

IN THE HONBLE NATIONAL GREEN TRIBUNAL (S Z)
AT CHENNAI

O.A.No. 260 OF 2020

Beerlallaiah,
H.No.3-155, Yadagiripally,
SriramNagar Yadagirigutta,
Yadadri- Bhongir District

...Applicant

VS

1. The State of Telangana
Rep by its Principal Secretary,
Roads and Buildings Department,
Secretariat, Hyderabad.
 2. Telangana State Environmental Impact Assessment Authority
Rep by its member secretary,
A-3, Paryavarn Bhavan
Sanathnagar industrial Estate
Hyderabad
 3. The District Collector
Yadadri Bhongir District
 4. Engineer-In-Chief R&B State roads & Core Road Net,
State roads & Core Road Net,
Hyderabad
 5. Chief Engineer R&B Minor Irrigation,
Erramanzal ,
Hyderabad
 6. Executive Engineer,
(R and B) Department,
Bhongir Town, Yadadri- Bhongir District
- ...Respondents

REPLY AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENT No1,4&6

I, U.Shankaraiah, S/o. Muthaiah, aged about 59 years, Occ: Government Service,
Residing at Bhongir ,Yadadri-Bhongir District, do hereby solemnly affirm and sincerely
state on oath as follows:-

1. I am working as Executive Engineer Roads and Buildings Department, Yadadri-
Bhongir District and Respondent No.6 herein and as such I am well acquainted
with the facts of the case. I am deposing this counter affidavit and on behalf of
Respondent Nos.1, 4 & 6 herein.


Deponent
Executive Engineer
District (R&B) Officer
Yadadri Bhongir (District)

2. I submit that, I have read the averments made in the affidavit filed in support of the instant Original Application and having understood the same, this counter affidavit is being deposed basing on the records maintained in the office of these Respondents.

3. I submit that, all the averments and allegations made against the answering Respondents are denied as false and incorrect except those that are specifically admitted herein.

4. I submit that, the Government of Telangana State R&B department had accorded Administrative sanction for an amount of Rs. 143.00 Crores vide G.O Ms. No. 106 T (R&B) R-II Dept., Dt. 28.02.2018 for 6 lane ring road for the length of 5.20km in Yadagirigutta village where Sri LaxmiNarasimhaSwamy Shrine is located. The Temple is famous & important Hindu holy pilgrim center at Yadagirigutta village in Telangana State. The number of pilgrims visiting the Lord Sri LaxmiNarasimhaSwamy Shrine/Temple has been increasing day by day. Keeping in view of popularity and importance of Temple. The Government of Telangana has constituted Yadadri Temple Development Authority (YTDA) to plan and undertake development activities and to facilitate center for temple tourism.

As per Terms of Reference(ToR) of joint committee

i. It is submit that, the existing Construction debris, are being removing from the site to restore the size of oorakunta.

ii. It is submit that, the bund of oorakunta is being strengthening with appropriate concrete Retaining wall on outside and for inside stone pitching in consultation with Irrigation department.

iii. It is submit that, the FTL of oorakunta will be maintained by deepening the Oorakunta and removing debris after completion of road work with 1.17 million cubic feet (mcft) of original capacity of tank.

iv. It is submit that, the de siltation of oorakunta will be done regularly in consultation with Irrigation department.


Deponent
Executive Engineer
District (R&B) Officer
Yadadri Bhongir (District)

v. It is submit that, 3X3 mtr closed conduit Box culvert is under construction for flow of water from upper tank to lower tank during rainy seasons. This box culvert shall hold peak/sudden precipitation.

vi. It is submit that, a Box culvert has already been constructed beneath the 6 lane Ring Road for outlet of Oorakunta being provided with spillway weir for downstream water to supply to Ayacut and other irrigation purpose and other Agricultural activities are being taken up.

vii. It is submit that, 6 lane Ring Road around yadadri temple and all link roads has already been developed and traffic plying on this road and intended purpose of ring road is achieved.

viii. It is submit that STP (Sewerage Treatment Plant) is under construction on U/S in view of future expansion of projects and no effluent will be discharged into oorakuntaas shown in photographs

ix. It is submit that, Green belt with native species already taken up and will be continued in and around oorakunta premises slushy greenery will be developed.

6.I submit that this project work is neither National Highway nor Express Highway and it is only up gradation of existing road in built-up area and within green field (plain lands) where no Ecosystem disturbed as such Environmental Clearance (EC) is not required.

7.I submit that the only existing old tank bund of 300m length of Oorakunta Cheruvu is further widened to accommodate the 6 lane Ring Road duely utilizing extreme end of Down Stream toe buffer zone (no water body) by constructing Retaining wall through tank bund portion to create horizontal spatial for road formation and meagerly shifting inside the tank with minimum use of area on Upstream side without causing damage to the water body and also to the water Ecosystem, as such there is no need to assess the damage and environmental compensation .

8.I submit that this Project is Telangana State Government Project and supervised by Roads and Buildings department of Government of Telangana and not connected to


Deponent
Executive Engineer
District (R&B) Officer
Yadadri Bhongir (District)

YTDA (Yadagiri Temple Development Authority), and also being maintained by this respondent and extend of construction in water body is very meager and it is in township of Yadagirigutta and road is formed as part of town ship projects not falling within the Category provided under the under scheduled -I 7(f) of EIA Notification, 2006 not required prior EC (Environmental Clearance) before launching the same.

9. I submit that the proposed Ring Road is 5.20 km length branching and connecting Major District Road (MDR) belongs this department includes, 1. Yadagirigutta to Wangapally road from southern side, 2. Yadagirigutta to Cheriyal road from Eastern side, 3. Yadagirigutta to Raigiri road from Western side, 4. Yadagirigutta to Turkapally road from Northern side all put together forming 2.80 km length with existing above 4 roads in built-up area are upgraded into Ring Road, remaining 2.10 km in open plain lands and 0.30 km on the existing oorakuntacheruvu tank bund and other required infrastructure are in existing open and built up area belongs to Temple and YTDA, not requires any Environmental Clearance (EC). There is no violation of Environment rules in laying 6 lane Ring Road as explained in the para 7 in development project.

For the reasons stated above, it is therefore prayed that the Hon'ble National Green Tribunal may be pleased to dismiss the O.A as devoid of merits and pass such other Order or Orders in the interest of justice as this Hon'ble National Green Tribunal may deem fit and proper in the circumstances of the case.

Solemnly affirmed before me
On this the 3rd day of August, 2021
At Hyderabad.

VERIFICATION STATEMENT

I, U. Shankaraiah S/o. Muthaiah, aged about 59 years Occ: Government Service, Residing at Bhongir, working as Executive Engineer R&B Division Bhongir,, do hereby state the contents of paragraphs (1 to 9) are true to the best of my knowledge and belief. Hence, verified on this 3rd day of August, 2021 at Hyderabad.


Deponent
Executive Engineer
District (R&B) Officer
Yadadri Bhongir (District)

GOVERNMENT OF TELANGANA STATE
ROADS AND BUILDINGS DEPARTMENT

From:
Sri O. Ramesh B.E,
Superintending Engineer,
Irrigation Circle, Nalgonda.

To:
The Executive Engineer,
(R&B) Special Division, Yadadri.

Sir,

Lr. No. SE/IC Nalgonda/DEE/11/2019-20/

DI. 06.03.2020

Sub:- (R&B) Department-Special Division-Yadadri-Forming 6 Lane ring road around Yadadri Temple(from KM 0+000 to KM 5+190) along with new Ghat road landing towards N-E corner and link roads in Yadadri-permission for formation of road in the stretch km 4/050 to 4/350-Permission accorded-Reg.

Ref:- 1. EE/(R&B) SPI. Divn Yadadri Letter No. DR/D1/ 2018-19/Ring Road/16
Dt. 20.02.2020

Referring to the EE/(R&B) special division, yadadri letter above, the above tank is inspected and necessary permission is accorded to continue the 6-lane ring road which is around the upcoming Temple complex with the following preconditions.

4. The capacity of the Oorakunta Tank shall be maintained to 1.17 mcf.
5. Inner side to the bund, revetment may be provided
6. The FTL shall be maintained by constructing new weir with the level as shown by the irrigation department.

Yours faithfully


Superintending Engineer,
Irrigation Circle, Nalgonda.



ASST. EXECUTIVE ENGINEER
(R&B) Section, ALAIR

"Important"

DEE/YTDA

bv g/a
b
07/03/2020

GOVERNMENT OF TELANGANA STATE
ROADS AND BUILDINGS DEPARTMENT

From:
Sri G. Vasant Naik B.E., M.B.A.,
Executive Engineer(R&B),
Special Division, Yadadri

To:
The Executive Engineer,
Irrigation & CAD Department,
Yadadri-Bhuvanagiri District

Sr,
Lt. No. DB/D17/2018-19/Ring Road/16

Dt. 20.02.2020

Sub:- (R&B) Department-Special Division-Yadadri-Forming 6 Lane Ring road around Yadadri Temple(from KM 0+000 to KM 5+190) along with new Ghat road landing towards N-E corner and link roads in Yadadri permission for formation of road in the stretch km 4/050 to 4/350-requested Reg.

Ref:- 1. AB No. 28/2018-19 Dt. 11-07-2018

Anent to the subject and reference cited above, it is to inform that the project of YTDA is prestigious project of Government of Telangana and as a part of it, various developmental activities were proposed. As such there will be enormous increase in the movement of traffic around Yadadri Temple area and also the vehicles going to the Temple area. To cater to the needs including future growth, the Hon'ble Chief Minister instructed to provide Ring Road around the upcoming Temple complex. As such it has been proposed for developing a Ring Road around the Yadadri Temple.

Accordingly the DPR was evolved and approved and the work was entrusted to M/s Sai Pavani Pvt. Ltd. vide reference cited. The above work is commenced and is in brisk progress. The execution of the road in the stretch from km 4/050 to 4/350 is held up since the alignment of the road is passing over the bund portion of Oorakunta tank at Yadadripalli village.

Hence It is requested to accord permission to proceed with the work in the above said reach at the earliest since the work is of urgent in nature and being directly monitored by Hon'ble Chief Minister of Telangana State.

Encl:- Copy of the Approved Alignment

Of the 6-Lane Ring Road:- 1No

Yours faithfully

[Signature]
Executive Engineer(R&B),
Special Division, Yadadri.

o/c

1. Copy submitted to the Engineer-in-Chief(R&B), SR&CRN, Hyd for favour of kind Information
2. Copy submitted to the Superintending Engineer (R&B) Regional Office Nalgonda for favour of kind information
3. Copy submitted to the Superintending Engineer (Irrigation) Irrigation Circle, Nalgonda with a request to instruct the concerned to accord permission to proceed with the work in the reach mentioned above
4. Copy to DEL/YTDA for follow up action