


BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI
(Application under Sections 14, 15 read with Section 17, 18 & 20
of the National Green Tribunal Act, 2010)
ORIGINAL APPLICATION NO. 137 OF 2021

IN THE MATTER OF:

Gutha Gunasekhar, & Others Applicants
Versus
Union of INDIA & Others Respondents

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EXECUTIVE ENGINEER
Krishna River Management Board
तीसरी मंजिल, जल सौधा/3rd FLOOR, JALASOUDHA
एरममंजिल/ERRUMMANZIL, हैदराबाद/HYDERABAD-500 082

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE BENCH AT CHENNAI

(Application under Sections 14, 15 read with Section 17, 18 & 20
of the
National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. 137 OF 2021

IN THE MATTER OF:

1. Gutha Gunasekhar, Age 36 Years
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S/o B.Ramalingachari.



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6. SompalliLakshmipati Naidu, Age: 64 Years
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Mobile 9908820279

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8. Sannapaneni Balaji Age 25 Years
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9. Gutha Keshavulu Naidu, Age 44 Years
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10. SompalliChangalraya Naidu, Age: 43 Years
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11. SannapaneniVasudeva Naidu, Age Years 28 Years
S/o S. Venkaratham Nadu
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Mobile No:9886681956

12. J. ChinniKrishnama Naidu, Age: 62 Years

S/o Late J, Sankaraiah Naidu,
ChinnaDevulakuppam, Avulapalli Village,
Somals Chittoor-517257
Mobile No:9886681956

13. Gutha Chandra Sekhar Naidu, Age: 62 Years
S/o Late G. Munaswamy Naidu
Nagilavar Pal village Peddauppara pa
Somala Mandal Chittoor District Andhra Pradesh- 517257
Mobile No:9886681956

...Applicants

VERSUS


1. Union of India
Rep. by its Secretary
Union Ministry of Environment. Forest & CC
Indira Paryavaran Bhavan
Jorbagh, New Delhi-110003
Mail secy-moef@nic.in Phone 011-2480526224005285

2. Union of India
Rep by its Secretary Union Ministry of Jal Sakti
Sramasakti Bhavan New Delhi-110001
Mail secy-mowr@nic.in
Phone 011-24595262, 24695255 011-23715919

3. State of Andhra Pradesh
Rep. By its Chief Secretary Secretariat
Velagapudi Guntur District, AP-522503
Mail cs@ap.gov.in Ph 03632444461

4. District Collector Chittoor District
New Collectorate Complex Chittoor, Andhra Pradesh-517002
Mail collectorchittoor@gmail.com Phone: 08572240333

5. Krishna River Management Board
Rep. by its Member Secretary Government of India, Ministry of
Water Resources
5 Floor, Jalsoudha, ErrumManzil
Hyderabad-500082
Mail membersecretary-krmb@gov.in Phone 04023301858


EXECUTIVE ENGINEER
Krishna River Management Board
జల సంరక్షణ బోర్డు/KRISHNA RIVER MANAGEMENT B
3rd FLOOR, JALASOUDHA
అంధ్రప్రదేశ్/ERRUMMANZIL, హైదరాబాద్/HYDERABAD-500 082

6. Central Water Commission
Rep. by its Chairman
313, S. Sewa Bhavan
Sector 1, Ramakrishnapuram
New Delhi-110066
Mail chairman-cwc@nic.in Phone No. 01126187232


7. Chief Engineer NTR Telugu Ganga Project
Opp. S.V. Medical College, Old Alipin
Tirupati Chittoor Dist-517507
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Mobile No 9440903871, 08772220974

... Respondents

I, Shri S. Siva Sankaraiah, S/o Shri Veera Bhadraiah, aged 57 years and working as Executive Engineer in Krishna River Management Board (KRMB) do hereby solemnly affirm and sincerely state as follows:

1. It is submitted that this report has been filed on behalf of 2nd, **5th** and 6th Respondent herein. I am well acquainted with the facts of the case on the basis of records available in our office. I have read the affidavit filed in support of the Original Application. I deny all the averments made therein except those that are specifically admitted hereunder.
2. It is submitted that, the present O.A.137/2021 has been filed praying:

"(i) To restrain the State of Andhra Pradesh from taking up of Lift Irrigation Projects and balancing reservoirs under G.O Rt.444 dated 26.08.2020 and G.O. Rt. 461 dated 02.09.2020 without prior Environment, Forest Clearance and other mandatory clearances from Respondents No.1, 2, 5 & 6 according to EIA Notification, 2006 and guidelines of CWC.


EXECUTIVE ENGINEER
KRISHNA RIVER MANAGEMENT BOARD
3rd FLOOR, JALASOUDHA
HYDERABAD-500 082

(ii) To direct the Respondents No.3 and 4 not to dispossess the Applicants and other similarly situated project affected persons.

(iii) To direct the Joint Committee appointed in OA No.71 of 2020 (SZ) to conduct comprehensive study on the Lift Irrigation Projects and balancing reservoirs proposed under G.O.Rt.444 dated 26.08.2020 and G.O. Rt.461 dated 02.09.2020 by State of Andhra Pradesh.

(iv) To initiate appropriate action against the officials of Andhra Pradesh for continuously violating the EIA Notification, 2006, EP Act, 1986 and misleading this Hon'ble Tribunal in the name of executing the Lift Irrigation Projects such as Rayalaseema Lift Irrigation Scheme, Lift Irrigation Projects on GNSS & HNSS, balancing reservoirs etc without prior EC.

(v) To pass any such orders."

3. It is humbly submitted that, as per **the Guidelines of Investment Clearance(Annexure I)** in respect of Irrigation, Flood Control Projects, issued by Ministry of Water Resources, River Development & Ganga Rejuvenation on 17 December 2015,

B. Investment clearance by the Mo WR, RD & GR.

(1) All new major and medium Irrigation projects and flood control projects or coastal protection projects including multi-purpose and which have Inter State or international ramifications will be subject to techno-economic appraisal in CWC and then approval by the Advisory Committee on Irrigation, Flood Control and Multi-purpose Projects in the Mo WR, RD & GR. The investment clearance will henceforth be accorded by this Ministry in place of the erstwhile Planning Commission. The following categories of projects of State Governments, located on inter-state rivers or their tributaries,

based on Benefit-Cost Ratio and Technical Feasibility established after exhaustive appraisal by Central Water Commission (CWC), may be recommended for investment Clearance:

(i). Major Irrigation (CCA more than 10000 ha.) & Medium Irrigation (CCA more than 2000 ha and less than 10000 ha.) Projects including Multipurpose water resources projects,

(ii). Extension, Renovation & Modernisation of Irrigation Projects,

(iii). Flood Control Projects (Major projects costing more than Rs. 25 crore and medium project costing more than Rs.12.5 crore). These costs would be revised on the basis of inflation index every five years, at the sole discretion of the Committee.

(iv) In respect of revised project estimates for Major Irrigation and Multipurpose Projects where there is no change in the scope and where the costs escalation due to price rise alone have not changed by more than 15% , the concerned State Govt. need not forward detailed estimates for examination at Centre. For such projects\estimates the procedure will be as follow:

➤ The State Govt. should send project-wise statements of excess costs to CWC giving the abstract of costs under major sub-heads indicating the excess costs over the sanctioned costs and reasons there for after obtaining concurrence of the State Finance Department.

➤ The covering note will include the salient features of the project contemplated in original proposal and that being executed at site.

contemplated ayacut under Telugu Ganga Project, Srisailem Right Bank canal & GNSS projects in Rayalaseema Region including providing drinking water to critically, chronically drought prone areas. This project also ensures drinking water supply to Chennai City as agreed by the riparian States of Krishna River basin."(Annexure-II). This indicates that the project does have inter-state implications based on sharing of river Krishna.

5. It is humbly submitted that, the DPR of Rayalaseema lift scheme has been examined in the specialized directorates of Central Water Commission and comments of Hydrology, Inter-State Matters & Irrigation Planning Directorates of Central Water Commission have been communicated to Project Authorities for compliance by Government of Andhra Pradesh (Annexure III). But, so far no reply has been received from the Government of Andhra Pradesh. It is mandatory that they comply with the request in order to proceed with the appraisal. With such appraisal the Government of Andhra Pradesh cannot unilaterally proceed to implement a scheme which has inter-state implications.

6. It is humbly submitted that, the Projects named Galeru Nagari Sujala Sravanthi (GNSS) and Handri Niva Sujala Sravanthi (HNSS) are mentioned in 11th Schedule & Section 85(7)(e) of Andhra Pradesh Reorganization Act, 2014 which states that, "such other functions as the Central Government may entrust to it on the basis of the principles specified in the Eleventh Schedule" (Annexure IV). However, these projects were not examined or approved by Central Water Commission/Ministry of Jal Shakthi through Advisory Committee of DoWR, RD & GR. Therefore, as on date no approval has been received by the Government of Andhra Pradesh which is essential to proceed with the said projects.



➤ The CWC will examine such estimates broadly and send its views to the Committee for consideration and recommendation for investment clearance.

➤ No successive proforma clearances will be allowed after a cap of 15%.

(v) Revised Cost Estimate of projects for cost escalation beyond 15% of the cost approved in the last accorded Investment Clearance for reasons other than cost escalation beyond 15%, viz. change in scope; technical reasons etc., the procedure at (iv) above would not be applicable. In that case appraisal procedure through Advisory Committee will be followed.

(vi) Extension of time after lapse of duration to complete a previously cleared project without any change in scope or estimate will be examined on case to case basis based on detailed justifications submitted by the State Govt. directly by the committee in MOWR, RD& GR.

(vii). As a general principle any project which is located on an inter-State River or its tributary will be deemed to involve inter-State ramifications and as such shall need investment clearance from this Ministry.

It is submitted that, the Detailed Project Report of only Rayalaseema Lift Scheme was received in the Central Water Commission and KRMB, DPR of GNSS & HNSS mentioned have not been received in Central Water Commission and KRMB. Hence, as on today no verification with respect to the GNSS and HNSS has been made by this Respondents.

4. It is humbly submitted that, the DPR of Rayalaseema Lift Scheme was submitted to CWC/KRMB by the Project Authority i.e., Government of Andhra Pradesh in July 2021. As per DPR, the aim of the proposed Rayalaseema Lift Scheme is to "serve the

7. No DPRs received in respect of Galeru Nagari Sujala Sravanthi (GNSS) and Handri Niva Sujala Sravanthi (HNSS) for appraisal in KRMB. However, as per para-2(f) of Gazette Notification of Jurisdiction S.O. 2842(E) dated 15-07-2021 (**Annexure V**) on Krishna River Management (KRMB): *“Both the State Governments shall stop all the ongoing works on unapproved projects as on the date of publication of this notification until the said projects are appraised and approved as per the provisions of the said Act and in accordance with the decisions taken in the 2nd meeting of the Apex Council. If approvals are not obtained within six months after the publication of this notification, full or partial operation if any of the said ongoing unapproved projects shall cease to operate.”*

Further, as per para-2(g) of notification of Jurisdiction, *“Within six months from the date of publication of this notification, both State Governments shall complete the unapproved projects appraised and approved as per the provisions of the said Act and in accordance with the decisions taken in 2nd meeting of the Apex Council. If approvals are not obtained within the stipulated time of six months, such completed unapproved projects shall cease to operate.”*


8. Following is humbly submitted for the kind consideration of the Hon^{ble} NGT;

i. Only the DPR relating to Rayalaseema lift irrigation scheme has been submitted by the Government of Andhra Pradesh and the Respondents has requested for further inputs to assess the project in detail. And as far as Galeru Nagari Sujala Sravanthi (GNSS) and Handri Niva Sujala Sravanthi (HNSS) are concerned no such DPR has been submitted by scrutiny by the Respondents.

ii. All these three schemes have inter-state and wider implications, therefore detailed study has to be carried out and moreover, the

project has to obtain sanction from this Respondents as per Andhra Pradesh Reorganization Act, 2014.

iii. Considering the above issues, the Hon'ble NGT may be pleased to direct the Government of Andhra Pradesh to submit the details with regard to the Rayalaseema Lift Irrigation project for assessment and further submit DPRs relating to Galeru Nagari Sujala Sravanthi (GNSS) and Handri Niva Sujala Sravanthi (HNSS) in order to carry out assessment of the same to grant approvals for these projects. As on date no approval has been sanctioned by this Respondents for these projects.


अभियंता / EXECUTIVE ENGINEER
कृष्णा नदी प्रबंधन बोर्ड / KRISHNA RIVER MANAGEMENT BOARD
महारी मंजिल, जल सौचा / 3rd FLOOR, JALASOUDHA
महारी मंजिल / ERRUMMANZIL, हैदराबाद / HYDERABAD-500 082

Annexure - I

No.P.15011/3/2015-SPR
Government of India
Ministry of Water Resources, River Development & Ganga Rejuvenation

Shram Shakti Bhavan, Rafi Marg,
New Delhi - 110001.

Dated 17th December, 2015

To

The Chief Secretary,
Government of all States of India

Subject: Guidelines for Investment Clearance by the M/o Water Resources, River Development & Ganga Rejuvenation in respect of Irrigation and Flood Control Projects.

Sir,

The Government has approved the transfer of powers for according Investment Clearance to major, medium irrigation, Extension, Renovation & Modernisation (ERM) of Projects, Flood Control and Multi-purpose projects from the erstwhile Planning Commission to the Ministry of Water Resources River Development and Ganga-Rejuvenation (M/o WR, RD&GR). Accordingly, and keeping in view the policy of decentralization, the guidelines for investment approval by the (M/oWR, RD&GR) for Irrigation and Flood Control including drainage projects are detailed below:

A. Investment clearance by the State Governments

- (1) The State Governments are empowered to accord investment approval for the major and medium irrigation & or multi-purpose and flood control projects including drainage projects, which do not have Inter-State ramifications. A project will be exempted from seeking investment clearance of Government of India in the following cases:
 - (i). If the water utilization from the project does not impinge upon any inter-state water agreement, tribunal awards, and existing allocation or is dependent on the residual flows resulting from previous Inter-State allocations, no investment clearance will be required. However, Inter-State Issues shall continue to be handled by CWC and clearance shall be obtained from CWC before approving the project.
 - (ii). If the Project is not covered under (i) above and does not envisage any central assistance through Central Sector or Centrally Sponsored Scheme, no investment clearance will be required from this Ministry. However, the major/medium and multi-purpose projects envisaging central assistance through Central Sector or Centrally Sponsored Schemes shall continue to need investment clearance.
 - (iii). Projects other than Major, Medium and multi-purpose Projects such as Schemes of Surface and Ground Water Minor Irrigation, Command Area Development and Water Management, Repair, Renovation and

Restoration of water bodies will continue to be approved by the respective State Governments, as per the existing policies.

- (iv). The State Governments shall intimate with the copy of the investment clearance accorded by them in respect of eligible schemes to the M/oWR, RD, & GR, NITI Aayog (Water Resources Division), Central Water Commission and all concerned Central Ministries Organisations.
- (2) Before according the investment approval to the schemes/projects, the concerned State/UT Government will first obtain a certificate from the Central Water Commission to the effect that such project/scheme does not have any inter-state or international ramifications/implications in case of major and medium irrigation (and multi-purpose) projects as a pre-requisite whereas for flood and drainage projects/schemes, a similar certificate from Ganga Flood Control Commission in case of all Ganga basin States, the Brahmaputra Board in case of all the North Eastern States including Sikkim and CWC in case of all other flood schemes of the States shall be obtained.
- (3) The State Government should take into account the committed liabilities of ongoing schemes vis-a-vis the availability of resources for the implementation of such scheme in the Plans so that available resources are not thinly spread over number of schemes resulting in time and cost overruns. For this purpose, the State Irrigation/Water Resources Department should obtain the clearance from their, State Planning Department.
- (4) The State Government shall also obtain all required statutory clearance(s) from the Ministry of Environment & Forests and Ministry of Social Justice and Empowerment such as environmental clearance; forest clearance, approval for rehabilitation and resettlement plan and all other clearances, as may be required by the Ministry in accordance with their latest guidelines/norms fixed by them, before the investment approval is accorded.
- (5) Before according investment approval, the State Government shall satisfy itself that:
 - (i). The schemes have been prepared after adequate investigations; and planning / designs have been made conforming with relevant standard codes and practices;
 - (ii). The estimates are complete and correct technically;
 - (iii). The financial forecasts and estimates of benefits anticipated are based on reliable and accurate data; and
 - (iv). The needs of environment conservation and proper rehabilitation of project-affected persons have been taken into account.

B. Investment clearance by the MoWR, RD & GR.

- (1) All new major and medium irrigation projects and flood control projects or coastal protection projects including multi-purpose and which have Inter-State or International ramifications will be subject to techno-economic appraisal in CWC and then approval by the Advisory Committee on Irrigation, Flood Control and Multi-purpose Projects in the MoWR, RD & GR. The investment clearance will henceforth be accorded by this Ministry

in place of the erstwhile Planning Commission. The following categories of projects of State Governments, located on inter-state rivers or their tributaries, based on Benefit-Cost Ratio and Technical Feasibility established after exhaustive appraisal by Central Water Commission (CWC), may be recommended for Investment Clearance:

- (i). Major Irrigation (CCA more than 10000 ha.) & Medium Irrigation (CCA more than 2000 ha and less than 10000 ha.) Projects including Multipurpose water resources projects,
- (ii). Extension, Renovation & Modernisation of Irrigation Projects,
- (iii). Flood Control Projects (Major projects costing more than Rs. 25 crore and Medium project costing more than Rs.12.5 crore). These costs would be revised on the basis of Inflation index every five years, at the sole discretion of the Committee.
- (iv). In respect of revised project estimates for Major Irrigation and Multipurpose Projects where there is no change in the scope and where the costs escalation due to price rise alone have not changed by more than 15%, the concerned State Govt. need not forward detailed estimates for examination at Centre. For such projects/estimates the procedure will be as follows:
 - the State Govt. should send project-wise statements of excess costs to CWC giving the abstract of costs under major sub-heads indicating the excess costs over the sanctioned costs and reasons there for after obtaining concurrence of the State Finance Department.
 - The covering note will include the salient features of the project contemplated in original proposal and that being executed at site.
 - The CWC will examine such estimates broadly and send its views to the Committee for consideration and recommendation for investment clearance.
 - No successive proforma clearances will be allowed after a cap of 15%.
- (v). Revised Cost Estimate of Projects for cost escalation beyond 15% of the cost approved in the last accorded Investment Clearance for reasons other than cost escalation beyond 15%, viz. change in scope, technical reasons etc., the procedure at (iv) above would not be applicable. In that case appraisal procedure through Advisory Committee will be followed.
- (vi). Extension of time after lapse of duration to complete a previously cleared project without any change in scope or estimate will be examined on case to case basis based on detailed justifications submitted by the State Govt. directly by the Committee in MOWR, RD & GR.
- (vii). As a general principle any project which is located on an Inter-State river or its tributary will be deemed to involve Inter-State

ramifications and as such shall need investment clearance from this Ministry.

(2) The States will submit the proposals for Investment Clearance, along with check-list (format as annexed) to CWC, Headquarters. CWC will compile all such proposals and send fortnightly report to Ministry of WR, RD & GR with recommendations for the proposed Committee for Investment Clearance. While processing in CWC, the CWC will take into account overall picture of implementability of the project without affecting the implementation of other projects under irrigation sector, overall state plan size, the year-wise allocation for the project including allocation for all other ongoing projects and capacity of State Government to incur financial expenditure and bottlenecks in implementation of the projects.

(3) The following Committee is being constituted for making recommendations for Investment Clearance to the Hon'ble Minister of Water Resources, River Development and Ganga Rejuvenation:

- a) Secretary (WR, RD & GR) - *Chairperson*
- b) Chairman, CWC
- c) Advisor (WR), NITI Aayog
- d) JS&FA, MoWR, RD & GR
- e) JS (PP), MoWR, RD & GR
- f) Commissioner - SPR/FM, MoWR, RD & GR - *Member Secretary* *
- g) *Economic Adviser*, MoWR, RD & GR
- h) Chief Engineer (PAO), CWC (Permanent Invitee)

*Commissioner (SPR) will be the Member-Secretary and Commissioner (FM) will brief the Committee on Flood Control Projects.

(4) The meeting of Committee, after receipt of the proposals in the MoWR, RD & GR, will be convened for considering the proposals for recommendation of Investment Clearance. The Investment Clearance will be granted on the basis of detailed check-list enclosed herewith for benefits cost ratio more than one. Investment clearance will be granted after recommendation of committee by the Hon'ble Minister of Water Resources, River Development and Ganga Rejuvenation in the Ministry.

The above guidelines take place with immediate effect.

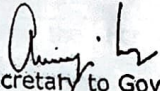
Yours faithfully,


Special Secretary to Govt. of India
Tel. No. 2371 0619

Copy for Information to:

1. Cabinet Secretary, Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.
2. Principal Secretary, Prime Minister's Office, South Block, New Delhi.
3. Secretary to President, President Estate, New Delhi.
4. Secretary, Ministry of Agriculture & Farmers' Welfare (Department of Agriculture & Cooperation), Krishi Bhavan, New Delhi.
5. Secretary, Ministry of Environment, Forests & Climate Change, New Delhi.
6. Secretary, Ministry of Social Justice & Empowerment, Shastri Bhavan, New Delhi.
7. Chairman, Central Water Commission, Sewa Bhavan, R.K.Puram, New Delhi.

8. Chairman, Ganga Flood Control Commission, Patna, Bihar.
9. Chairman, Brahmaputra Board, Guwahati, Assam.
10. Joint Secretary, Ministry of Finance, Department of Expenditure, Plan Finance, North Block, New Delhi.
11. Chief General Manager, NABARD, Sterling Centre, Post Box No.6552, Dr. Annie Besant Road, Worli, Mumbai-18.
12. Irrigation Secretary of all the States/Administrator of UTs.
13. Adviser (Admin.)/Adviser (P&E), NITI Aayog
14. NIC for uploading on the site of Ministry of WR, RD&GR.


Special Secretary to Govt. of India
Tel. No. 2371 061

2) Status of requisite administrative/ Statutory clearances:

Whether the scheme has been recommended by the State Technical Advisory Committee and then approved by the State Flood Control Board. If so provide details.	
Letter No. along with date of Environment Clearance granted by MoEF&CC, if applicable. (Attach copy)	
Letter No. along with date of Forest Clearance granted by MoEF&CC, if applicable. (Attach copy)	
State Finance Concurrence for the approved cost (letter no. & date, copy to be attached)	

3) Physical and financial progress of project for which investment clearance is being sought.

Physical progress:

Sl. No.	Name of Component	Unit	Estimated quantity	Completed up to ____	Progress in %	Target for the balance quantity		Status of balance work	Reason for delay
						For the year ____	For the year ____		

Financial progress:

Sl. No.	Description	As per the approved cost (in Rs. Cr.)	Expenditure incurred as on ____ (in Rs. Cr.)	Balance expenditure to be incurred (in Rs. Cr.)	Target for the balance work	
					For the year ____ (in Rs. Cr.)	For the year ____ (in Rs. Cr.)

4) On-going Flood Control projects of the State – their physical and financial progress and status of balance works.

4.1 Physical detail

Name of the project:

Estimated Cost (with Price Level):

Sl. No.	Name of Component	Unit	Estimated quantity	Completed up to ____	Progress in %	Target for the balance quantity		Status of balance work	Reason for delay
						For the year ____	For the year ____		

4.2 Financial detail

Name of the project:

Estimated Cost (with Price Level):

Sl. No.	Head	As per the approved cost (In Rs. Cr.)	Expenditure incurred as on ____ (in Rs. Cr.)	Balance expenditure to be incurred (In Rs. Cr.)	Target for the balance work	
					For the year ____ (in Rs. Cr.)	For the year ____ (in Rs. Cr.)

5) With implementation of the project for which investment clearance is sought the burden on financial resources of other on-going projects including O&M of other completed projects.

Annexure-V

Check list for investment clearance in respect of Flood Control, Drainage, Anti-river erosion and Anti-sea erosion Projects

1) Project Summary:

Name of the Scheme	:	
Name of river, river basin and district in which the scheme is situated	:	
Whether overall Master Plan prepared or not?	:	
Whether the proposed scheme comes under the Master Plan? If so, please provide detail.	:	
Nature of scheme – whether new embankments, raising and strengthening of existing embankment, drainage, anti-erosion, town protection etc.	:	
Project proposal	:	
Area benefitted (for works other than anti erosion scheme)	:	
Districts benefitted	:	
Population benefitted	:	
Approved Cost by Advisory Committee of Ministry of Water Resources, RD&GR	: Crore @ Price Level.....
Construction programme and completion period:	Name of Component	Year
Phasing of expenditure:	Year	Proposed Expenditure (Rs. In Cr.)
	Total	
B.C ratio		
Attach salient features and index map of the scheme		

Annexure-VI

Check list for investment clearance in respect of Revised Cost Estimate of Flood Control, Drainage, Anti-river erosion and Anti-sea erosion Projects

1) Project Summary:

Name of the Scheme	:		
Name of river, river basin and district in which the scheme is situated	:		
Whether overall Master Plan prepared or not?	:		
Whether the proposed scheme comes under the Master Plan? If so, please provide detail.	:		
Nature of scheme - whether new embankments, raising and strengthening of existing embankment, drainage, anti-erosion, town protection etc.	:		
Area benefitted (for works other than anti erosion scheme)	:		
Districts benefitted	:		
Population benefitted	:		
Date of investment clearance of original project (copy may be attached)	:		
Original Estimated Cost with Price Level	: Crore @ Price Level.....	
Approved Revised Cost by Advisory Committee of Ministry of Water Resources, RD&GR	: Crore @ Price Level.....	
Whether there is change in Project proposal? If so, comparative statement of changes in the project proposal	Original Project Proposal	Revised Project proposal	
Construction programme and completion period:	Name of Component	Year	Physical programme in %
Phasing of expenditure:	Year	Proposed Expenditure (Rs. In Cr.)	
	Total		
B.C ratio			
Attach salient features and index map of the scheme			

2) Status of requisite administrative/ Statutory clearances:

Whether the scheme has been recommended by the State Technical Advisory Committee and then approved by the State Flood Control Board. If so provide details.	
Letter No. along with date of Environment Clearance granted by MoEF&CC, if applicable. (Attach copy)	
Letter No. along with date of Forest Clearance granted by MoEF&CC, if applicable. (Attach copy)	
State Finance Concurrence for the approved cost (letter no. & date, copy to be attached)	

3) Physical and financial progress of project for which investment clearance is being sought.

Physical progress:

Sl. No.	Name of Component	Unit	Estimated quantity	Completed up to ___	Progress in %	Target for the balance quantity		Status of balance work	Reason for delay
						For the year ___	For the year ___		

Financial progress:

Sl. No.	Description	As per the approved cost (in Rs. Cr.)	Expenditure incurred as on ___ (in Rs. Cr.)	Balance expenditure to be incurred (in Rs. Cr.)	Target for the balance work	
					For the year ___ (in Rs. Cr.)	For the year ___ (in Rs. Cr.)

4) On-going Flood Control projects of the State – their physical and financial progress and status of balance works.

4.1 Physical detail

Name of the project:

Estimated Cost (with Price Level):

Sl. No.	Name of Component	Unit	Estimated quantity	Completed up to ____	Progress in %	Target for the balance quantity		Status of balance work	Reason for delay
						For the year ____	For the year ____		

4.2 Financial detail

Name of the project:

Estimated Cost (with Price Level):

Sl. No.	Head	As per the approved cost (in Rs. Cr.)	Expenditure incurred as on ____ (in Rs. Cr.)	Balance expenditure to be incurred (in Rs. Cr.)	Target for the balance work	
					For the year ____ (in Rs. Cr.)	For the year ____ (in Rs. Cr.)

5) With implementation of the project for which investment clearance is sought the burden on financial resources of other on-going projects including O&M of other completed projects.

3779-1

"Rayalaseema Lift Scheme"

EXECUTIVE SUMMARY

1. AIM OF THE PROJECT

The proposed Rayalaseema Lift Scheme will serve the contemplated ayacut under TGP, SRBC & GNSS projects in Rayalaseema Region including providing drinking water to critically, chronically drought prone areas. This project also ensures drinking water supply to Chennai City as agreed by the riparian States of Krishna River basin.

2. THE PROJECT

The objective of the proposed Rayalaseema Lift Scheme is to supplement 3 TMC/day to Srisaillam Right Main Canal on D/s of Pothireddypadu Head Regulator in Kurnool District of Andhra Pradesh.

The proposed Rayalaseema Lift Scheme is part of Srisaillam Project. The scheme envisages assured essential supplies of water for drinking and sustainable development of drought prone Rayalaseema Region by utilizing the water already allocated to the existing and ongoing projects of Andhra Pradesh when the Srisaillam Reservoir Level falls below 854 ft and when sufficient water could not be drawn by gravity through Pothireddypadu Head Regulator. The water will be lifted by the proposed lift from foreshore of Srisaillam Reservoir and dropped into Srisaillam Right Main Canal just downstream of Pothireddypadu Head Regulator.

3. INTERSTATE ASPECTS

As Rayalaseema Lift Scheme is taken up within the scope of waters allocated by the Tribunal there is no other aspect which attracts interstate problems. The complete details of allocations have been furnished in Chapter-3 of the DPR

4. THE MAIN COMPONENTS OF THE PROJECT

- **Approach Channel:** The approach channel is proposed for a length of 8.892 Km in Srisaillam foreshore area up to forebay of Pump House on left side (Northern Side) of existing Pothireddypadu Head Regulator.
- **Forebay** is proposed from approach channel to the pump house for a length 237 m.
- **Pump House:** The pump house is to be constructed to required size of 250 m X 40 m to accommodate required 12 nos. of pumps and motors and operating system.
- **12 nos. of volute pumps** with a capacity of 81.93 cumecs/2893 cusecs capacity each are proposed.

- Total Power requirement is estimated at about 420 MW and suitable H.T/ L.T Panels, SCADA, HT/LT Cables, HM/EM Components will be provided.
- The proposed Water drawl level: 800 ft (+243.85 m) with maximum lift of 85.14 ft (25.95 m) and Delivery level at 885.14 ft (269.82 m).
- **Pipe line:** The M.S pipe line of 5000mm diameter for a length of 200 m for each motor is proposed from Pump House to Delivery Cistern.
- Construction of **Delivery Cistern**.
- Excavation of Link Canal for a length of 0.50 Km is proposed from delivery cistern to SRMC, joining at 300 m just downstream of Pothireddypadu Head Regulator.
- Providing infrastructure
 - i. Road to the pump station from Pothireddypadu Head Regulator for about 200 m.
 - ii. 400KV Sub station and electrical power line from the existing HT lines.

5. HYDROLOGY

The projects namely, Telugu Ganga Project (TGP), Srisailam Right Branch Canal (SRBC), Galeru Nagari Srujala Sravanthi (GNSS) and Chennai Water Supply are formulated more than three decades ago to utilize the water from Srisailam Reservoir through Pothireddypadu Head Regulator.

As per clause XV of Krishna Water Disputes Tribunal(KWDT)-1, the allocation of water to be utilized (through Pothireddypadu Head Regulator) is

Chennai water supply	:	15 TMC
S.R.B.C. (Srisailam Right Bank Canal)	:	19 TMC
Total	:	34 TMC

Apart from the above, in clause 10 of Eleventh Schedule of AP Reorganisation Act, 2014 provision has been made for sharing of water. Accordingly, Telugu Ganga Project Scheme (T.G.P) to the tune of 29 TMC and Galeru Nagari Srujala Sravanthi Scheme (GNSS) to the tune of 38 TMC which is totaling to 67 TMC have been executed.

In view of the above paras, the ultimate demand to be met by Pothireddypadu Head Regulator arrives to 101TMC.

It can be justified from Table 5.1 of Chapter-5 that at 75% dependability the flood water from the dam (Spills) comes to the tune of 80.3TMC, which suffices to meet the demand of 67TMC of TGP and GNSS Schemes. It is worthwhile here to mention that the balance 13TMC of flood waters which is going waste into sea, be utilized up to the extent of possible through Rayalaseema Lift Scheme which is meant to supplement to the existing water availability at Pothireddypadu Head Regulator.

6. COST ESTIMATE

The total cost of the project has been worked out to be Rs. 3825 Crores. The Government of Andhra Pradesh have accorded Administrative approval for Rayalaseema Lift Scheme to an amount of Rs.3825.00 crores vide ref. G.O. Rt. No.203, WR (Proj.III) Dept., Dt: 05.05.2020

Abstract of Cost of Rayalaseema Lift Scheme is given below:

Sl. No.	Description	Amount (Rs. Crore)
	DIRECT CHARGES	
	I-WORKS	
1	A - Preliminary	
2	B - Land Acquisition and R&R	10.32
3	C - Works	0.00
4	D - Regulators	1828.91
5	E - Falls (drops)	---
6	F - Cross drainage works	---
7	G - Bridges	---
8	H - Escapes	---
9	I - Navigation Works	---
10	J - Power plants	---
11	K - Buildings	0.00
12	L - Earth Work and Lining	1360.36
13	M - Plantation	0.00
14	N - Tanks and Reservoirs	---
15	O - Miscellaneous	2.10
16	P - Maintenance	31.89
17	Q - Special T&P	---
18	R - Communications.	0.00
19	S - Power Plant & Electric System	0.00

"Rayalaseema Lift Scheme"

Sl. No.	Description	Amount (Rs. Crore)
20	T - Water Supply Works	0.00
21	U - Distributaries, minors and sub-minors	0.00
22	V - Water Courses	---
23	W - Drainage	---
24	X - Environment and Ecology	---
25	Y - Losses on stock	7.97
	Total I	3241.55
II	ESTABLISHMENT: 4% on Works less 'B' Lands	129.66
III	TOOLS AND PLANTS: 1% on I-Works	32.42
IV	SUSPENSE	---
V	RECEIPTS AND RECOVERIES	---
A	TOTAL: DIRECT CHARGES	3403.63
	INDIRECT CHARGES	
I	Capital Value of abatement of land revenue (5% of Culturable land revenue of B-Land)	0.00
II	Audit & Account Charges @ 1% of cost of I-Works	32.42
III	Provision towards GST	388.99
B	TOTAL: INDIRECT CHARGES	421.40
	Total Direct & Indirect Charges (A+B)	3825.00

7. BC RATIO

B/C ratio worked out as per CWC norms using annual benefits to annual costs ratio gives a result of 1.71. The IRR (Internal Rate of Return) of this project is found to be 18.89%, the NPV (Net Present Value) of the project works out to be a positive figure of Rs 39,076.31 million at 10% discount rate.

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन नदी विकास एवं गंगा संरक्षण
विभाग
केंद्रीय जल आयोग
परियोजना मूल्यांकन (दक्षिण) निदेशालय



Government of India
Ministry of Jal Shakti
Department of Water Resources,
RD&GR
Central Water Commission
Project Appraisal (South) Directorate

To

Chief Engineer
Water Resources Department
Govt of Andhra Pradesh
Kurnool - 518014

Subject: Rayalaseema Lift Scheme to lift water to SRMC feeding 3 Schemes which are presently drawing water by gravity from foreshore of Srisailam Reservoir viz. Galeru Nagari Srujala Sravanthi (GNSS), Srisailam Right Branch Canal (SRBC) and Telugu Ganga Project (TGP)— regarding

Ref: e-PAMS Receipt dated 01.07.2021 regarding Detailed Project Report of Rayalaseema Lift Scheme, Govt of Andhra Pradesh

Sir,

This is in reference to the DPR of Rayalaseema Lift Scheme, Andhra Pradesh received on 01.07.2021 in CWC ePAMS platform. Project proposal has been examined in appraising Directorates of CWC and the observations are as under :

1. Three major projects are located on Krishna River, downstream of Srisailam Project (a) **Nagarjuna Sagar Dam** having gross storage capacity of 11,553 MCM & live storage of 6,840 MCM, (b) **Pulichintala Balancing Reservoir Project**, officially named as K L Rao Sagar with gross storage of 1295 MCM & live storage of 1026 MCM, used for timely water supply to Prakasam Barrage and (c) **Prakasam Barrage**. Water from Srisailam to Prakasam Barrage is utilized for various consumptive uses through canals off-taking at all three sources – i.e., Srisailam, Nagarjuna Sagar and Prakasam Barrage. Hence, the spill of water from Srisailam is being utilized at Nagarjuna Sagar and Prakasam Barrage for various consumptive uses. Considering this integrated system, 75% dependable flood water spill to the tune of 80.3 TMC as envisaged in the DPR should not be considered as available water at Srisailam. In view of above, in order to estimate the availability of water for proposed Rayalseema lift Scheme, detailed simulation study using the data of last 30 years taking the 10 daily inflow and demand series from Srisailam, Nagarjuna Sagar,

- Pulichintala Reservoir and Prakasam Barrage may be carried out. Based on the above simulation study, the availability of water for proposed Rayalaseema Lift Scheme has to be estimated.
2. As projects like Chennai drinking water supply, Galeru Nagari Sujala Sravanthi (GNSS) & Telegu Ganga Project (TGP) were not examined/approved by CWC in Advisory Committee of DoWR, RD & GR ; details like water allocation, irrigation planning, cropping pattern are not available in CWC. Hence, working table to assess the success of the project by matching the water availability against water demand from irrigation and drinking water need to be submitted at the earliest. Also, calculation w.r.t. Benefit Cost Ratio incorporating all aspects including cost of lifting water needs to be incorporated in the DPR.
 3. The instructions conveyed by DoWR, RD & GR (PR Wing) to CWC, vide U.O. No. 27/2/2005 – PR /04 dated 16.01.2006 (**copy enclosed**) may be consulted regarding referring above proposed project to KWDT-II or seeking consent from affected States under the intimation of KWDT-II.

As the chapters of irrigation planning and hydrology don't give much insight to carry out detailed techno-economical examination, it is requested that compliances of appraising directorates of CWC may be submitted at the earliest so that the appraisal process can be taken up.

Detailed comments of Inter-State Matters, Hydrology & Irrigation Planning Directorates which have already been sent, are also enclosed for ready reference.

This issues with the approval of Chairman, CWC.

Encl : As above

**Signed by Nityananda
Mukherjee
Date: 23-07-2021 12:05:54
Reason: Approved**

**N Mukherjee
Director**

Copy for kind information to :

1. Chairman, KRMB, Hyderabad
2. Principal Secretary, WRD, GoAP
3. Engineer-in-Chief, WRD, GoAP
4. Joint Secretary, RD & PP, DoWR, RD & GR (PR Division)

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♣ जल संरक्षण-सुरक्षित भविष्य ♣



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♣ Conserve Water- Save Life ♣



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 6] नई दिल्ली, शनिवार, मार्च 1, 2014/ फाल्गुन 10, 1935 (शक)
No. 6] NEW DELHI, SATURDAY, MARCH 1, 2014/PHALGUNA 10, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 1st March, 2014/Phalguna 10, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 1st March, 2014, and is hereby published for general information:—

THE ANDHRA PRADESH REORGANISATION ACT, 2014

No. 6 OF 2014

[1st March, 2014.]

An Act to provide for the reorganisation of the existing State of Andhra Pradesh and for matters connected therewith.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. This Act may be called the Andhra Pradesh Reorganisation Act, 2014.
2. In this Act, unless the context otherwise requires,—
 - (a) “appointed day” means the day which the Central Government may, by notification in the Official Gazette, appoint;
 - (b) “article” means an article of the Constitution;
 - (c) “assembly constituency”, “council constituency” and “parliamentary constituency” have the same meanings as in the Representation of the People Act, 1950;

Short title.
Definitions.

(5) The report of the Andhra Pradesh Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented under clause (2) of article 323 to the Governors of the States of Andhra Pradesh and Telangana and the Governor of the State of Andhra Pradesh shall, on receipt of such report, cause a copy thereof together with a memorandum explaining as far as possible, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State of Andhra Pradesh and it shall not be necessary to cause such report or any such memorandum to be laid before the Legislative Assembly of the State of Telangana.

PART IX

MANAGEMENT AND DEVELOPMENT OF WATER RESOURCES

Apex Council for Godavari and Krishna river water resources and their Management Boards.

84. (1) The Central Government shall, on and from the appointed day, constitute an Apex Council for the supervision of the functioning of the Godavari River Management Board and Krishna River Management Board.

(2) The Apex Council shall consist of—

- (a) Minister of Water Resources, Government of India—Chairperson;
- (b) Chief Minister of State of Andhra Pradesh—Member;
- (c) Chief Minister of State of Telangana—Member.

(3) The functions of the Apex Council shall include—

(i) supervision of the functioning of the Godavari River Management Board and Krishna River Management Board;

(ii) planning and approval of proposals for construction of new projects, if any, based on Godavari or Krishna river water, after getting the proposal appraised and recommended by the River Management Boards and by the Central Water Commission, wherever required;

(iii) resolution of any dispute amicably arising out of the sharing of river waters through negotiations and mutual agreement between the successor States;

(iv) reference of any disputes not covered under Krishna Water Disputes Tribunal, to a Tribunal to be constituted under the Inter-State River Water Disputes Act, 1956.

Constitution and functions of River Management Board.

85. (1) The Central Government shall constitute two separate Boards to be called the Godavari River Management Board and Krishna River Management Board (to be known as the Board), within a period of sixty days from the appointed day, for the administration, regulation, maintenance and operation of such projects, as may be notified by the Central Government from time to time.

(2) The headquarters of Godavari River Management Board shall be located in the successor State of Telangana and of the Krishna River Management Board shall be located in the successor State of Andhra Pradesh.

(3) The Godavari River Management Board and Krishna River Management Board shall be autonomous bodies under the administrative control of the Central Government, and shall comply with such directions as may, from time to time, be given to them by the Central Government.

(4) Each Board shall consist of the following Chairperson and Members, namely:—

- (a) a Chairperson not below the rank or level of Secretary or Additional Secretary to the Government of India to be appointed by the Central Government;

33 of 1956.

(b) two members, to be nominated by each of the successor States, of which one shall be the technical member not below the rank of Chief Engineer and the other administrative member to represent the concerned States;

(c) one expert to be nominated by the Central Government.

(5) Each Board shall have a full-time Member Secretary, not below the rank of Chief Engineer in the Central Water Commission, to be appointed by the Central Government.

(6) The Central Government shall create such number of posts of the rank of Chief Engineer in the Central Water Commission, as it considers necessary.

50 of 1968. (7) Each Board shall be assisted in the day to day management of reservoirs by the Central Industrial Security Force constituted under the Central Industrial Security Force Act, 1968, on such terms and conditions as the Central Government may specify.

(8) The functions of each Board shall include—

(a) the regulation of supply of water from the projects to the successor States having regard to—

33 of 1956. (i) awards granted by the Tribunals constituted under the Inter-State River Water Disputes Act, 1956;

(ii) any agreement entered into or arrangement made covering the Government of existing State of Andhra Pradesh and any other State or Union territory;

(b) the regulation of supply of power generated to the authority in-charge of the distribution of power having regard to any agreement entered into or arrangement made covering the Government of the existing State of Andhra Pradesh and any other State or Union territory;

(c) the construction of such of the remaining on-going or new works connected with the development of the water resources projects relating to the rivers or their tributaries through the successor States as the Central Government may specify by notification in the Official Gazette;

33 of 1956. (d) making an appraisal of any proposal for construction of new projects on Godavari or Krishna rivers and giving technical clearance, after satisfying that such projects do not negatively impact the availability of water as per the awards of the Tribunals constituted under the Inter-State River Water Disputes Act, 1956 for the projects already completed or taken up before the appointed day; and

(e) such other functions as the Central Government may entrust to it on the basis of the principles specified in the Eleventh Schedule.

86. (1) The Board shall employ such staff as it may consider necessary for the efficient discharge of its functions under this Act and such staff shall, at the first instance, be appointed on deputation from the successor States in equal proportion and absorbed permanently in the Board.

Staff of the
Management
Board.

(2) The Government of the successor States shall at all times provide the necessary funds to the Board to meet all expenses (including the salaries and allowances of the staff) required for the discharge of its functions and such amounts shall be apportioned between the States concerned in such proportion as the Central Government may, having regard to the benefits to each of the said States, specify.

(3) The Board may delegate such of its powers, functions and duties as it may deem fit to the Chairman of the said Board or to any officer subordinate to the Board.

(4) The Central Government may, for the purpose of enabling the Board to function efficiently, issue such directions to the State Governments concerned, or any other authority, and the State Governments, or the other authority, shall comply with such directions.

THE ELEVENTH SCHEDULE

[See section 85(7)(e)]

Principles governing the functioning of the River Management Boards.

1. The operation protocol notified by the Ministry of Water Resources with respect to water resources arrived at based on appropriate dependability criteria after the adjudication by the Krishna Water Disputes Tribunal shall be binding on both the successor States.

2. In the event of conflicting demand of water for irrigation and power, the requirement of water for irrigation shall take precedence.

3. In the event of conflicting demand of water for irrigation and drinking water, the requirement of water for drinking water purpose shall take precedence.

4. The allocations made by the River Water Tribunals with regard to various projects on Godavari and Krishna Rivers or for the regions of the existing State of Andhra Pradesh, in respect of assured water shall remain the same.

5. Allocations, if any, to be made on excess flows by any Tribunal in future shall be binding on both the State of Telangana and the successor State of Andhra Pradesh.

6. While the successor State Governments shall be responsible for managing natural calamities, the Boards shall advise the two State Governments on the management of disaster or drought or flood in the rivers of Krishna and Godavari, particularly in reference to the release of water for the management and mitigation of the natural calamities. The Boards shall have the full authority to get their orders implemented by the two successor State Governments promptly and effectively in respect of operation of the head works of the dams, reservoirs or head works of canals and works appurtenant thereto including the hydel power projects, as notified by the Central Government, on Krishna and Godavari Rivers.

7. No new projects based on water resources arrived at based on appropriate dependability criteria on Godavari or Krishna rivers can be taken up by the State of Telangana or the State of Andhra Pradesh without obtaining sanction from the Apex Council on River water resources. All such proposals shall be first appraised and technically cleared by the respective Board, before sanction by the said Apex Council.

8. Execution of ongoing projects and future new projects on Godavari and Krishna rivers shall be the responsibility of the State Government concerned where the project is located.

9. In case of non-implementation of the decision by either of the States, the defaulting State shall bear the responsibility and shall face financial and other penalties imposed by the Central Government.

10. The following irrigation projects which are under construction shall be completed as per the plan notified by the existing State of Andhra Pradesh and the water sharing arrangement shall continue as such:—

- (i) Handri Niva
- (ii) Telugu Ganga
- (iii) Galeru Nagiri
- (iv) Venegondu
- (v) Kalvakurthi
- (vi) Nettempadu.

भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-15072021-228316
CG-DL-E-15072021-228316

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2637]

नई दिल्ली, बृहस्पतिवार, जुलाई 15, 2021/आषाढ़ 24, 1943

No. 2637]

NEW DELHI, THURSDAY, JULY 15, 2021/ASHADHA 24, 1943

जल शक्ति मंत्रालय

(जल संसाधन, नदी विकास और गंगा संरक्षण विभाग)

अधिसूचना

नई दिल्ली, 15 जुलाई, 2021

का.आ. 2842(अ).—केन्द्रीय सरकार, 2 जून, 2014 से प्रभावी आंध्र प्रदेश पुनर्गठन अधिनियम, 2014 (2014 का 6) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 84 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, गोदावरी नदी प्रबंधन बोर्ड तथा कृष्णा नदी प्रबंधन बोर्ड के कार्यों का पर्यवेक्षण करने के लिए एक शीर्ष परिषद् का गठन करती हैं;

और अधिनियम की धारा 85 की उप-धारा (i) द्वारा प्रदत्त शक्तियों के अनुसरण में केन्द्रीय सरकार ने 28 मई, 2014 को कृष्णा नदी प्रबंधन बोर्ड (जिसे इसमें इसके पश्चात केआरएमबी कहा गया है) का गठन किया और केन्द्रीय सरकार द्वारा यथा अधिसूचित परियोजनाओं के प्रशासन, विनियमन, रख-रखाव और प्रचालन के लिए इसमें उल्लिखित कार्यों का निष्पादन करने हेतु यह 2 जून, 2014 से प्रभावी हो गया;

उक्त अधिनियम की धारा 85 की उप-धारा (8) उपबंध करती है कि केआरएमबी के कार्यों में अन्य बातों के साथ-साथ निम्नलिखित शामिल होंगे,-

(क) अन्तरराज्यिक नदी जल विवाद अधिनियम 1956 के अधीन गठित प्राधिकरणों द्वारा किए गए अधिनिर्णयों और विद्यमान आंध्र प्रदेश राज्य और किसी अन्य राज्य या संघ राज्य क्षेत्र की सरकार को शामिल करते हुए किए गए किसी करार या व्यवस्था को ध्यान में रखते हुए परियोजनाओं से उत्तरवर्ती राज्यों को जल प्रदाय का विनियमन;

(o) If any question arises as to whether the KRMB has jurisdiction under sub-section (1) of section 87 of the said Act over any project referred thereto, the same shall be referred to the Central Government for decision thereon and the decision of the Central Government shall be final.

(p) Any function or activity not mentioned under sub-section (1) of section 85 of the said Act in regard to the projects or components specified in Schedule-2 shall be the responsibility of the respective State Governments.

2. In addition to the above, the Central Government, in exercise of the powers conferred under sub-section(4) of section 86 of the said Act, hereby directs the State Governments of Andhra Pradesh and Telangana to comply with the following, namely:—

(a) The KRMB shall approve and put in place an appropriate organizational structure to perform the functions mandated by this notification within thirty days from the date of publication and shall endeavor to appoint in all category of posts officers serving in the Central Government.

(b) On and from the date of commencement of this notification, in respect of operational projects or from the date when a non-operational project becomes operational, as the case may be, the States Governments of Andhra Pradesh and Telangana shall completely hand over the jurisdiction of the projects or components (barrages, dams, reservoirs, regulating structures), part of canal network and transmission lines specified in Schedule-2 to this notification to the KRMB so as to enable it to perform the functions mentioned in sub-section (1) of section 85 of the said Act.

(c) Until further directions by the Central Government through a notification in the Official Gazette, in respect of the projects or components specified in Schedule-3 to this notification, respective State Governments shall continue to perform the functions such as, administration, regulation, maintenance and operation of projects as provided in sub-section (1) of section 85 of the said Act, on behalf of the KRMB.

(d) On and from the date of commencement of this notification, in respect of operational projects or from the date when a non-operational project becomes operational, as the case may be, the State Governments of Andhra Pradesh and Telangana shall issue appropriate orders for transfer of all the posts and deputation of requisite staff for the projects or components specified in Schedule-2 to the KRMB.

(e) On and from the date of commencement of this notification, in respect of operational projects or from the date when a non-operational project becomes operational, as the case may be, the State Governments of Andhra Pradesh and Telangana shall issue appropriate orders for transfer of items under **clauses (j) and (k) of paragraph 1** to the KRMB on as is where is basis.

(f) Both the State Governments shall stop all the ongoing works on unapproved projects as on the date of publication of this notification until the said projects are appraised and approved as per the provisions of the said Act and in accordance with the decisions taken in the 2nd meeting of the Apex Council. If approvals are not obtained within six months after the publication of this notification, full or partial operation if any of the said ongoing unapproved projects shall cease to operate.

(g) Within six months from the date of publication of this notification, both State Governments shall complete the unapproved projects appraised and approved as per the provisions of the said Act and in accordance with the decisions taken in the 2nd meeting of the Apex Council. If approvals are not obtained within the stipulated time of six months, such completed unapproved projects shall cease to operate.

3. This notification shall come into force with effect from the 14th day of October, 2021.

SCHEDULE - 1

Headworks (barrages, dams, reservoirs, regulating structures), part of canal network, and transmission lines of the projects/components as per information available in the Ministry of Jal Shakti over which KRMB will ordinarily have jurisdiction						
Sl. No.	Name of the Project/Component	State	Category	Status	Approved/ Unapproved	Operational Status
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Srisaillam Project	AP/TS				

**BEFORE THE NATIONAL
GREEN TRIBUNAL
(SEZ) AT CHENNAI**

O.A. NO. 137 OF 2021

**M.KARTHIKEYAN
COUNSEL FOR
RESPONDENTS
9884774672**