

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

OA No 133 OF 2023

IN THE MATTER OF:

T. AMARNADTH

..... Applicant

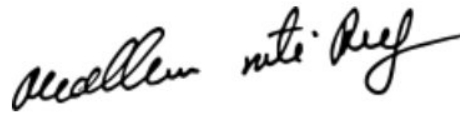
Vs

THE DISTRICT COLLECTOR AND OTHERS

.... Respondents

REPORT FILED BY THE IRRIGATION 4th RESPONDENT

DATE- 20.03.2025



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 63831 21322,

Email: reddymadhuri09@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

OA NO 133 OF 2023

IN THE MATTER OF:

T. AMARNADTH

.....APPLICANT

VERSUS

THE DISTRICT COLLECTOR & ORS

..... RESPONDENTS

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It is certified that all the documents contained in the above annexure are true copies.

Date: 20.03.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH CHENNAI
MEMORANDUM OF APPLICATION**

O.A. No.133 of 2023

BETWEEN:

1. T. Amarnadth
S/o T.Krishnaiah,
Perumallapalle,
Tirupati RURAL, Tirupati District,
Andhra Pradesh-517 501. Applicant

Versus

1. The District Collector,
Collectorate, Tirupati District,
Andhra Pradesh-517501
Phone No.
Email id: collector-tirupati@ap.gov.in
2. The Commissioner,
Tirupati Urban Development Authority,
Municipal Office Road, Near YSR Circle,
Tirupati, Andhra Pradesh-517501.
Phone No.0877-2225803.
3. Member Secretary,
Andhra Pradesh Pollution Control Board,
PayavaranBhavan, A-III, Industrial Estate,
Sanath Nagar Hyderabad - 520007.
Phone No. 0866-2463204
Email id: membersecy@appcb.gov.in
4. The Engineer -in- chief,
Irrigation Compound,
Governerpeta, Vijayawada - 520002,
Phone No.
Email id:
5. The Executive Engineer,
Tirupati Urban Development Authority,
Municipal Office Road, Near YSR Circle,
Tirupati, Andhra Pradesh-517501.
Phone No.0877-2225803.

6. The Revenue Officer,
Thummalagunta Gram Panchayat,
Tirupati Rural Mandal,
Tirupati - 517502
7. The Panchayat secretary,
Thummalagunta Gram Panchayat,
Tirupati Rural Mandal,
Tirupati - 517502
Phone No. 9703330013
Email id: vsthummalagunta@gmail.com Respondents

COUNTER AFFIDAVIT APPROVAL FILED BY THE 4TH RESPONDENT

I, C. Narayana Reddy, S/o Chinnaganta Chenna Krishna Reddy, Hindu, aged about 61 years, working as Engineer - in - Chief (Irrigation), Water Resources Department, Vijayawada, Andhra Pradesh R/o. Vijayawada, do hereby solemnly affirm and sincerely state as follows:

1. I am the 4th respondent herein and as such I am well acquainted with the facts of the case.


ATTESTER
Executive Engineer
P.P. DIVISION No: 3
VIJAYAWADA-2


DEPONENT
Engineer-in-Chief (Irrigation)
Water Resources Department
VIJAYAWADA

2. I submit that I have read the affidavit filed in support of the Writ Petition and deny all the averments of the affidavit except to the extent which is specifically admitted hereunder and the petitioners are put to strict proof of all averments which are denied.

It is submitted that the Thummlagunta tank is a Minor Irrigation tank near Thummalagunta (V) in Tirupathi Rural mandal of Tirupathi District. The tank has two sluices and one surplus weir. As per the memoirs of the Irrigation works in Swarnamukhi Minor basin, Chittoor, Nellore and Kadapa districts, the tank is formed and present No. in 50 Thummalagunta (V) of erst while Chandragiritaluk of Chittoor District and at present in Tirupathi Rural mandal of Tirupathi district in OtiCheruvu group. (Copy enclosed as annexure-1)


As per the fair adangal report available in Meebhoomi web site, the Thummalagunta tank is located in Sy.Nos. 60,61,62,63.(Copy enclosed as annexure-2) Further as per the village plan, (Copy enclosed as annexure-3) the tank doesn't have any permanent streams as inflow channels. The tank receives its water from two kasim channels (spring channel) and rainwater from the ayacut of Peruru tank. The ayacut of Peruru tank is only 2.03 Sq.kms. As the ground water was depleted considerably, the kasim channels are not receiving water. As the spring channels are being dried up due to rapid fall in ground water table,


ATTESTER
 Executive Engineer
 P.P. DIVISION No: 3
 VIJAYAWADA-2


DEPONENT
 In-charge (Irrigation)
 Water Resources Department
 VIJAYAWADA

particularly in urban areas and a very little catchment area, the tank will not receive water even upto Sill level of the tank during rainy season also. During the heavy rains in November/December, 2020, the rivers, streams and tanks have received copious inflows and majority of tanks got surpluses. As a result of unprecedented discharge in Swarnamukhiriver, three road bridges constructed across Swarnamukhi river near Tirupathi town were washed away. Even during the heavy floods of 2020, the tank has received water only about 20% of its storage capacity. That water was just sufficient to fill the swale formed by the TUDA, Tirupati and the remaining part of the tank was empty. As most part of the tank is in dry state throughout the year, the tank is being used by the local people as ground to play cricket, other games and for walking. Jauliflora was being grown up in left over portion of the tank which is not being used by the local public. Due to grown up of jauliflora in the tank it has become difficult to protect the tank from the encroachers and land grabbers. The jauliflora was a hub for drunkards and anti-social elements. Due to rapid urbanization of Tirupathi and its suburban areas built up areas has come up in majority area of the tank ayacut.

In order to protect and develop some of the tanks in and around Tirupathi certain tanks were handed over to Tirupathi Urban


ATTESTER
 Executive Engineer
 P.P. DIVISION No: 1
 VIJAYAWADA-2


DEPONENT
 Engineer-in-Chief (Irrigation)
 Water Resources Department
 VIJAYAWADA

Development Authority, (TUDA) Tirupathi by the Mandal Revenue Inspector, Tirupathi Rural, Tahsildar, Tirupathi Rural mandal, Chittoor District to the Surveyor, TUDA, Tirupathi on 09-05-2002. Thummalagunta tank is one among such tanks.(Copy enclosed as annexure-4)

The Executive Engineer, Irrigation division, Tirupathi vide Lr.No.DB/ JTO.2/T4/936 M Dt. 02-11-2009 has accorded permission to the Vice Chairman, TUDA for development activity on Thummalagunta tank and surroundings without effecting the Hydraulic particulars of the tank (Copy enclosed as annexure-5).

The TUDA, Tirupathi has increased the top width of bund by strengthening on D/s of the bund. As strengthening work was taken up on D/s of bund, the storage capacity of the tank was not affected. To prevent erosion of bund creepers are developed on slope of the tank bund. The top of bund is being used as walking track by the public of Thummalagunta (V) and Tirupathi urban areas.

The TUDA, Tirupathi has formed a swale for a length of about 1350.00 Mts with a width and depth of about 25.00 Mts and 4.00 Mts respectively on inner side of foreshore area. The swale has increased the storage capacity of the tank.

The TUDA, Tirupathi has cleared the jauliflora in the foreshore area of the tank. To avoid recurrence of growing up of jauliflora,

Handwritten Signature
ATTESTER
 Executive Engineer
 P.P. DIVISION No: 3
 VIJAYAWADA-2

Handwritten Signature
DEPONENT
 Engineer-in-Chief (Irrigation)
 Water Resources Department
 VIJAYAWADA

the TUDA, Tirupathi has taken up plantation work and various plants like coconut trees, flower bearing plants, ornamental plants and other horticulture plants are planted. Further, land scaping has also developed to prevent growing up of jauliflora.

The tank is also being used for walking purpose and to play games like cricket, badminton etc., when the foreshore area of the tank is in dry state. To provide shelter for the public engaged in sports and walking during sudden rains, temporary shelters are provided by TUDA. As the tank is being used by the women for games and walking temporary toilets are also provided. Walking track was also formed by TUDA. To avoid gathering of anti-social elements in the foreshore area of the tank, the TUDA, Tirupathi has also made lighting arrangements.

The developmental activities are taken up in dry part of the foreshore area. The TUDA has not constructed any structures like compound walls, etc., and as a result there is no effect on inflows into the tank. The TUDA has also not disturbed the sluices and surplus weir of tank.

In conclusion, it is submitted that the developmental activities taken up by the TUDA has not affected inflows into the tank. As such the storage capacity of the tank is also not affected.

3. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

Bandurthy
ATTESTER
 Executive Engineer
 P.P. DIVISION No: 3
 VIJAYAWADA-2.

[Signature]
DEPONENT
 Engineer-in-Chief (Irrigation)
 Water Resources Department
 VIJAYAWADA

4. In the above said circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No.133 of 2023 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.


DEPONENT
 Engineer-in-Chief (Irrigation)
 Water Resources Department
 VIJAYAWADA

Solemnly affirmed at Tirupati,
 on this the 18th day of October, 2023
 and signed his name in my presence.

BEFORE ME

AVOCATE, TIRUPATI


ATTESTER
 Executive Engineer
 P.P. DIVISION No: 3
 VIJAYAWADA-2

VERIFICATION STATEMENT

I, C. Narayana Reddy, S/oChinnagantaChenna Krishna Reddy, Hindu, aged about 61 years, working as Engineer – in – Chief (Irrigation), Water Resources Department, Vijayawada, Andhra Pradesh R/o. Vijayawada, do hereby verify and state that the contents of above paragraphs of the counter affidavit are true to my personal knowledge based on information and records which are believed to be true and correct.

Verified on this the 18th day of October 2023 at Vijayawada

Advocate for A.P Govt in NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH CHENNAI



DEPONENT
Engineer-in-Chief (Irrigation)
Water Resources Department
VIJAYAWADA

DESCRIPTIVE MEMOIRS OF IRRIGATION WORKS IN THE SWARNAMUKHI

MINOR BASIN, CHITTOOR, NELLORE AND OUDDAPAH DISTRICTS.

Statement of the financial details of the irrigation works in the Swarnamukhi Minor Basin—cont.

(1) Name of group.	(2) Number in the list of Public Works Department.	(3) Number of work in group as of financial year.	(4) Name of work (tank or channel).	(5) Number and name of the village to which the work belongs.	(6) Taluk.	(7) Total irrigable aquant under the tank.	(8) Total amount spent on work.	
Ollaberru group—cont.	26	4	Avilala Potta cheruvu	No. 49. Avilala	Chendragiri	279	1,2	
	..	5	Gollapalli cheruvu	No. 51. Gollapalli	Do. .. .. .	..	..
	..	6	Payidipalli cheruvu	No. 52. Payidipalli	Do. .. .. .	..	..
	..	7	Patakala cheruvu	No. 53. Patakala	Do. .. .. .	..	..
	..	8	Bangarumammita kalva	No. 49. Avilala	Do.	30	..	
	..	9	Yedu kadam kalva	Do.	Do.	40	..	
	1	10	Gundluruvai kadam Kalva	Do.	Do.	57	..	
	..	11	Tammalagunta cheruvu	No. 50. Tammalagunta	Do. .. .. .	..	..
	..	12	Sirkar tangal	No. 52. Peruru	Do. .. .. .	..	..
	2	13	Yasodharavai kalva	No. 49. Avilala	Do.	40	..	
	..	14	Lakshmiyuram Chandrika kalva	No. 52. Tirupalli	Do.	33	..	
	3	15	Elavappuram kalva	No. 49. Avilala	Do.	67	..	
	4	..	..	..	..	..	..
	Total	535	2,5
	Isolated works.	..	CXXXI	Vallurigunta cheruvu
	Paths or Kotba Agraharam cheruvu group.	..	1	Paths or Kotba Agraharam cheruvu	No. 56. Chintanur S. Do.	Chendragiri Do.
Isolated works.	3	CXXXII	Ayya Kalva and Anna Kalva	No. 10. Kottamangalam	Chendragiri	63	..	
	4	CXXXIII	Thottakam Kalva	No. 15. Thottakam	Do.	88	..	
	7	CXXXIV	Takirakam Potta Kalva	No. 20. Takirakam	Do.	120	..	
	1	CXXXV	Takirakam Chitra cheruvu	Do.	Do.	31	..	
	..	..	Total ..	..	..	301	..
Govindavaram cheruvu group.	..	1	Govindavaram cheruvu .. .. .	..	Kalahasti tamin .. .. .	..	..
	..	2	Kotba Gesta .. .. .	..	Do. .. .. .	..	..
Vikramanala cheruvu group.	..	1	Vikramanala cheruvu .. .. .	..	Kalahasti tamin .. .. .	..	..
	..	2	Jipalan cheruvu	No. 1. Jipalan	Chendragiri .. .. .	..	..
Isolated works.	..	CXXXV-A	Korabalaya cheruvu	No. 3. Korabalaya	Chendragiri Do. .. .. .	..	..
	..	CXXXVI	Ottionayadi gunta .. .. .	..	..	..	..
	..	CXXXVII	Pelaya gunta .. .. .	..	Kalahasti tamin .. .. .	..	..
	..	CXXXVIII	Nagi gunta .. .. .	..	Do. .. .. .	..	..
	..	CXXXIX	Pillari gunta .. .. .	..	Do. .. .. .	..	..
	..	CXL	Kannipalam cheruvu .. .. .	..	Do. .. .. .	..	..
	..	CXLI	Mari gunta .. .. .	..	Do. .. .. .	..	..
..	CXLII	Jingalamita gunta .. .. .	..	Do. .. .. .	..	..
Darevare-palli.	..	1-3	Darevare-palli cheruvu	Karakumbadi Palligiri	Chendragiri .. .. .	..	..
	..	..	Kotbalalayam cheruvu	Do.	Do. .. .. .	..	..
	..	..	Elamandiyam cheruvu	No. 8. Elamandiyam	Do. .. .. .	..	..
	..	4	Ollikunta	Karakumbadi Palligiri	Do. .. .. .	..	..

FINANCIAL COLLECTED AND EXPENSE DURING THE FIVE YEARS OF FIDELITY REFERRED TO IN COLUMN (13).													PROPOSED COLLECTATION AND EXPENSE.		Remarks.
(9) Average extent of cult. in acres.	(10) Gross amount on average collection including second crop, if any.	(11) Deductions and remissions.	(12) Net amount realized.	(13) Years in which the percentage in column (9) is (13) times.	(14) Proposed estimate extent of collection.	(15) Expected revenue.	(16) Outlay proposed.	(17) Actual expenditure.	(18) Difference in pages in the memoir book.	(19) Number of work in group or of isolated work (for reference only).	(20) Date of handing over work to the Revenue Department.	(21)			
193	867	41	826	1312 to 1316	219	1,377	885	..	116	4	..	..	Not estimated for, being insignificant works.
..	..	..	..	..	..	..	..	..	..	5	..	..	Dammandam.
..	18	41	41	1312 to 1316	20	80	..	..	117	6	..	..	Not estimated for, being in good order.
..	36	109	18	183	40	201	..	..	117	9	..	..	Dammandam.
..	37	183	..	183	47	183	..	..	117	10	..	..	Not estimated for, being an insignificant work.
..	..	..	..	..	..	..	..	..	..	11	..	..	Do.
..	33	86	..	36	63	302	..	..	117	12	..	..	Dammandam.
..	18	32	..	32	33	162	..	..	118	13	..	..	Do.
..	17	38	..	38	70	258	..	..	118	14	..	..	Do.
..	..	..	..	..	..	2,671	855	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..	CXXXI	..	..	Not estimated for, being a shrotriya tank.
..	..	..	..	..	..	..	..	..	..	1	..	..	Not estimated for, being private acre.
..	59	591	..	491	63	621	..	..	118	CXXXII	..	..	..
..	83	770	..	770	38	861	..	..	119	CXXXIII	..	..	..
..	63	1,000	..	731	140	1,000	..	..	119	CXXXIV	..	..	..
..	31	176	39	146	31	176	650	586	119	CXXXV	14th July 1911.	..	..
..	207	2,781	101	2,183	301	2,120	850	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..	1	..	..	..
..	..	..	..	..	..	..	..	..	..	2	..	..	..
..	..	..	..	..	..	..	..	..	..	1	..	..	..
..	..	..	..	..	..	..	..	..	..	2	..	..	..
..	..	..	..	..	..	..	..	..	..	3	..	..	..
..	..	..	..	..	..	..	..	..	..	1	..	..	..
..	..	..	..	..	..	..	..	..	..	2	..	..	..
..	..	..	..	..	..	..	..	..	..	3	..	..	..
..	..	..	..	..	..	..	..	..	..	4	..	..	..

Adangal Report

District : Tirupati				Mandal : TIRUPATI RURAL, Tirupati (Rural)				Village : THUMMALA GUNTA, Thummalagunta				Survey No : : 60			
Serial number	Survey No.	Full area	Area not suitable for cultivation	Cultivable area	Nature of the Earth	Fee (Rs.)	Land description	Water source	Ayacut area	Account number	Pattadar's name (father's/husband's name)	Name of the experiencer (father/husband's name)	Area of the experiencer (acres-cents)	The nature of experience	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	60	67.7500	67.7500	0.0000	Pond layer	0	unknown	--	0.0000	20000519	Pond embankment (pond embankment)	Pond embankment (pond embankment)	67.7500	--	

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[True copy]

**EXECUTIVE ENGINEER, W.R. DEPT.
 IRRIGATION DIVISION, TIRUPATI.**

Adangal Report

District : Tirupati				Mandal : TIRUPATI RURAL, Tirupati (Rural)				Village : THUMMALA GUNTA, Thummalagunta				Survey No : : 61			
Serial number	Survey No.	Full area	Area not suitable for cultivation	Cultivable area	Nature of the Earth	Fee (Rs.)	Land description	Water source	Ayacut area	Account number	Pattadar's name (father's/husband's name)	Name of the experiencer (father/husband's name)	Area of the experiencer (acres-cents)	The nature of experience	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	61	9.3000	9.3000	0.0000	Pond layer	0	unknown	--	0.0000	20000519	Pond embankment (pond embankment)	Pond embankment (pond embankment)	9.3000	--	

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True copy
[Signature]
 22/2/25
 EXECUTIVE ENGINEER, W.R. DEPT.
 IRRIGATION DIVISION, TIRUPATI.

Adangal Report

District : Tirupati				Mandal : TIRUPATI RURAL, Tirupati (Rural)				Village : THUMMALA GUNTA, Thummalagunta				Survey No : : 62			
Serial number	Survey No.	Full area	Area not suitable for cultivation	Cultivable area	Nature of the Earth	Fee (Rs.)	Land description	Water source	Ayacut area	Account number	Pattadar's name (father's/husband's name)	Name of the experiencer (father/husband's name)	Area of the experiencer (acres-cents)	The nature of experience	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	62	7.3800	7.3800	0.0000	Pond layer	0	unknown	--	0.0000	20000519	Pond embankment (pond embankment)	Pond embankment (pond embankment)	7.3800	--	

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(True copy)

[Signature]
22/2/25
EXECUTIVE ENGINEER, W.R. DEPT.
IRRIGATION DIVISION, TIRUPATI.

Adangal Report

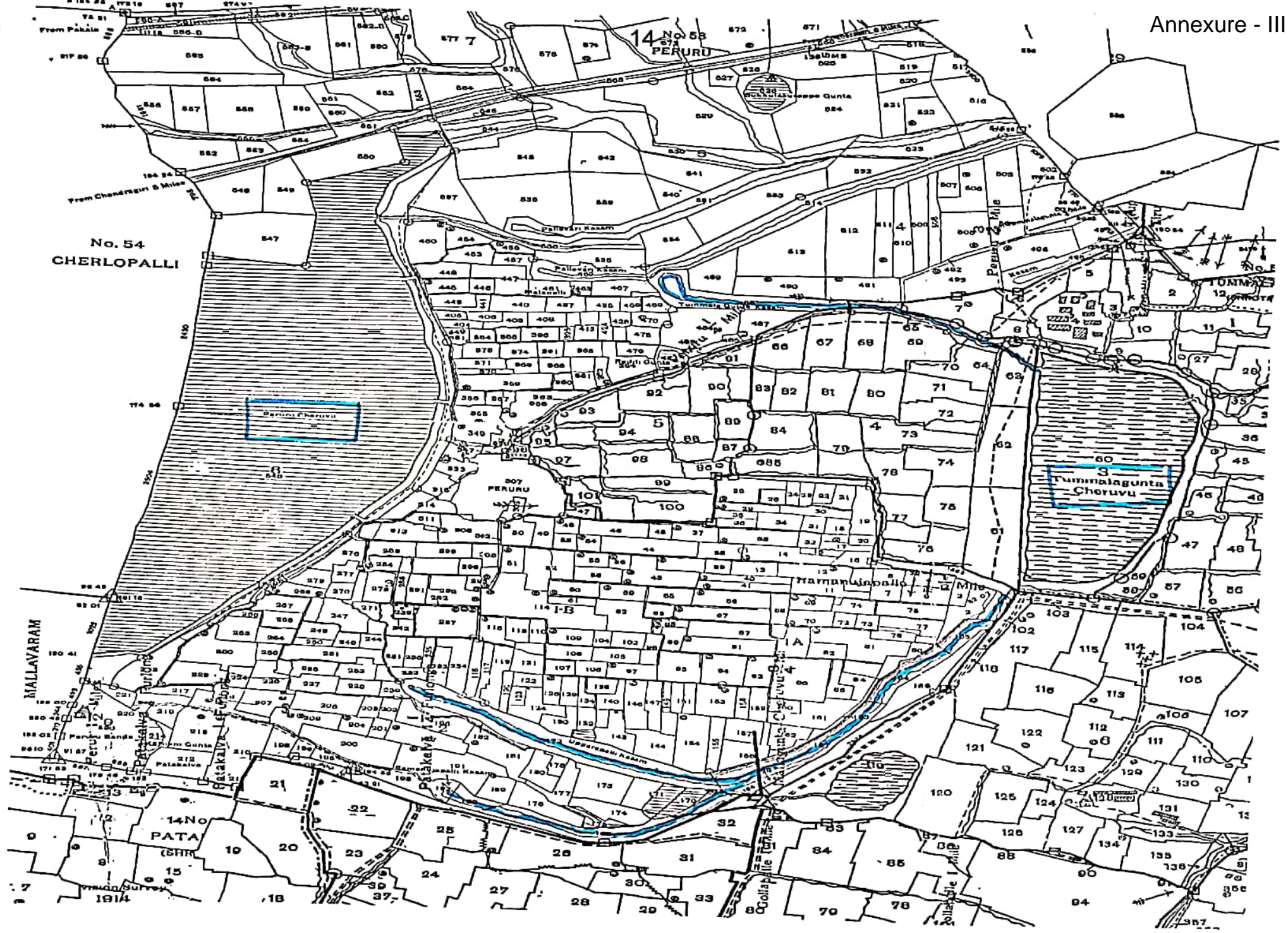
District : Tirupati				Mandal : TIRUPATI RURAL, Tirupati (Rural)				Village : THUMMALA GUNTA, Thummalagunta				Survey No : : 63			
Serial number	Survey No.	Full area	Area not suitable for cultivation	Cultivable area	Nature of the Earth	Fee (Rs.)	Land description	Water source	Ayacut area	Account number	Pattadar's name (father's/husband's name)	Name of the experiencer (father/husband's name)	Area of the experiencer (acres-cents)	The nature of experience	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	63	4.4800	4.4800	0.0000	Pond layer	0	unknown	--	0.0000	20000519	Pond embankment (pond embankment)	Pond embankment (pond embankment)	4.4800	--	

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| True copy |

EXECUTIVE ENGINEER, W.R. DEPT.
IRRIGATION DIVISION, TIRUPATI.




CERTIFICATE OF LAND TAKEN OVER FROM REVENUE AUTHORITIES


District	Mandal	Village	Name of the Tank	S No	Extent in acres	Reference	Name and designation of officer handing over	Name and designation of officer taking over	Date of handing over and taking over
1	2	3	4	5	6	7	8	9	10
Chittoor	Tirupathi Rural	Kuntrapakam	Pedda Cheruvu	599	110-34	Note Dt.6-5-2002 of the Joint Collector, Chittoor	Mandal Revenue Inspector, Tirupathi Rural	Surveyor, TUDA, Tirupathi	09-5-2002
			Chinna Cheruvu	575-1	165-23				
		Vemuru	Vemuru Tank	440	101-54				
		Thummalagunta	Thummalagunta Tank	60 to 63	88-81				
		Durgasamudram	Pillacheruvu	17	32-40				
			Adapareddy Cheruvu	261-1	12-93				
		Padu	Padipeta cheruvu	364	128-17				
		Gollapalli	Gollapalli Cheruvu	58-2	21-46				
		Pathakalva	Pathakalava Cheruvu	1	23-77				
		Pavakam	Gangangunta Tank	96	26-77				
			M M Kandriga Tank	123	7-18				
		Kothuru	Kothuru Cheruvu	139	20-60				
		Bramhanapattu	Bramhanapattu tank	242-8	3-42				
		Pudipatla	Dhalavayacheruvu	355 to 359, 361 & 362	72-33				
		Dannedu	Ramakka Cheruvu	46	23-00				
		Inachanur	Nandigunta Cheruvu	321	59-17				

Handed over by

Mandal Revenue Inspector
Tirupathi Rural


 TANDILAPATI
 TIRUPATHI RURAL MANDAL
 CHITTOOR DISTRICT
 ANDHRA PRADESH

Taken over by

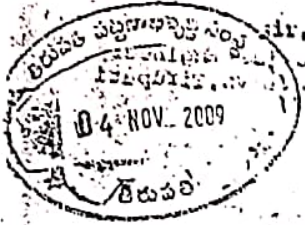

 Surveyor
 TUDA Tirupathi
 09/5/2002

GOVERNMENT OF ANDHRA PRADESH
I.R. & P.O. DEPARTMENT

7900/1000

21

Mr. P.V. Subba Rao, M. Tech,
Executive Engineer,
Irrigation Division, Tirupati,
The Vice Chairman,
TUDA Office,
Tirupati.



Mr. No. DB/JTO.2/T.4/ 936 dt. 2/11/09

Subj- M.I. - I.S.D. Tirupati--development of
Thummala gunta Irrigation tank near
Thummala gunta (v) in Tirupati rural mandal
of Chittoor Dt, by Tirupati Urban Development
Authority (TUDA)-Permission sought for
Key.

Ref:-1. Roc.No.1238/EI/09 dt.13-9-09 of Vice
Chairman, Tuda, Tirupati.
2. Dy.E.E|I.S.D|Tirupati Lt.No.242 E dt.
30-9-09.

with reference to the above cited, I inform that the existing registered ayacut is 286 acres under this tank and more over restoration of tank was taken up recently by the department, handing over the tank as a whole unit to the TUDA is not appropriate as resolution of elected body of W.U.A., is necessary besides approval of the government. However the department would accord permission to TUDA for taking up of beautification works over and surroundings of the tank without affecting the Hydraulic particulars.

Therefore TUDA may be permitted to take up developmental activities on Thummala gunta tank and surroundings without affecting the following Hydraulic particulars (ie., Hydraulic particulars should not disturb at any cost) and also inform TUDA authorities that due to taking up of development activities, any changes that are taken place in respect of hydraulic particulars. They are held responsible for any further consequences.

HYDRAULIC PARTICULARS OF THE TANK

F.T.L(Full tank level)	:	+ 182.46 M
M.W.L(Max. water Level)	:	+ 183.03 M
T.B.L(Tank Bund Level)	:	+ 184.53 M
Top width of bund	:	3.00 M
side slopes	Front	: 1 1/2 : 1 U/s
	Rear	: 2 : 1 D/s

pto

-2-

Length of weir and : 30.00 M
 Location : 1330 M to 1360 M
 Sluice & Location : 1 No. &

This is for information.

Yours faithfully,
 sd/-
 Executive Engineer
 Irrgn. Divn, Tirupati

✓ copy to Dy. Executive Engineer, Irrgn. sub. divn, Tirupati for
 information and with reference your Lr. No. 242 E dt. 30.9.09 cited.

[Signature]
 EXECUTIVE ENGINEER
 IRRGN. DIVN: TIRUPATI

[Signature]
 31/10/09

(True copy)

[Signature]
 EXECUTIVE ENGINEER, W.R. DEPT.
 IRRIGATION DIVISION, TIRUPATI.

PHOTOGRAPHS



Supply channel-1



Supply channel-1





Supply channel-3



Surplus weir



