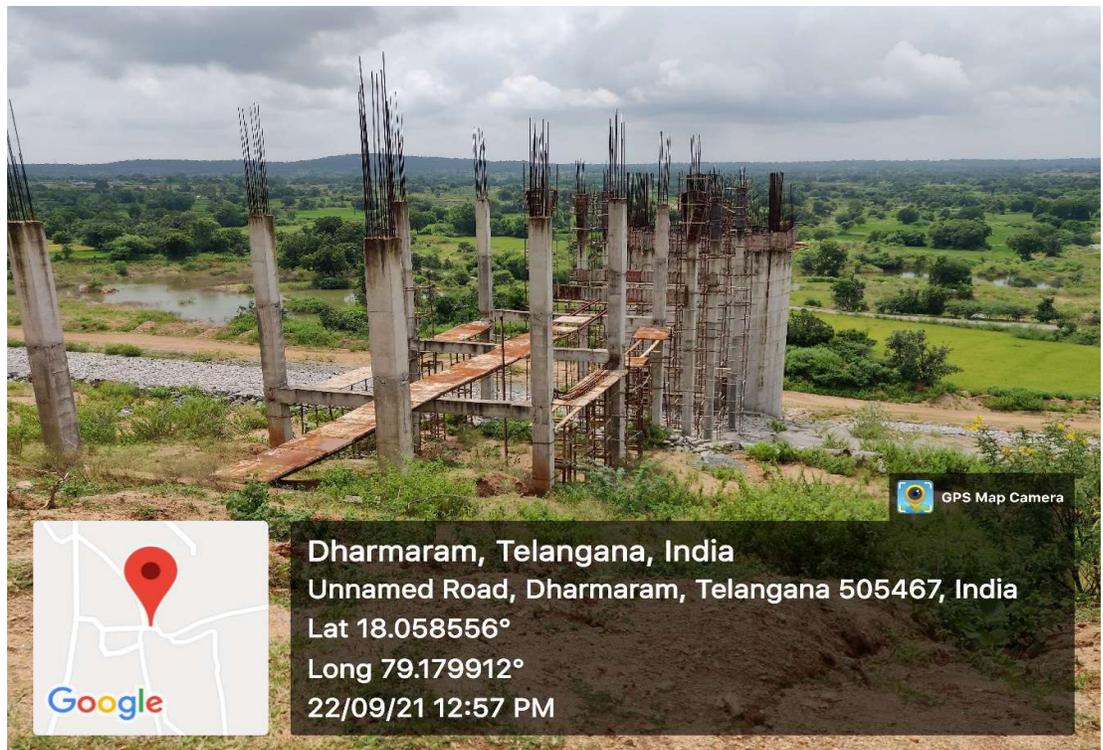
- The equipment likely to generate high noise levels during the construction period or otherwise shall meet the ambient noise level standards as notified under the Noise Pollution(Regulation and Control) Rules, 2000, as amended in 2010 under the Environment Protection Act (EPA), 1986
- Permission shall be obtained from forest department if, cutting of trees is involved in the submergence area.
- Approval shall be obtained from TSPCB for stone crushing unit and Ready Mix Plant are installed at the site.

Given the above facts and circumstances, the Hon'ble NGT may pass order as deemed fit.

Site Photographs



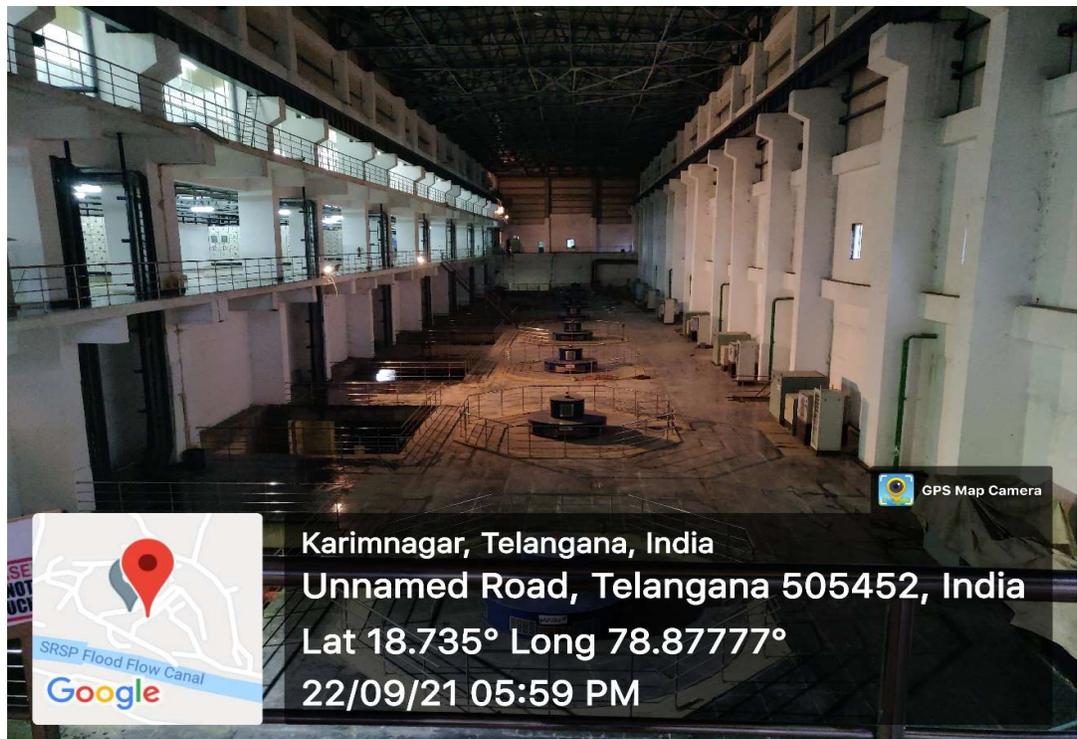
Earthen embankment



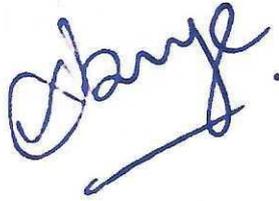
Off-taking structure for Left Side Canal of Gouravelli Reservoir



Cross Regulator across Flood Flow Canal



Pump House @ 73.00 Km near Rampur (V)

Sl. No.	Name and Designation	Signature
1	Dr E. Arockia Lenin, Scientist 'C', IRO, MoEF&CC, Hyderabad (Member)	
2	Shri P. S. Kutiyal, Member, GRMB, Hyderabad (Member-Nodal Agency)	 29.09.2021
3	Shri M. Ramesh Kumar, Director, CWC, KGBO, Hyderabad. (Member)	 29/9/21

F. No. L-11011/11/2021-IA-I (R)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhavan,
 2nd Floor, Vayu Wing,
 Jor Bag Road, Aliganj
 New Delhi - 110 003

Dated: 07th January, 2022

Sub: Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 for not taking prior Environmental Clearance regarding expansion work under Project titled Flood Flow Canal Project from Sri Rama Sagar project at Hyderabad District, Telangana – reg.

Whereas, the Ministry accorded Environmental Clearance for Flood Flow Canal Project from Sri Rama Sagar project vide letter no. J-12011/26/2000-IA-I on 14.05.2003 which will provide irrigation facilities to the upland drought prone areas of Karimnagar, Warangal and Nalgonda Districts of Andhra Pradesh to an extent of 89,029 ha. culturable command area.

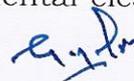
Whereas, OA No. 180 of 2021 was filed before the Hon'ble NGT (SZ), Chennai on the ground that the Irrigation & CAD Department of State of Telangana, under Re-Engineering Proposal, issued orders for expansion of Gouravelli Reservoir, situated in Siddipeta District, from 1.410 TMCs to 8.23 TMCs without obtaining prior environmental clearance from the Ministry. The applicant raised the contention that the State of Telangana is heading with old Environmental Clearance which was granted on 14.05.2003 for the expansion of the Gouravelli Reservoir in 2021.

Further, it was alleged that the Flood Flow Canal project envisaged an irrigation facility to an area of 2.2 lakh acres in the drought-prone areas of the Telangana region, diverting about 20 TMC of surplus of water from the Sri Ram Sagar Project during floods and storing in Balancing Reservoirs.

Whereas, the Hon'ble National Green Tribunal (NGT) Southern Bench, Chennai vide order dated 13.08.2021 had constituted three Joint Committee represented by IRO, MoEF&CC, Godavari River Management Board and Central Water Commission, Integrated Regional Office, Hyderabad.

Whereas, the Joint Committee conducted the site visit and filed its report before the Hon'ble Tribunal on 29.09.2021. The Joint Committee reported that "not only you have constructed three reverse pumps at flood flow canal of Sri Rama Sagar project without obtaining amendment in the environmental clearance granted to this project, you have also not complied with the existing environmental clearance conditions. The observation regarding non-compliances based on prima facie evidences by Joint committee are mentioned hereunder:

- i. Proponent did not submit any six monthly compliance report to Ministry since the grant of Environmental clearance letter.
- ii. Compliance of specific conditions of environmental clearance issued to project authority has not been complied so far.



Contd. /

- iii. Dumping of Over Burden and stabilization are not carried out properly.
- iv. Ambient air, fugitive emission, water (surface & ground water), and noise level have not been monitored so far.
- v. Generation and Disposal of wastes, mucks, hazardous wastes are not monitored and submitted.
- vi. Vehicle movements and emissions were not monitored.
- vii. Water sprinkling to control fugitive emission and green belt are not provided.
- viii. Details of DG sets emissions are not submitted.
- ix. Facility of STP and ETP are not provided.
- x. The labourers to be engaged for construction works shall be thoroughly examined by health personnel and adequately treated before issuing them work permit.
- xi. Medical facilities as well as recreational facilities shall also be provided to the labourers adequate arrangements for providing free fuel like kerosene/wood/LPG shall be made at the project cost for the labour engaged in the construction work so that indiscriminate felling of trees is prevented.

Whereas further, it is also categorically stated in the said report (page no. 7) that, 'the scope of the project has been changed', amounting to violation of condition no. 6 of Environmental clearance granted to this project. (Copy of order dated 13.08.2021 and Joint Committee Report is enclosed).

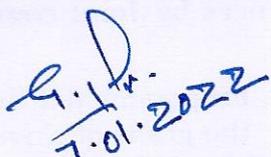
Whereas, after considering the findings of the Joint Committee Report, the matter was examined in the Ministry and it has been inferred the construction for expansion of Gouravelli Reservoir is done without prior environmental clearance and there is various non-compliance of EC conditions. Hence, the EIA Notification, 1994/2006 (as amended from time to time) has been violated as the said construction was carried out without environmental clearance.

Now, therefore, in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to reply show cause within 15 days of receipt of this notice as to why this Ministry shall not take action against you under the provision of Environment (Protection) Act, 1986 for the aforementioned violation of EIA Notification, 1994/2006. In your response, clarification w.r.t the said violation may also be clearly stated. It may also be noted that if no response is received within 15 days, appropriate orders as may be deemed fit will be passed and issued under the circumstances of the case without any further notice to you. Also, this show cause is without prejudice to any other legal action which may be taken against you.

This issues with the approval of the Competent Authority.

To,

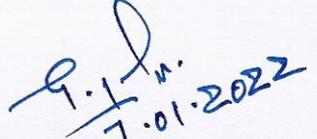
Engineer In-Chief
Irrigation & CAD Department,
Govt. of Telangana,
Jalasoudha Building, First Floor,
Errum Manzil, Hyderabad - 500 082


7.01.2022
(Yogendra Pal Singh)
Scientist 'E'

Contd. /

589730/2022/IA_I
Copy to:-

1. The Deputy Director General of Forests (C), Ministry of Env., Forest and Climate Change, Integrated Regional Office, Hyderabad 3rd Floor, Room No. 309, Aranya Bhawan, Opp. RBI, Safiabab - 500 004, Hyderabad, Telangana.
2. Central Water Commission (CWC), Rep. by its Chairman, Sewa Bhavan, R.K. Puram, New Delhi - 110 606.
3. The District Collector of Siddipet, ICC Building, Kushal Nagar, Hyderabad Road, Siddipet, Telangana, 502 103.


7.01.2022
(Yogendra Pal Singh)
Scientist 'E'