

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL(S Z), AT
CHENNAI
O.A No.212 OF 2021**

1. State of Andhra Pradesh,
Rep:by its Secretary,
Water Resources Department,
Secretariat, Velagapudi,
Guntur district. Applicant

Vs

1. Union of India,
Rep: by its Secretary,
Ministry of Jal Shakthi,
Shram Shakthi Bhavan,
New Delhi
2. Union of India
Rep: by its Secretary,
Union Ministry of Environment, Forest &CC,
Indira Paryavaran Bhavan,
Jorbagh, New Delhi.
3. National Board for Wildlife,
Rep: by its Chairman,
MoEF&CC, Indira Paryavaran Bhavan,
Jorbagh, New Delhi.
4. Krishna River Management Board, Rep by its
Rep: by its Member Secretary,
Govt. of India, Ministry of Water Resources,
5th floor, Jalasoudha, Errum Manzil,
Hyderabad.
5. State of Telangana,
Rep: by its Chief Secretary,
Telangana Secretariat, 5th floor,
Burgula Rama Krishna Rao Bhavan,
NH44, Hill Fort, Adarsh Nagar,
Hyderabad.Respondents

Through

**Mr.A.SANJEEV KUMAR
Special Government Pleader,
High Court at Hyderabad.**

Date: 04.12.2021

Place: Hyderabad

**Mrs. H.YASMEEN ALI
Standing Counsel for the State of
Telangana
Respondent No. 5**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL: SOUTH ZONE AT
CHENNAI

O.A No.212/2021

State of Andhra Pradesh,
Rep:by its Secretary,
Water Resources Department,
Secretariat, Velagapudi,
Guntur district.

... Applicant

And

Union of India,
Rep by its Secretary,
Ministry of Jal Shakthi,
Shram Shakthi Bhavan,
New Delhi & 5 others

... Respondents

COUNTER AFFIDAVIT FILED BY THE 5TH RESPONDENT HEREIN

I, Rajat Kumar, S/O B.K. Sinha, aged about 58 years,
Designation: Special Chief Secretary, I & CAD Department,
Government of Telangana, Hyderabad do hereby solemnly and
sincerely affirm and state on oath as follows:

1. I am the Special Chief Secretary, I & CAD Department,
Government of Telangana, Hyderabad, the 5th respondent herein and
as such I am well acquainted with the facts of the case.
2. I submit that I have read the O.A. filed by the Applicant and
deny all the allegations and averments contained therein, except those
that are specifically admitted herein.


Special Chief Secretary to Govt.
Irrigation & CAD Department
Telangana Secretariat,
Hyderabad - 500 022.

3. It is submitted that Dindi Lift Irrigation scheme envisages to provide water for industrial use and drinking water facility to the most severely fluoride affected areas of Nalgonda, Rangareddy, Yadadri Bhuvanagiri and Nagarkurnool Districts which are the worst drought prone and distressed areas in the State of Telangana. There is tremendous shortage of drinking and farm water in these districts, as these are severely fluoride affected areas. A study conducted by researchers in June, 2016 concluded that fluoride in water found in Nalgonda district was more than twice the permissible limit for drinking water. As a result, a large part of the population of these districts is being forced to migrate to other parts of the country. The drought conditions are also causing social problems in the affected districts. In order to redress this situation, the Dindi LIS is taken up for alleviating the misery of these severely drought prone areas, which will benefit 224 villages where about 21.6 lakh people will get drinking water in Nalgonda, Rangareddy, Nagarkurnool and Yadadri Bhuvanagiri Districts of Telangana. In addition to drinking water facility, 3.41 lakh acres of agricultural land will also be supplied water after necessary approvals. As such, in addition to DLIS being extremely important for the concerned districts. It is also a critically important scheme for the State of Telangana. It is submitted that the DLIS is a welfare scheme, which has been initiated for providing basic amenities of water to the people of the State of Telangana.

4. I submit that by this scheme, much needed water is intended to be supplied to the areas of Telangana by utilizing flood water during the 60 day period of the flood season, which otherwise would put



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human life and property to harm. DLIS therefore envisages lifting of the flood water at 0.50 tmc per day for 60 days to a quantum of 30 tmc from foreshore of Veeranjanya Reservoir at Yedula (V), Gopalpeta (M), Nagar Kurnool (District) and storing the water in 9 (Nine) reservoirs. These 9 (Nine) Reservoirs and canals/tunnels between each reservoir are proposed for taking the water forward through gravity. The details of proposed main Canal and Reservoirs are as follows:

The total length of DLIS canal from Ulpara to Shivannagudem is from Km 0.000 to Km 66.300 including construction of Online Reservoirs and Offline Reservoirs and are bifurcated in to 4 reaches and Seven Reservoirs as follows.

I. DLIS Main Canal From Km 0.000 to Km 66.300

- 1) The Main Canal of Dindi Lift Irrigation Scheme from Foreshore of Ulpara Barrage i.e., from Km 0.000 to Km 27.000 including construction of tunnel for a length of 1625 m.
- 2) The Main Canal of Dindi Lift Irrigation Scheme from Km 27.000 to Km 40.350.
- 3) The Main Canal of Dindi Lift Irrigation Scheme from Km 40.540 to Km 52.500.
- 4) The Main Canal of Dindi Lift Irrigation Scheme from Km 52.500 to Km 66.300.

II. Online and Offline Reservoirs

- 1) Ulpara Barrage
- 2) Dindi Project (Existing Medium Irrigation Project)
- 3) Singarajpally Reservoir (Offline)
- 4) Yerravally-Gokaram Reservoir (Online)

- 5) Irwin Reservoir(Online)
- 6) Gottimukkala Reservoir (Offline)
- 7) Chintapally Reservoir (Offline)
- 8) Kristampally Reservoir (Online)
- 9) Shivannagudem Reservoir. (Online)

(ii) The water will be drawn from the proposed Veeranjanya reservoir at Yedula (which is a part of Palamuru Rangareddy LIS). This water would be flood water (Drawn during flood season) and therefore it will not interrupt the flow of the water of the Krishna River.

(iii) The ultimate objective of DLIS is to implement an Irrigation infrastructure in later phase on foundation of the presently envisaged drinking water components under present phase. DLIS as presently planned has no provision for Irrigation. Irrigation requires planning and construction of a network of canals originating from each proposed reservoir to take water to the surrounding villages. The schematic diagram of DLIS clearly establishes that there are no such distributory ayacut, branch canals envisaged nor proposed to be constructed rather the immediate and planned aim of DLIS is provision of drinking water and water for Industrial uses. As far as irrigation is concerned, it is to be carried out at a later stage and also DLIS does not involve construction of dams nor are there any proposed works for production of electricity.

(iv) DLIS as proposed presently does not contemplate irrigating any area since it is merely consists of reservoirs and pipelines (tunnels) in between those reservoirs and without any provision for a network of



canals which are needed for irrigation. The present intention of DLIS under first phase is to provide drinking water and water for industrial uses only. Distributory Network facilities for irrigation are planned under in next phase to be commenced after the plan for the present stage has been completed. As on the present stage of construction i.e., filling of the reservoirs, transporting and storing infrastructure can only be utilized for drinking water and industrial purposes only under present phase and separate further plan under next phase as to development of irrigation related infrastructure would specifically need to be made and implemented before providing irrigation facilities.

(v) Hence, DLIS has been commenced only to alleviate the misery of drought prone areas of Nagarkurnool, Nalgonda, Rangareddy and Yadadri- Bhuvanagiri Districts which will benefit 23 of villages in 4 of Mandals in Nagarkarnool Distict, 179 villages in 15 Mandals in Nalgonda District, 9 of villages in one Mandal of Rangareddy District and 13 villages in one Mandal of Yadadri-Bhuvanagiri District, summing up to a total of 224 villages where about 21.6 lakh people will get drinking water. With the immediate purpose of DLIS is to provide water for drinking and industrial purposes, and later for irrigation as well. For the present, however, the reservoirs and the connecting canals/tunnels are meant for drinking and industrial use of the water and the scheme is being presently implemented accordingly.



Special Chief Secretary to Govt.
Irrigation & CAD Department
Telangana Secretariat,
Hyderabad - 500 022.

PRAYER

It is therefore prayed in light of the facts, circumstances and grounds enumerated hereinabove that this Hon'ble Tribunal may be pleased to:

- A. Dismiss the present Application as barred by limitation and not maintainable under law.
- B. Pass any other order that this Hon'ble Tribunal so deem fit in the present case.

VERIFICATION

I, RajatKumar, S/O B.K. Sinha, aged about 58 years, Designation: Special Chief Secretary, I & CAD Department, Government of Telangana, Hyderabad, the 5th respondent herein, do hereby verify and declare that the contents stated in the above reply affidavit are true and correct to the best of my knowledge and belief.



Date: 04.12.2021

Place: Hyderabad

Special Chief Secretary to Govt.
RESPONDENT NO. 5
I & CAD Department
Telangana Secretariat,
Hyderabad - 500 022.

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A.SANJEEV KUMAR

H.YASMEEN ALI

Counsel for the 5th respondent