

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI

Original Application No. 181 of 2025

BETWEEN

Kondamuri Kusuma Nagendra Prasad

... Applicant

AND

The Chief Secretary

And 12 Others

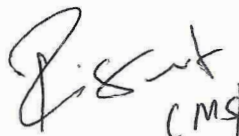
..... Respondents

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Dated at Chennai on this the 05th Day of February 2026


(MS/1458/2019)
Counsel for the Applicant

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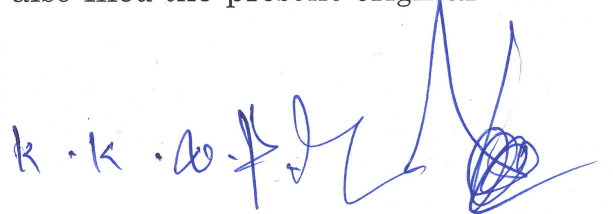
The Chief Secretary
And 12 Others

..... Respondents

**REJOINDER / REPLY TO THE COUNTER STATEMENT FILED BY THE
10th RESPONDENT ON BEHALF OF RESPONDENTS 7 TO 10.**

I, Kondamuri Kusuma Nagendra Prasad son of Nageswara Rao, aged about 42 years, residing at Door No. 7-1-009, Pydikondala Street, Yanam – 533 464, having temporarily come down to Chennai, do hereby solemnly affirm and sincerely state as follows:

1. I respectfully submit that I am the Applicant herein and I am well acquainted with the facts and circumstances of the present case, and I am competent to swear this Affidavit.
2. I have filed the present original application to direct the Respondents herein to take prompt and necessary action for removal of the unauthorized and unplanned structures constructed within the flood bank area of the Gowmathi Godavari river on the Yanam side during the expansion / widening of the approach road leading up to the GMC Balayogi Varadhi (Bridge) that are causing flooding of the region due to obstruction of the free flow of water. I have also filed the present original



application to direct the Respondents to provide for adequate and properly planned vent ways to enable the free flow of water underneath the approach road constructed in the flood bank area of the Gowthami Godavari river on the Francetippa, Yanam side in uniformity with the existing development / construction on the Konaseema District (erstwhile East Godavari District) side situated within the territorial limits of the state of Andhra Pradesh.

3. I submit that the 10th Respondent, Executive Engineer, Godavari Headworks Division, being the River Conservator, has filed his Counter Affidavit on behalf of Respondents 7 to 10 herein. I have gone through the contents of the said Counter Affidavit (**Affidavit**) and hereby submit my reply for the same as follows:

Preliminary Submissions:

- i. I humbly pray that this Hon'ble Tribunal may be pleased to read the contents and averments made in the original application and documents annexed therewith as part and parcel of the present Rejoinder / Reply.
- ii. I deny each and every allegation and averment made in the Counter Affidavit, except those that are expressly admitted hereunder and put the answering Respondents to strict proof of the same.
- iii. The GMC Balayogi Varadhi (bridge) was constructed in the year 2001 across the Gowthami Godavari River to connect city of Yanam, falling under the Union Territory of Puducherry, i.e., from Francetippa and the East Godavari District of Andhra Pradesh at Yedurlanka Village. Thereafter, the approach road on the Yanam side of the bridge was expanded from a two-lane road having undivided carriageway to a four-lane road having divided carriageway and service roads on both sides.

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The expansion work had commenced in the year 2018 and concluded in the year 2021.

- iv. Francetippa region of Yanam is situated within the flood bank on the Yanam side, namely the Gowthami Left Flood Bank (GLFB). At this juncture, it is pertinent to note that the abutment associated with the approach road on the Andhra Pradesh side of the bridge is constructed at a distance of 50 meters outside the flood bank at Yedurlanka, namely the Polavaram Island Project (PIP) Flood Bank, that too at an elevated level. Whereas the abutment on the Yanam side was constructed 550 meters within the Flood Bank, i.e. GLFB. Further, during the initial construction in the year 2001, the width of the concrete bund supporting the approach road on the Yanam side was around 10 - 20 meters wide. Thereafter, during the expansion work carried out by the NHAI, the width of the said concrete bund was increased to about 55 - 60 meters necessitated on account of the expansion / widening of the approach roads.
- v. However, the said widening / expansion project was carried out by the NHAI without obtaining proper approval and authorization from the concerned authorities including the River Conservator being the answering Respondent herein, who is the statutory authority vested with the duty under the Andhra Pradesh River Conservancy Act, 1844 (ACT) to manage, survey, preserve and protect the rivers under his jurisdiction. The unapproved widening of the bund has created further obstruction to the free flow of flood water from upstream to downstream through the already narrow vent way existing under the bridge and further, unlike the Andhra Pradesh side, wherein the flood water is able to freely flow under the bridge due to the elevated nature of the

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approach road and corresponding abutment, the free flow of flood water on the Yanam side is severely restricted due to the lack of elevation and narrow vent way, that has been further obstructed due to the expansion project in 2021.

Parawise Remarks to the Preliminary Submission in the Counter Affidavit:

- vi. The contents of paragraphs 6 and 7 of the Counter Affidavit are denied, and the answering Respondent is put to strict proof of the same. It is humbly stated that the claim of the Respondent that the Applicant finds fault with the design of the bridge by allegedly claiming that the approach road on the Andhra Pradesh side is only 50 meters and 550 meters on the Yanam side is incorrect and misleading. The claim of the Applicant in the original application specifically pertains to the obstruction to the free flow of water through the narrow culvert on the Yanam side of the bridge caused due to the unauthorized and unapproved widening / expansion activities carried out during 2021 including the widening of the bund from about 10 -20 meters to about 55 meters.
- vii. Further, the Applicant has not raised any contention in the original application with respect to the length of the approach road on either side of the bridge or with respect to the original design of the bridge constructed in 2001. As mentioned above, it is the grievance of the Applicant that the abutment constructed on the Yanam side is found to be 550 meters within the Flood Bank area and thereby obstructing / blocking the free flow of water as compared to the Andhra Pradesh side, wherein the abutment is found at a distance of 50 meters outside the flood bank, that too in an elevated manner, thus allowing for the unobstructed free flow of water under the bridge. The prayer of the

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Applicant merely pertains to removal / alteration of the unauthorized structures constructed on the Yanam side during the widening project that are obstructing the free flow of water and to ensure that adequate vent ways are provided on the Yanam side to enable free flow of water underneath the bridge in uniformity with the construction already existing on the Andhra Pradesh side of the bridge.

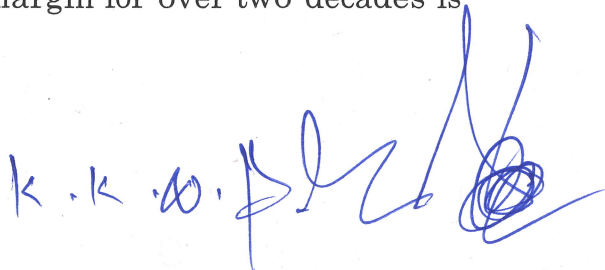
viii. The devastating effect of the unauthorized widening project was immediately made evident as the region of Yanam had to endure one of its most harrowing floods in 2022, right after the widening project was completed. Wherein, the obstruction of free flow of water from upstream to downstream within the flood bank caused flood water levels to rise and overflow beyond the flood bank, onto to the Yanam main town area causing significant loss to property, infrastructure and also loss of life in the region. It is pertinent to note that the tabulation filed as *Annexure 3* by the Respondent along with the Counter Affidavit would itself show water levels recorded during the 2022 floods were only the 5th highest in Yanam history and not the 3rd highest as incorrectly mentioned in the Counter Affidavit, yet it is the first instance that the flood waters have overflowed beyond the flood bank area and on to the mainland in over several decades i.e., 1953, clearly indicating the lack of planning during the widening project that has caused the obstruction of free flow of water from upstream to downstream during the 2022 floods. Thus, the answering Respondent cannot simply shrug off his statutory responsibility by misleadingly claiming that there is no issue with the design of the culvert build during the widening of the approach road on the Yanam side and that the 2022 floods were a mere freak of nature.

ix. Also surprisingly, though the answering Respondent, River Conservator is quick to dismiss the concerns of the Applicant in the original

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application and inexplicably jump to the assistance of the NHAI and Yanam PWD by claiming that there are no design flaws with the culvert and that the same is designed based on the various geographical and engineering parameters. However, the Counter Affidavit filed by the said Respondent is strangely silent on the exact design, calculations and parameters used to design such a narrow culvert on the Yanam side of the bridge.

- x. Further, it is also brought to the notice of this Hon'ble Tribunal that the claim of the River Conservator that there are no design flaws with the initial construction of the bridge and that there have been no shortcomings thereof for the past 25 years are also without any merit. The correspondence of the Yanam PWD issued to the River Conservator dated 29/09/2020 seeking NOC for certain flood prevention activities shows the Yanam PWD has brought to the notice of the River Conservator that the excessive number of piers constructed across the river and the projection of the abutment construction during the 2001 period has been causing severe soil erosion along the river margin for over two decades (**page 3 of the document**). Also, the said correspondence also clearly elucidates that the construction of certain hydraulic structures along the approach road on the Yanam side is causing increased high flood levels and resulted in high flood inundations resulting in frequent shore erosion, sliding, etc since 2006 that has cause severe harm and damage to the people residing in Yanam (**page 4 of the document**).
- xi. Thus, not only is the claim of the River Conservator that no design flaws exist with respect to the original bridge designed and constructed by the NHAI without any merit, but also, the regular flooding, soil erosion and sliding regularly taking place at the river margin for over two decades is

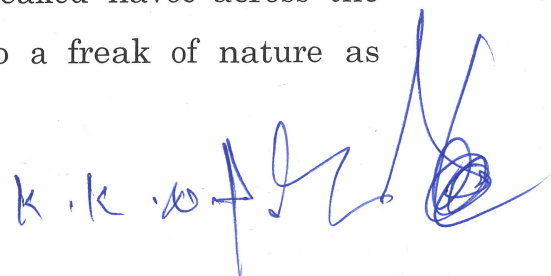


an alarming indication of the fact that the River Conservator has been callously neglecting his statutory duty under the Andhra Pradesh River Conservancy Act, 1884 with respect to preserving the Godavari – Gowthami River. [A copy of the correspondence dated 29/09/2020 issued by the Yanam PWD to the River Conservator is annexed as EXHIBIT -1]

- xii. The contents of paragraph 9 are denied, and the answering Respondent is put to strict proof of the same. **Annexure 3** filed by the River Conservator along with the Counter Affidavit clearly proves that the 2022 floods were the 5th highest in terms of flood discharge. The top five flood discharges in the Yanam Region are provided in the tabulation below:

Period	Flood Discharge in Cuses in the Gowthami – Godavari River	Rank
1986	35,06,380	1 st
1953	30,03,100	2 nd
2006	28,50,664	3 rd
1990	27,88,700	4 th
2022	25,80,963	5 th

- xiii. Thus, the above tabulation makes it clear that the 2022 floods were infact only the 5th highest in terms of flood discharge and not the 3rd highest as wrongly elucidated to by the answering Respondent in the Counter Affidavit. As mentioned above, despite there being many heavier floods prior to the widening of the approach road in 2021, it was only the first time since 1953 that the flood water had risen above the flood bank and spilt over into the Yanam main town area. Thus, the devastating effects of the 2022 floods that wreaked havoc across the Yanam region cannot merely be attributed to a freak of nature as



conveniently claimed by the River Conservator. It is no coincidence that the flood having the worst impact in the region was witnessed within a year from the completion of the unauthorized and unplanned widening of the approach road on the Yanam side of the bridge that caused the obstruction of free flow of water from upstream to downstream within the Flood Bank.

- xiv. The contents mentioned in paragraph 10 of the Counter Affidavit pertaining to the O.A. No. 181 of 2025 being conveniently filed on environmental grounds to unreasonably bring the case within the jurisdiction of this Hon'ble Tribunal is denied as unsustainable and the same has been averred without application of mind. The issue at hand pertains to violation of the Andhra Pradesh River Conservancy Act, 1844 and the provisions of other environmental statutes as well as the articles of the Indian Constitution as mentioned in detail in the original application as also herein below. The present Original Application filed by the Applicant pertains to issues of grievous concern that are having a significant adverse impact on biodiversity in the Yanam Region.
- xv. The contents of paragraphs 11 and 12 of the Counter Affidavit are vehemently denied. The callous and lackadaisical attitude of the River Conservator to solely blame the Puducherry Government for the prevailing issue while blatantly washing his hands of is quite shocking. The River Conservator while expressly admitting that flow of water through the vent ways have purposefully been restricted / obstructed by the authorities that too under the untenable guise of public interest, attempts to solely blame the Puducherry Government for the same by claiming that widening the vent way or removing the restrictions / obstructions would inconvenience and endanger those people who have illegally encroached upon the flood bank area in an unauthorized

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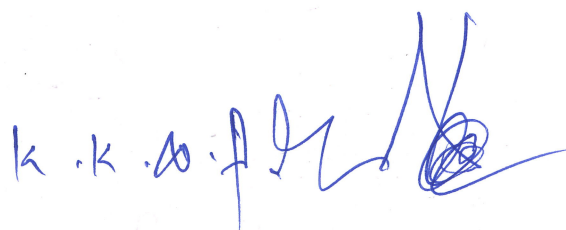
manner and therefore, the River Conservator is unable to perform his statutory duty under the Andhra Pradesh River Conservancy Act, 1844.

xvi. The River Conservator herein is vested with adequate powers under section 14 of the Act to remove such unauthorized encroachments and other such obstructions using the assistance of local authorities to protect the Gowthami – Godavari River. However, the River Conservator having turned a blind eye for all these years and derogated from performing his statutory duty as mandated under the Act is now conveniently attempting to transfer the entire blame on the Puducherry Government and the same is untenable. The River Conservator ought to provide an explanation with respect to the efforts taken by him to perform his statutory duties under the act by reaching out to the concerned authorities in Puducherry or if the authorities have not cooperated with River Conservator as alleged in the Counter Affidavit, the River Conservator must provide a reasonable explanation for not taking action against the officials concerned by approaching either this Hon'ble Tribunal or any other appropriate judicial forum to initiate action against the concerned officials and also to clear off / remove such unauthorized constructions / encroachments within the Gowthami Left Flood Bank. The River Conservator cannot merely claim that the free flow of water has to be restricted by the authorities to protect those who are in illegal occupancy of the flood bank area. The River Conservator has turned a blind eye and sat on his hands for all these years in abject disregard of his statutory duties and is now attempting to escape his responsibilities by blaming encroachers and the Puducherry government. The said averments of the River Conservator are completely unsustainable and baseless in nature.

Objections to the Parawise remarks provided in the Counter Affidavit:

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- xvii. The River Conservator under paragraph 4 of the parawise remarks in the Counter Affidavit has mentioned that W.P. (PIL) No. 332 of 2018 has been reopened by the Hon'ble Andhra Pradesh High Court. The same is not relevant to the present case. The said case has been cited in the original application merely to show that in similar cases, the Hon'ble High Court has constantly reiterated that no construction must be permitted Gowthami – Godavari river bed without obtaining prior permission of the River Conservator and also to show that unauthorized encroachment are being rampantly being carried out regularly in an unfettered manner within the Yanam Flood bank area, which the River Conservator has himself expressly acceded to in his Counter Affidavit. Neither the River Conservator nor the other concerned authorities including those arrayed as parties herein have taken any steps thus far to remove such illegal encroachments. The claim of the River Conservator that the said writ petition has been reopened and is still pending has no relevancy to the present original application.
- xviii. The contents of paragraph 5 of the para wise remarks made by the River Conservator are vehemently denied. It is once briefly reiterated that the River Conservator is the statutory authority vested with the mandate to enforce the provisions of the Andhra Pradesh River Conservancy Act, 1884. The claim that the onus of enforcing the Act vests with the Puducherry Government solely because the said Government is in charge of the administration of Yanam is absolutely untenable and against the provisions of the Act including Section 14. The River Conservator having merely turned a nelson's eye and blatantly neglected his statutory duties for all these year in allowing the Gowthami – Godavri river margin to suffer significant erosion and ribbon development of such unauthorized constructions as expressly acceded in the Counter Affidavit is now unduly shifting the blame onto the



Government of Puducherry without taking any steps to rectify the issue and prevent further damage and harm to the River and the same is a clear derogation of his statutory mandate and further negligence on part of the River Conservator will not only lead to irreversible harm being caused to the River Margin and ecology of the region but will also have a significant adverse impact on the infrastructure and the lives of the people residing at Yanam.

- xix. This Hon'ble Tribunal may be pleased to direct the River Conservator to fulfil his statutory mandate under the Act and take necessary steps along with the assistance of the relevant authorities to remedy the situation of unauthorized encroachments within the Yanam Flood Bank to prevent further damage to the River Margin and also to ensure that adequate flood water is allowed to flow freely from upstream to downstream within the flood bank area through the vent way and thereby preventing flooding of the Yanam mainland in the future.
- xx. The contents of paragraphs 6 to 8 of the parawise remarks in the Counter Affidavit are denied and the answering Respondent is put to strict proof of the same. The NHAI in the RTI reply filed as ***EXHIBIT P13*** in the original application has stated that since the widening project of the approach road completed in 2021 was only '*Repair and Rehabilitation Work*', no application for NOC was made to the River Conservator at the time. The NHAI have widened the bund on the Yanam side of the bridge from about 10 - 20 meters to about 55 meters without the approval of the River Conservator and the same has now created obstruction to the free flow of water from upstream to downstream on the Yanam side. Therefore, it is clear that no application for approval / NOC was submitted to the River Conservator with respect to the widening of the approach road and the River Conservator is not

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aware of the structural changes made to the bridge and the bund post 2021.

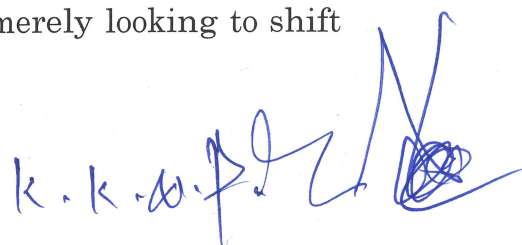
xxi. Further, the River Conservator has jumped to the aid of the NHAI and said that no shortcomings have been seen in the work of such a reputed governmental agency for the past 25 years. Firstly, as mentioned in detail hereinabove, this particular original application has been filed to remove / alter the unauthorized obstructions created during the widening project of 2021 and also to increase the size of the vent way. Therefore, the design of the bridge having no shortcomings for the 25 years has no relevancy to the present case. Secondly, it is important to reiterate as evidenced through **EXHIBIT 1** enclosed herewith and mentioned above that there are several issues associated with the Bridge's design that are causing erosion of the soil at the river margin, sliding and also regular and severe flooding since the early 2000s. Thus, the River Conservator is well aware of the issues pertaining to the design of the bridge and the issue of unauthorized encroachment growing in a steadfast manner over the years within the Yanam flood bank region as evidenced by both **EXHIBIT 1** annexed herewith and also the various **EXHIBITS / Correspondences** annexed along with the original application, including the correspondence issued by the River Conservator himself, in denying NOCs for construction activities within the Flood Bank area. Thus, the claims of the River Conservator in this regard made in the Counter Affidavit are respectfully incorrect and unsustainable.

xxii. The contents of paragraph 9 of the parawise remarks made in the Counter Affidavit are strongly denied and the answering Respondent is put to strict proof of the same. It has already been established herein above that the 2002 floods were only the 5th highest in terms of flood

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water levels and not the 3rd as incorrectly elucidated to by the River Conservator. Also, it would be incorrect to casually attribute the havoc created by the 2022 floods to a freak of nature as it is no coincidence that the 2022 floods was the first instance since 1953, of the flood water raising to such alarming levels that the water had risen above the flood bank and overflowed into the Yanam mainland areas.

xxiii. The unsubstantiated claims of the River Conservator that Yanam is protected from flooding by the Gowthami Left Flood Bank and no significant damage to life and property was cause during the 2022 floods to property and life is incorrect. The Comprehensive Development Plan issued by the Town and Country Planning Department, Government of Puducherry via its GIS Based Master Plan for Yanam -2041, specifically in **page 351** of the Report clearly elucidates the significant damage to infrastructure and losses in Yanam that took place due to the 2022 floods. Further the report clearly states that the flood waters spilt over the flood bank and onto the Yanam main town area, which proves the fact that the contentions of the River Conservator in this regard made in the Counter Affidavit are incorrect and unsubstantiated. The report clearly states that institutions and residents in non-flood prone areas were also fully submerged due to the 2022 floods, up to the first floor level in certain cases. Further, even the said report specifically states that such flooding can also be attributed to the lack of action taken by the authorities such as the River Conservator to restrict and remove the unauthorized encroachments that have been allowed to fester and grow in a rapid and unchecked manner in the restricted flood bank area and it is highly unfortunate that having failed to diligently exercise his statutory duties, the River Conservator is shocking using the same as a meritless excuse to defend the action of restricting the free flow / level of water flow from upstream to downstream and is merely looking to shift

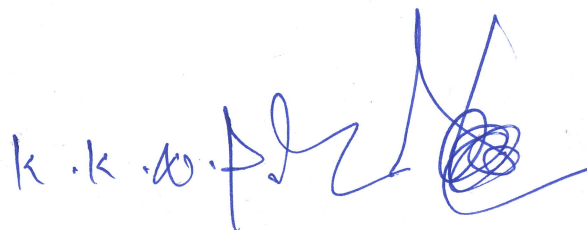


the blame onto the Puducherry Government and the same highly unsustainable in nature and a gross violation of the Andhra Pradesh River Conservancy Act, 1844. [A copy of extract of the relevant portion (page 351) of the GIS Based Master Plan for Yanam -2041 issued by the Government of Puducherry and the various press releases issued by said government, highlighting the seriousness of the situation during the 2022 floods is enclosed herewith as EXHIBITS 2 and 3 respectively.]

- xxiv. The contents of Paragraph 10 and 11 of the parawise remarks made in the Counter Affidavit are categorically denied and the answering Respondent is put to strict proof of the same. It has already been repeatedly reiterated herein above that the obstruction of the free flow of flood water from upstream to downstream within the flood bank area was the primary cause of the 2022 floods. The Cooringa River, is infact merely a drain that is situated at a significant distance from the Yanam town and the said drain finally confluences into the Gowthami Godavari River. The said drain is regulated through a regulator known as the '*Cooringa Regulator*' situated at the tail end of the drain within the Gowthami Left Flood Bank and the Tidal Lock of the said drain is operational during flood season to prevent the Gowthami – Godavari water from entering into the drain and resultantly flooding the nearby villages and hence all the villages around the drain are adequately safeguarded. In fact, the said drain is under the control of the River Conservator, being the answering Respondent herein, who is vested with the duty to close the drain as soon as the 1st flood warning is issued to prevent water from the Gowthami – Godavari River to flow into the said drain. Thus, there is no possibility of flooding occurring from the Cooringa River / Drain and the flood water can enter into Yanam only by virtue of overflow of flood water from the Gowthami – Godavari River.

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- xxv. Further, I am also advised to state that if flood water had entered into Yanam from the Cooringa Drain on the eastern side as alleged by the River Conservator, then it stands to reason that the village of Talla Revu and also the Kajul Uru Mandal situated in the path of the said drain within Andhra Pradesh would also have been subject to severe flooding and inundation in 2022. However, the same was not the case and there was no inundation of the said areas in Andhra Pradesh and thus dispelling the unsubstantiated claim that the overflow of the Cooringa River / Drain was the primary cause of the 2022 floods. [A copy of the Map of the Drainage Basins and the Report containing the estimate pertaining to the repair and rehabilitation of the Corringa Regulator are annexed herewith as EXHIBITS 4 and 5 respectively.]
- xxvi. The contents of paragraph 12 of the paragraph of the parawise remarks in the Counter Affidavit are denied and the answering Respondent is put to strict proof of the same. The claim that widening the vent way would endanger the life and property of those illegally encroaching upon the flood bank area has already been discussed in detail herein and is not being repeated for the sake of brevity. However, it is vehemently reiterated that having allowed the encroachments to grow over the years in an unfettered manner, the River Conservator cannot seek refuge by citing his own inaction and failure to adhere to his statutory duties as an excuse under the guise of public interest to obstruct / restrict free flow of flood water from upstream to downstream.
- xxvii. The contents of paragraph 13 and 14 of the parawise remarks in the Counter Affidavit are denied and the answering Respondent is put to strict proof of the same. While, the NHAI has carried out expansion / widening activities of the approach road to cater to the growing traffic needs, it has been admitted by the NHAI that the same has been done



without the consent or obtaining a NOC from the River Conservator, merely under the guise that the widening of the approach road is 'rehabilitation and repair' work as mentioned by the NHAI in its reply to the RTI filed by the Applicant (*EXHIBIT P13 of the original application*). There is no rhyme or reason provided either by the NHAI or the River Conservator as to how such an extensive project such as expansion / widening of the approach road from a two lane road with undivided carriageway to a 4 lane road with divide carriage ways and service roads on both sides, that would clearly result in a significant alteration to the design of the bridge and vent way underneath, including the widening of the bund from about 10 - 20 meters to about 55 meters can be simply classified as repair work. Thus such construction that has significantly altered the design of the bridge and vent way in 2021, cannot be classified as repair work and the said construction carried out without the NOC of the River Conservator is unplanned, unauthorized and illegal and the obstructions created to the free flow of water on the Yanam side of the bridge on account of such unauthorized and unplanned expansion ought to be rectified and remedied at the earliest by the River Conservator with the assistance of the appropriate authorities to prevent such significant and devastating floods and damage to the river margin in the future.

xxviii. The contents of paragraphs 17, 18 and 19 of the parawise remarks in the Counter Affidavit are denied and the answering Respondent is put to strict proof of the same. The averments made by the River Conservator in the said paragraphs have already been rebutted to in detail herein above and the same is not being repeated herein for the sake of brevity. The River Conservator cannot shift the blame solely onto the Puducherry Government and the ribbon development of unauthorised construction within the flood bank area ought to also be attributed to the inaction of

the River Conservator in fulfilling his statutory duties. The River Conservator is mandated under Section 14 of the Act to remove the unauthorised constructions within the flood bank areas with the assistance of the concerned authorities. The River Conservator must take immediate steps to fulfil his statutory obligations under the Act and proceed to remove the encroachments with the assistance of the concerned authorities, instead of restricting the free flow of flood water from upstream to downstream that is causing significant loss and damage to life and property in Yanam Town.

Objections to the Parawise Remarks on Grounds provided in the Counter Affidavit:

xxix. The content of paragraph 1 of the parawise remarks on grounds provided in the Counter Affidavit is denied. The Applicant has provided various documentary evidence both in the original application as well as with the present rejoinder to adequately substantiate each and every claim and grievance raised by the Applicant. The perusal of the Counter Affidavit would show that it is only the River Conservator, who has made multiple incorrect, untenable, unsustainable claims in his Affidavit that are completely unsubstantiated, without even a shred of documentary evidence.

xxx. The content of paragraphs 2 to 4 of the parawise remarks on grounds provided in the Counter Affidavit is denied and the answering Respondent is put to strict proof of the same. The contentions therein have already been refuted to herein above in detail and are not being repeated for the sake of brevity. The extensive widening of the approach road that significantly alters the structure and design of the bridge and the culvert is not merely a repair / rehabilitation work and such extensive construction ought not to have been carried out without

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obtaining the NOC of the River Conservator and the said construction is unplanned, unauthorized and illegal. The River Conservator, NHAI and concerned authorities arrayed as parties in the present original petition must take immediate steps to alter / rectify the unplanned and unauthorised construction that are restricting the free flow of water from upstream to downstream within the flood bank on the Yanam side.

- xxxii. It is pertinent to note that the riverbed area on both the Yanam and Andhra Pradesh side are under the control of the River Conservator and the development regulations have to be uniformly applied for both regions and the present derogation of the same by the River Conservator and other concerned authorities is an egregious violation of Article 14 of the Indian Constitution.
- xxxiii. The constant flood, unauthorized encroachments and unplanned development / construction of the bridge and the widening of the approach roads continues to cause significant and irreversible harm to the ecosystem by having an adverse impact on the biodiversity and aquatic life in the region and also through damage to the river margin by virtue of shifting and erosion of soil along the river bed causing severe loss of life and property of people residing in the Yanam Town and the neglect on part of the Respondents to remedy the situation is a violation of Article 21, 48 A and 51 A (g) of the Indian Constitution.
- xxxiiii. The inaction on part of the Respondents to take swift and necessary measures to rectify the issue at hand and prevent the constant flooding and harm to the ecosystem and public safety on the Yanam side, despite multiple representations and requests being made on part of the Applicant and other public spirited individuals, is not only a grievous violation of the statutory duty on part of the Respondents but also a gross miscarriage of the principles of natural justice. No industry, much

K. K. S. P. S. S. S.

less the state or its instrumentality can be permitted to indulge in such activities that result in such irreversible harm to riverine ecology as to protect and improve the environment has a direct nexus to the quality of human life, thus all environmental principles must be taken into consideration for furthering the cause of protecting and preserving the environment by enforcing the applicable laws, rules and regulations.

xxxiv. The inaction on part of the River Conservator highlights the lackadaisical approach of the statutory Respondent in execution of his function. The River Conservator, ought to take immediate and necessary action to remove the unauthorised encroachments along the flood bank area and also remove the obstructions / restriction to the free flow of flood water from upstream to downstream as the River Conservator is vested with the statutory duty, as a public serving authority to ensure that such obstructions and unauthorised encroachments are duly removed to ensure the free flow of water from upstream to downstream within the flood bank area, to prevent the rapid rise of water levels leading to the said flood water overflowing into the main Yanam Town, causing significant harm and damage to life and property.

Therefore, in view of the above submissions, it is humbly prayed that this Hon'ble Tribunal may be pleased to allow the present original application by granting the relief as prayed for in the original application and pass any such other consequential orders as this Hon'ble Tribunal may so deem fit on the basis of the facts and circumstances of the present case and thus render justice.

Solemnly affirmed at Chennai on this
the 05th day of February 2026 and
signed his name in my presence.

Before me,
K. K. A. J. [Signature]
V. N. Arun dhan
CMS/875/1993, No. 57/18,
Bharat eelamalai Colony, 2nd St,
Kodambakkam - 41 - 24
Advocate, Chennai. 9380415452

No. 504 /PW/EE/DB/YNM/2020-21
GOVERNMENT OF PUDUCHERRY
PUBLIC WORKS DEPARTMENT
YANAM

Date: 29-09-2020

MC3
To
The Executive Engineer,
Godavari Head Works Division,
Dowlaiswaram,
Andhra Pradesh

38/9

Sir,

Sub: PW-YD - Flood Protection works in Yanam U.T. of Puducherry-
Issuing of NOC from Andhra Pradesh authorities for resuming of
urgent ongoing Flood protection work within the Territorial limits
of Yanam region of U.T. of Puducherry-Requested-Reg.

- Ref: 1. letter No. ENC(I)/DCEDW/ OT4/AEE15/Yanam-NOC/2017,
dt. 13-4-2018 of the Engineer-in-charge (Irrigation) Andhra Pradesh
2. Memorandum No. ICD01 - CAD/87/2020-IS/EA, dt. 3-9-2020
of the Special Secretary to Government of Andhra Pradesh.
3. This office letter No. 436/PW/EE/DB/YNM/2020-21,
dt. 14-9-2020.

In continuation to the reference 2nd cited above, I am to inform that the two more extra copies of project drawings as sought for are handed over on 19-02-2020. During discussions held with the Executive Engineer, Godavari Head Works Division, on 22-09-2020 at Dowlaiswaram office it was informed to furnish further clarifications on the remarks raised by the Engineer-in-Chief (Irrigation) Andhra Pradesh and reported to the Secretary to Govt. of Andhra Pradesh, Water Resources Department.

The project for which the NOC is sought is an ongoing project started during February 2011 and stopped in November 2011 after execution of works for Rs.23.11 Crores and out of which Rs.19.00 Cr. was paid for procurement of material those are used for anti-shore erosion works. There are several pending audit paras still to be attended to for not having completed of this life saving project. Unless this work is completed there will be loss to exchequer to Govt. for Rs.23.11 Cr. besides additional burden of interest charges etc, as claimed by the contractor. Hence this project has to be completed immediately.

In this context, it is to state that during the year 2009 the original D.P.R. for Rs.139.67 Cr. was got sanctioned by the CWC, New Delhi and later considering the Ground realities a revised and updated D.P.R. is prepared in such a way by adopting only the shore line apron using stone pitching works and flood parapet walls on the existing flood banks etc, with a deep study on hydro-graphic survey with HEC-RAS Modeling of the River Reach with the guidelines accorded by the Multi Disciplinary expert team constituted by Ministry of Water Resources, River Development and Ganga Rejuvenation, New Delhi which finalized the project cost to an amount of Rs.137.28 Cr. and it has also been cleared by the Technical Advisory Committee (TAC)

for Techno-Economic Viability by the CWC, Head Quarters, New Delhi on 06-06-2018. Thereafter, this project is pending to be resumed for want of NOC from Andhra Pradesh Irrigation authorities.

As per the minutes of 1st Regional conference of Southern States and Water Resources held at Hyderabad on 20-2-2018, the NOC was also said to be cleared "On the advice of Hon'ble MoS (MoWR, RD & GR), Andhra Pradesh agreed to issue NOC for the Yanam Scheme and assured that formal communication to this effect will be issued to Puducherry within a week." As such, action is now to be taken for issuing of NOC to this project by the Executive Engineer, Godavari Head works Division, Dowlaiswaram

The latest factual notes and ground realities are detailed below for favour of issuing NOC at the earliest please.

As suggested by the Engineer-in-Chief (Irrigation), Andhra Pradesh in the remarks letter under reference 1st cited since the matter being an interstate issue between Govt. of Puducherry and Govt. of Andhra Pradesh, this has already been pursued from Govt. of Puducherry to Govt. of Andhra Pradesh and accordingly the Special Chief Secretary to Govt. Water Resources (IS.EA) Department vide reference 2nd cited has requested to accord NOC by the Executive Engineer, Godavari Head works Division, Dowlaiswaram subject to conditions. Now the Andhra Pradesh State Government had empowered the Executive Engineer, Godavari Head Works Division, Dowlaiswaram to issue NOC to this project.

It is admitted in the letter under reference 1st cited, the Girijanapeta Flood bank is also proposed but not executed by the Andhra Pradesh authorities as per G.O. M.S. No. 4, dt. 03-01-2007 by which the Gowthami left flood bank was modernized and improved to 1986 flood discharge standards from Dowlaiswaram to 60.40 Km i.e. Artikayalanka where from the UT of Puducherry Territory begins. It is a fact that, the flood/marginal banks in U.T. limits could not able to cater for huge floods situation like 2006 & 2020 and may result in horrible situations of breaching during any major Flood where water level reaching on par to the top of existing flood banks with no free board at all. These flood banks were formed some 50 more years ago and since then the same were not been attended with any type of raising or strengthening work for such old flood banks. As a result it is ringing danger bells whenever Godavari floods are occurring.

During 2006 Floods a breach of flood bank on Gowthami occurred at Sanipallilanka village in I.Polavaram Mandal submerging several villages. This situation arised to modernize the existing flood banks on Godavari river. The Andhra Pradesh Government completed the project with World Bank funds except Yanam Region Flood banks. Hence by virtue of time run itself the modernization of Yanam Flood banks is highly required and considering the same the NOC to this project shall be issued immediately please.

It is also a fact that the HEC-RAS Hydraulic Modeling Study carried out for the project site of river channel near Yanam with total 13 sections of hydrographic survey that run for simulation analysis corresponding to a Flood of return period 100 years, the model calibration, data pertaining to the discharge during the flood events of 2006, 2013, 2014 and 2015 is used and the outcome of the calibration reveals that there will be a maximum water level of +5.46 mtrs is found where as the HFL recorded at Yanam during 2006 is +4.06m. The prevailing norms given in BIS code 12094-2000 for design of river embankment also envisages a free board of 1.8m to be maintained

Hectors (557 Acres) in Adavipolam Revenue village were eroded until the shore of Yanam were protected the same is not reported / objected to A.P. authorities. Later after the hue and cry of local farmers the Govt. of Puducherry taken steps to protect by adopting the same technic followed by their counter parts in A.P. State. Whereas in the report of the Engineer in Chief it is stated that about 200 Acres of land eroded in AP State limits done which is not considered the damage occurred on Yanam side.

The Meandering phenomenon of rivers in delta on alluvial plains is a natural phenomenon, will generate scouring effect all along the river shorelines which is an unavoidable prevalent situation, which will occur even for a small shower of rain or low tide, high tide effect or waves caused by wind pressure as the silt factor of the Godavari delta has a very lower value.

Moreover this delta sediments containing with very fine soil particles layered in different soil stratum upto a depth of about 20 meters below ground level is quite normally been eroded not only for high flood currents but also for the back water influenced tidal waves etc.,

Therefore the project wise adverse remarks raised are attended herewith as follows:

Project: 1 & 1A. As stated by the Andhra Pradesh authorities, that the Department will not have any objection if the protection works are taken up to the existing ground level / bed level, but construction of wall above the HFL effects the flow pattern in the river and consequently will have adverse scoring effect on the Yedurlanka village situated on right bank of river is exacerbated.

As already stated above the construction of abutment of GMC Balayogi Bridge across the water spread area of the land between the abutment and flood bank which is 800m away from abutment and number of piers across the river is the main cause of erosion and construction of a wall / bund along the line of abutment will have a minimal effect as the projection of abutment started causing erosion on Yedurlanka side since 2001 thereby severe damage have already been administered. The damage caused by the bridge construction since 2001 to till date will not fall on the part of Yanam Administration and the construction of project 1 may not cause such a destruction. Hence the same may please be permitted.

As stated earlier this project-I is just an apron of stone pitching construction intended to prevent soil erosion 1A is also not effecting the flow condition of Gowthami branch of Godavari river because the flood wall parapet / curtain wall proposed is having many openings at beach road connecting perpendicular ways through which the flood waters are allowed and moreover the Francethippa margin land covered under these projects is mostly having an average level of +4.00 meters by which there will not be much flood inundation. Further height of wall proposed above HFL is merely a free board which will not cause any adverse effect of river flow are any soil erosion. Hence, the NOC shall be accorded for these project 1 and 1A.

Project: 2. This project has no objection from the AP authorities. At this stretch the Coringa Tributary is fairly wide and deep, so no ill effect foreseen as the bund proposed is also not restricting free flow of river.

Project: 3. This project 3 will not created any adverse impact of scoring and erosion on right bank margin of river or the right flood bank in AP limits, as it is only a shore protection work of stone apron work with gabion boxes with strengthening of existing inspection track which is just above the normal ground level. Hence NOC for this

for the rivers having discharge more than 3000 Cumecs while actual discharge in Gowthami Godavari is 64,121 Cumecs and accordingly a free board of 1.8m over and above the simulated MFL which is proposed in this project for Yanam Region.

Further, there is also a practical experience of increased high flood levels and resulted high flood inundation causing shore erosions/slidings etc, is faced frequently after the construction of major hydraulic structures by the A.P. Government authorities in Yanam limits such as (i) Tidal lock across Coringa river and (ii) Yanam-Yedurlanka Bridge across Gowthami branch of Godavari which was also funded by U.T. of Puducherry. Yanam side of Bridge approach road constructed across the water spread of the river for about 660m and the number of bridge piers are found to be the main reasons for cause of increase in velocity during severe and high flood levels from the year 2006 and later year onwards. After the construction of above structure by the AP Government in the Yanam limits, certain poor people of Yanam started raising houses in the margin lands of Kurasampeta and Francethippa as the same were safeguarded from the flood currents to some extent.

As this is very small region with just 30 Sqkm. of land and water bodies with non-availability of Govt. land widening of the existing Flood banks is found to be very difficult due to abnormal cost of private lands. Therefore an alternative method is chosen raising the existing bunds and an RCC flood parapet wall over the berms of existing Flood banks. The Flood walls proposed to be raised only for the purpose of free board to a height i.e. 1.80m.

By considering the existing ground realities, the Multi Disciplinary Team, CWC, New Delhi in their recommendations had also suggested one more additional work as a part of Project: 1, which extends the Construction of a RCC Flood parapet wall along Rajeev Beach from Yanam - Yedurlanka Bridge to Holy shivam bath (Twin Elephants statue) as Project - IA to have a safe enclosure from the Bridge approach Embankment to tidal lock at Coringa river to protect area of Francethippa from inundation. In the revised and updated DPR the project numbers 7 & 8 were also been deleted as the Flood banks with protection wall were already raised by the Reliance Company,

It is also a fact that the revised and updated DPR does not possesses any river training works such as perpendicular groynes etc, to affect the opposite side Yedurlanka (Andhra Pradesh) lands by erosion and instead the launching apron with stone pitching works along shore on the river bed to avoid shore erosion and Flood parapet wall construction over the existing flood banks to avoid flood water inundation of old existing habitant areas are alone proposed by which there may not be any objection to the AP Government authorities in giving NOC to this project.

As agreed by Andhra Pradesh authorities in the reference 1st cited above that the regime of the Godavari river was changed resulting in erosion of Yedurlanka. In this context it is to clarify and bring to your knowledge that the constructions across the river Gowthami such as GMC Balayogi Bridge and the allied Warf bay structure by the NEC (Bridge Contractor) projecting into river in Yanam limits which was used for conveyance of Box girders from manufacturing yard to Piers Jacob barge caused the erosion of unprotected shore land of the river on both sides i.e. Yedurlanka side as well as Yanam side.

Prior to 1992 several groynes and shore protection works were executed along upstream side of Yanam on both banks of Gowthami. Several groynes were also constructed on Yedurlanka side. Even though the margin lands in Yanam Territory limits for about 57.25 Hectors (143 Acres) in Francethippa Revenue village and 222.79

project-3 which allows flood water flow over and above the protection work is very well be accorded.

Project: 4 & 5. The project 4 is for strengthening of a ring bund provided from east side of tidal lock in the river margin land up to Farampeta which is constructed during 1997-98 with the NOC of the Superintending Engineer, Irrigation Circle, Dowlaiswaram.

The existing bund is of 4.10m level and the present propose is only to strengthen the vulnerable bund and raising a flood parapet wall to enable free board over and above MFL. Hence this project is not objectable.

Similarly the project 5 site stretching from old Farampeta village to Isukakalava which intends to protect burial grounds of two nos in Andhra Pradesh limits and one in Yanam limit for which Public grievance of Flood inundation of burying places effecting cremation activities during floods will be permanently solved besides saving of valuable prawn culture / Agriculture lands of mostly Andhra Pradesh. This project comprised of formation of earthen embankment parallel to the old flood bank raised on par to the old flood bank level of +3.90 level not encroaching much water spread area of river. It also consists of raising of flood parapet wall over the bund above HFL as free board level that which will not impacts any severe effect on the flow pattern as there is a margin of about 700m left free for flood inundation, as the river is fairly wider at this point. Hence NOC for projects 5 may very well be issued

Project: 6 The total length of project 6 is 3611m which stretches up to Dariyalathippa village, which runs a parallel embankment for a length of 1500m along the old flood bank. The same will be raised on par to the old flood bank level of +3.90 level which is not intended to obstruct high flood waters. A flood parapet wall is proposed over the proposed bund to allow free board. This may not have any impact as the river is fairly wide enough and close to confluence point. For the balance length of 2111 meters the river is close to bank without any margin and hence it is just proposed to strengthening the existing flood bank along with raising of flood parapet wall over and above the existing bund above HFL as free board level. As this is an existing Flood bank structure with a proposal of strengthening of the same, it will not have any adverse effect. Hence NOC for project 6 is deserved to be issued without any hesitation.

Conclusion:

Therefore by considering the above facts and the below stated ground realities of already taught tough lessons of the river which necessitates to prevent similar mishaps that occurred at Sanipillanka village during 2006. It is a basic human right to further save the existing Yanam side habitations also. So far the Yanam Administration had till now had not at all obstructed any of the Inter-state constructions of the neighboring Andhra Pradesh Government such as (i) modernization of flood bank works (ii) Flood regulator / Tidal lock on Coringa river and (iii) GMC Balayogi Bridge across Gowthami Branch of Godavari river which are for the benefit of general public of both States even though the Yanam region is facing some adverse impacts on account of raising of Flood levels causing wide spread inundations and accelerated scouring are occurred. Yanam is possessing more losses due to flood damages / Flood threats than benefits and hence by carefully considering the above facts the NOC is to be issued forthwith to complete this long pending life saving Flood protection works project which keeps Yanam region safe along with the

adjacent A.P. area also on par to the uplifted standards already executed by Andhra Pradesh Government one decade ago.

Therefore, it is very clear to provide shore protection works by the AP Government as well the Yanam Administration is presently safe guarding their river shore, treating all the aforesaid critical/problematic circumstances not merely caused by acts of human beings/Governments and it is only by acts of Nature. By all means its clear when foreseen the near future that is soon after the Polavaram Multi purpose project is ones completed and commissioned the flood discharges to the downstream side would be reduced.

Further, if the linking system of rivers under peninsular component of National Perspective Plan (NPP) prepared by Ministry of Jal Shakti/NWDA, Govt. of India proposing to link Mahanadi-Godavari-Krishna-Pennar-Cauvery-Vaigai-Gundar is came true there will not be much high flood situations in Godavari River.

Hence this may be treated most urgent and the NOC may please be issued immediately as the Govt. of Andhra Pradesh authorities has already accorded consent for issuing NOC twice in their earlier letters dated 20-02-2018 and 03-09-2020 as stated above.

An earlier action in this regard is highly solicited.

Yours faithfully,


EXECUTIVE ENGINEER
P.W.D., YANAM

Copy submitted to:

- (1) The Hon'ble Minister for Irrigation & Flood Control, Govt. of Puducherry—for kind information.
- (2) The Chief Engineer, PWD, Puducherry – for kind information
- (3) The Superintending Engineer-II, PWD, Puducherry – for kind information



this exercise is extracted from USGS (United States Geological Survey). Then the DEM is brought to GIS platform where it is processed, checked, corrected and filled. Logical technique of spatial analysis is adopted and using logical statements pixels which are of equal and less than the prescribed values are extracted. These extracted pixels represent the zones which are prone to be inundated in the event of Flood. Flood inundation models are developed for the levels of 2m, 3m, 4m and 5m which is given in Figure 8-2 Maximum flood level prescribed by PWD (Public Works Department, Yanam) is 4.06 m.

EXISTING SCENARIO

In August' 2022, the flood water spilled up above the Flood Bank Road also which was constructed to protect the Yanam Town. The floods in Yanam town arose when high amounts of rainfall occurred and water flew downstream the river causing submergence of area adjacent to river bank. Due to the flood, the entire Francetippa Area was submerged causing undue expenditure of public funds for the rescue operations and also to repair the amenities provided. Major roads like Ferry Road, Old Age Home Road in non-flood prone areas got submerged. The surrounding area of river streams from South and East side up to Government General Hospital are also inundated up to the level of first floor.

The Francetippa Area is a low lying on the banks of Godavari River. This Area has since been identified as Flood Prone Area or River Spread Area, based on the Satellite Images. Earlier the area was un-inhabitated and was separated from Yanam Town and a brick masonry wall known as Panchala was built by the French Administrators to protect the densely populated Yanam Town from frequent floods. Subsequently due to fertile alluvium deposited by flood water of the river, this area was developed in to pasture land, coconut garden etc. The earlier Panchala wall has since been converted in to Flood Bank Road which is being served to protect the Yanam Town from flooding.

Due to rapid multifarious development activities in Yanam as a whole for the last several years, some persons have already constructed the houses and temporary structures in this area without obtaining any approval from the Authority. The present owners have been instigated / lured to come up with more un-authorised constructions in this area violating the Town and Country Planning Act, since the land rates are cheaper compared to other areas of Yanam and with a view to establish some kind of business to cash in the tourism development works taken up in this area. During the flood time, the entire Francetippa is being sub-merged and the administration is put to lot of hardship in shifting the public to safer places. Since the people do not move to safer places during the flood citing the reason to protect their valuables from theft and put their life and property

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR, YANAM

* * *

No.36/DCRY/PA/2022-23 / 89

Dated 11.08.2022

A REPORT ON DAMAGE ASSESSMENT DURING JULY 2022 FLOODS IN YANAM

INTRODUCTION:

The Yanam region of U.T. of Puducherry is geographically located between Kakinada and Konaseema Districts of Andhra Pradesh State. Gowthami Godavari is the major distributary of River Godavari which flows on southern side of Yanam region and forms natural territorial boundary with Andhra Pradesh State.

Godavari River originally originates from Thraimbakeswar in Western Ghats of Maharashtra State near Nasik city. It has a catchment area about 3.13 lakhs square kilometers spreading across Maharashtra, Telangana and Andhra Pradesh etc.

Since Gowthami Godavari, a major distributary of Godavari River culminates into Bay of Bengal at Yanam, the rain fall in the upper stream of Badrachalam and Dowleswaram has critical impact in Yanam by way of annual floods.

This year due to heavy rainfall in the upstream catchment areas, the water levels in various dams raised beyond the danger levels resulting in release of excess water in Gowthami Godavari river leading to unprecedented floods in Yanam region.

FLOOD LEVEL RECORDED:

The details of water levels at Bhadrachalam, Dowleswaram, discharge of water at Dowleswaram and flood level reading at Yanam from 11.07.2022 to 17.07.2022 are tabulated as below:-

Date	Flood Level at Bhadrachalam	Flood Level at Dowleswaram	Discharge of water from Dowleswaram Barrage in cusecs	Flood Level at Yanam
11.07.2022	53.90 ft.	11.75 ft.	10,02,421	1.75 mts.
12.07.2022	53.90 ft.	15.00 ft.	14,71,228	2.97 mts.
13.07.2022	56.30 ft.	15.50 ft.	15,19,277	3.28 mts.
14.07.2022	64.30 ft.	16.70 ft.	17,53,251	3.47 mts.
15.07.2022	71.10 ft.	19.40 ft.	21,84,824	3.94 mts.
16.07.2022	67.70 ft.	21.50 ft.	25,48,974	4.50 mts.
17.07.2022	61.00 ft.	21.40 ft.	25,25,894	4.60 mts.

The discharge from Dowleswaram Barrage reached nearly 25.48 lakhs cusecs on peak day i.e., on 17.06.2022 after which water level started receding albeit slowly. The highest water level recorded at Yanam during current floods is about 4.60 mts.

2/-

[Signature]
**ISSUED UNDER
 RTI ACT 2005**

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PREPARATORY MEASURES:

Due to anticipated floods, this administration took various steps to prevent and mitigate the impact of flood. Annual Disaster Management Action Plan was prepared separately for Yanam region. Construction of sluice gate on discharge channel near Old Rajeev Nagar has been initiated and finished 80% work to prevent flood water entry. Desilting of major and minor drains was taken up for free flow of drain/flood water. Repair and maintenance of sluice gates was also taken up and all sluice gates were closed well in time. Also maintenance of Ring Bunds in Guiriampeta area was attended. Sand bags were kept ready and placed at vulnerable points to arrest the flood water entry.

But, unprecedented flood levels led to overflow of ring bunds around the colonies in Yanam. As a result, Francethippa, GMC Balayogi Nagar, Old Rajiv Nagar, Ayyanna Nagar, YSR Nagar, Matta Gardens, Farampeta, Subhadra Nagar inundated with flood waters. The flood water even entered many parts of town areas for the first time after 1986 floods.

RELIEF MEASURES:

As part of relief operation, 5 nos. of relief centers were set up in M.G.G. Boys High School, C.B.S. Govt. Primary School, Community Hall at GMC Balayogi Nagar, Govt. Primary School at Farampeta and Community Hall at Farampeta for providing shelter to inhabitants. Food, drinking water, medical services have been provided to people who stayed at relief centres. Food and water packets also provided to 1500 inhabitants approximately directly in flood affected areas through boats apart from people in relief shelters. 24x7 Medical Emergency Team was stationed at Relief Camps.

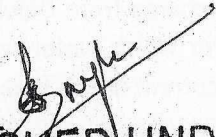
Apart from above, Help Desk was set up at Rajiv Beach Road entrance to coordinate donations being received from various political parties, NGOs and Voluntary organizations. Temporary Lighting facility was provided in entire Ferry Road area to facilitate relief and rescue work. PWD supplied drinking water through tankers in all inundated areas.

As flood water from inundated areas receded, Yanam Municipality and Health Departments initiated sanitation and IEC activities to prevent outbreak of epidemic diseases. Disinfection works were taken up in all inundated areas. Power supply was restored in all areas. PWD supplied drinking water through tankers in all inundated areas till water supply was restored from PWD OHTs.

DAMAGE ASSESSMENT:

As a result of unprecedented floods, approximately around 7500 families were badly affected. Heavy inundation was seen in agricultural fields impacting mainly paddy crop to some extent. Many Aquaculture/Prawn culture ponds were also inundated and caused loss to farmers.

3/-


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RTI ACT 2005

-3-

Damage to households, ring bunds, roads and other Government infrastructure in flood affected areas has been assessed as per SDRF norms. A team of officials from Department of Revenue & Disaster Management, Puducherry was deployed to Yanam for assessment of damages to houses and livelihood.

It is hereby pointed out that the Government of Puducherry has already released Rs.5,000/- per AAY/BPL card holders and Rs.4,500/- to all APL card holders as immediate relief in addition to Rs.1,000/- to all AAY/BPL card holders in lieu of 25 kgs rice. **Hence in light of above, grant of assistance under various heads of SDRF norms may be decided accordingly.**

Detailed damage assessment report along with details of expenditure incurred in relief and rescue operation is as follows.

1. Revenue Department: (Annexure-I)

A team of revenue officials headed by Thiru D. Silambarasan, Deputy Tahsildar deputed to Yanam for damage assessment had recommended assistance towards loss of livelihood for the days mentioned in the annexure enclosed along with loss to clothing, utensils, huts and kutcha houses as follows.

S.No.	Item as per SDRF Norms	Norms of assistance	No.of persons/ families affected	Total damage (in Rs.)
1	1(e) Gracious relief for families whose livelihood is seriously affected	Rs.100/- per adult and Rs.60/- per child per day.	Adults: 5,115 Children: 1,705	31,10,040
2	1(d) Clothing for families whose houses have been washed away /fully damaged/severely inundated for more than two days due to a natural calamity	Rs.1,800/- per family	25	45,000
3	1(d) Utensils/household goods	Rs.2,000/- per family	422	8,44,000
4	9 Housing (c) Partially damaged houses- (i) Pucca/Kutcha (other than huts) where the damage is at least 15%	Rs.5,200/- per house	10	52,000
5	9 Housing (d) Damaged/Destroyed huts	Rs.4,100/- per hut	15	61,500
Total				41,12,540

4/-

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2. Department of Animal Husbandry and Animal Welfare: (Annexure-II)

- (a) Loss of Livestock/Poultry: NIL
- (b) Paddy straw heaps damaged : 135 No.s

Due to heavy inundation in agricultural fields located along the river banks, paddy straw heaps i.e., green fodder meant for cattle got badly damaged. It not only caused economic loss (from Rs.5,000/- to Rs.10,000/- per heap) to farmers but also created shortage of green fodder to cattle.

In this regard, it is hereby informed that there is no provision under SDRF norms to provide assistance to cattle farmers to compensate for loss of paddy straw. But, SEC may consider assistance to cattle farmers for provision of cattle food as has been done during past flood years based on following criteria.

Damage assessment towards provision of fodder/feed concentrate to large/small animals for a period of 10 days from 15.07.2022 to 24.07.2022 is as follows.

S.No.	Item as per SDRF Norms	Norms of assistance	No.of cattles affected	Total damage (in Rs.)
--	6 Animal husbandry- Assistance to small and marginal farmers: (ii) Provision of fodder /feed concentrate including water supply and medicines in cattle camps			
1	Large animals	Rs.70/- per day	775	5,42,500/-
2	Small animals	Rs.35/- per day	224	78,400/-
Total				6,20,900/-

- (c) Cattle shed damaged (not attached with house) : 1 No.

As per SDRF norms of assistance under 9-Housing (e) Cattle-shed attached with house is only eligible for relief @ Rs.2,100/- per shed.

In the above case, the cattle-shed which got damaged is not attached with house.

Hence, the assistance may be subject to the approval of SEC as the said item is not covered under SDRF norms.

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ISSUED UNDER
ACT 2005

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3. Electricity Department: (Annexure – III)

Damages to electricity infrastructure : Nil

4. Agriculture Department: (Annexure – IV)

Due to continuous submergence of agricultural fields, wherever the paddy crops were raised with the stage of crops around 1 to 2 weeks old under Nursery, direct sown and transplanted got damaged more than 50%. Hence, become eligible for assistance as per SDRF norms. Damage Assessment amounts to Rs.1,21,095/- which is as follows.

S.No.	Item as per SDRF Norms	Norms of assistance	Extent affected in hectares	Total damage (in Rs.)
1	5 Agriculture I(B) Input subsidy (where crop loss is 33% and above) (a) For agriculture crops, horticulture crops and annual plantation crops.	Rs.13,500 per hectare in assured irrigated areas, subject to minimum assistance not less than Rs.1,000 and restricted to sown areas.	8.97	1,21,095

5. Fisheries Department : (Annexure – V)**(a) Livelihood loss:-**

Based upon the weather message issued by Cyclone Warning Centre, Vizag on 11.07.2022 the fishermen of Yanam Region were directed by Fisheries Department not to venture into sea due to formation of deep depression in Bay of Bengal. Accordingly the fishermen did not venture into sea from 11.07.2022 to 15.07.2022 leading to livelihood loss.

But these fishermen are getting benefit under other schemes like LIEN period relief (Rs.2500/- per card) and SCRF(Saving Cum Relief Fund) [PMSSY] @ Rs.4,500/- per society member. Also released Rs.5,000/- per AAY/BPL card holders and Rs.4,500/- to all APL card holders as immediate relief in addition to Rs.1,000/- to all AAY/BPL card holders in lieu of 25 kgs rice.

Hence, it may kindly be ascertained whether these 5,015 fishermen families (12,778 adults + 5,636 children) are eligible for livelihood loss @ Rs.100/- per adult and Rs.60/- per child amounting to Rs.80,79,800/- as per SDRF norms.

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(b) Partial Damage to Boats:-

Due to initial and timely alerts issued by the administration, the fishing units belonging to the fishermen of Savithrinagar, Guiriampeta, Mettacur, Dariyalatippa, Kursampeta, Kanakalapeta were kept at safer places. However, 2 boats partially got damaged for which loss assessed to Rs.8,200/- as per 7 Fishery (i) Assistance to Fishermen for repair/replacement of boats etc. under SDRF Norms.

But this assistance will not be provided if the beneficiary is eligible or has availed of any subsidy/assistance, for the instant calamity, under any other Government Scheme as mentioned in SDRF norms. Hence it may be ascertained accordingly.

(c) Damage to brackish water farms:-

Further, 16 brackish water farms were also damaged due to inundation by flood waters. Such damage caused to brackish water farms assessed by the fisheries department authorities 7 Fishery (ii) Input subsidy for fish seed farm amounts to Rs.1,12,000/- (@ Rs.8,200/- per hectare). The damage assessed towards brackish water farms is not covered under SDRF Norms as the same talk about fish seed farms which are mainly fresh water farms.

Since, the damage of brackish water farms is not cover under SDRF Norms, the relief assistance may be subject to the approval of SEC.

The overall damage assessed is as follows.

S.No.	Item as per SDRF Norms	Norms of assistance	No. boats damaged & No. of persons affected	Total damage (in Rs.)
1	1(e) Gracious relief for families whose livelihood is seriously affected	Rs.100/- per adult and Rs.60/- per child	5,015 families Adults: 12,778 Children: 5,636 for 5 days	80,79,800
2	7 Fishery (i) Assistance to Fishermen for repair/replacement of boats etc. Boat	Rs.4,100/- for repair of partially damaged boats only	2	8,200
3	7 Fishery (ii) Input subsidy for fish seed farm	Rs.8,200/- per hectare	16 farms	1,12,000
Total				82,00,000

7/-

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-7-

6. Municipality / Local Body Assets: (Annexure – VI)

The cost of restoration due to flood damage amount to Rs.3.36 lakhs. as detailed hereunder.

S.No	Item as per SDRF Norms	Norms of assistance	Stretch of Damage	Total damage (in Rs.)
1	4 (a) Clearance of debris in Public areas	As per actual cost within 30 days from the date of start of the work based on assessment of need by SEC for the assistance to be provided under SDRF and as per assessment of the Central Team for assistance to be provided under NDRF.	1.5 kms.	3,00,000*
2	10-Infrastructure: Repair/Restoration (of immediate nature) of damaged infrastructure. Connecting road between Ayyanna Nagar and Farampeta Agriculture field society lands.	@ Rs.0.60 lakh/km for rural roads	0.60 kms. (600 m)	36,000

* Clearing of debris and removal of silt is presently on-going. The above damage amount is as per assessment submitted by Municipality which may vary on completion of the work.

7. Public Works Department: (Annexure-VII)

(a) The damages caused to the Public Works Department Assets amounts to an approximate cost of Rs.47.00 lakhs.

The said item covered under item No.10-Infrastructure as per SDRF norms of assistance.

(b) The amount payable to the contractors engaged for supplying drinking water through tankers in flood water inundated areas from 17.07.2022 to 20.07.2022 amounts to Rs.1,54,500/-

The said item covered under item No.3- Relief Measures (c) Provision of emergency supply of drinking water in rural areas and urban areas as per SDRF norms of assistance.

8/-

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-8-

SUMMARY OF ASSISTANCE SOUGHT:

The Severe floods caused damages to the physical infrastructure, standing crops and also affected the livelihood. Based on the initial. Assessment submitted by the line departments the quantum of relief assistance requested from the government to meet the immediate infrastructure restoration is detailed below:

Sl. No.	Category of infrastructure	Initial Estimated cost for Restoration / relief (in rupees)
1	Livelihood loss (Revenue and Fisheries)	1,11,89,840
2	Clothing Damage	45,000
3	Utensils/household goods damaged	8,44,000
4	Huts/houses damaged	1,13,500
5	Fodder/feed concentrate to large/small animals	6,20,900
6	Damages to agriculture fields and crops	1,21,095
7	Damages to boats	8,200
8	Identified damages to brackish water farms	1,12,000
9	Clearance of debris in public areas	3,00,000
10	Damages to roads& public infrastructure (PWD/Municipality)	47,36,000
11	Supply of drinking water	1,54,500
Total		1,82,45,035

To affectively handle these unprecedented floods in future, flood prevention and mitigation activities have to be further strengthened. Disaster Management machinery has also to be strengthened further. Construction of Flood Protection Wall along River Gowthami Godavari in Yanam limits has to be taken up to prevent flood water entry to low lying areas and agricultural fields. Strengthening and maintenance of ring bunds has to be taken up. Constructions beyond ring bund in flood prone areas have to be strictly regulated.

(AMAN SHARMA)
REGIONAL ADMINISTRATOR
YANAM

To
The District Collector,
Puducherry.

Copy submitted to:

1. The Chief Secretary to Govt., Puducherry.
2. The Secretary (Revenue), Puducherry.

[Signature]
**ISSUED UNDER
RTI ACT 2005**

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR

No.17/RAY/PRA/2022

Yanam, dt. 11-07-2022

PRESS RELEASE

In view of floods to river Gowthami Godavari public of Yanam region are instructed to be vigilant and stay safe.

The entire administration was alerted and keenly watching the flood levels and all precautionary measures are being taken in respect of low lying areas of Yanam region. Required numbers of shelters/ rehabilitation centres are kept ready to use the same in case of inundation of low lying areas.

A Control Room was opened at RA office, Yanam with telephone number **0884-2325105, 0884-2321223** and **Toll Free number 18004252303**. Necessary Task Force Teams have been constituted for attending emergency duties with regard to flood.

Public may submit their complaints if any to the above telephone numbers with regard to floods.

REGIONAL ADMINISTRATOR
YANAM

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR

No.17/RAY/PRA/2022

Yanam, dt. 13-07-2022

PRESS RELEASE

All the residents of Ferry Road road i.e. KVR Nagar, Helipad area, Kshatriya parishat area are requested to evacuate the area and reach the Relief Shelters at i) Community Hall, GMC Balayogi Nagar ii) Community Hall, Old Rajeev Nagar iii) Central Boys School, Yanam.

Necessary food, water and other basic amenities will be provided to the persons who are at Relief Shelters.

Further, as per the Weather forecast flood water is likely increase slightly. Hence, all public of Yanam region are instructed to be vigilant and stay safe in view of severe floods.

Necessary precautionary measures are being taken in respect of low lying areas of Yanam region.

A Control Room was opened at RA office, Yanam with telephone number **0884-2325105, 0884-2321223** and **Toll Free number 18004252303** and working on 24 x 7 basis. Public may submit their complaints if any to the above telephone numbers with regard to floods.

REGIONAL ADMINISTRATOR
YANAM

FLOODS - 2022**FLOODS / URGENT****FIRST WARNING ISSUED MESSAGE****ALERT MESSAGE**

Flood Level Reached 11.75 F (3.58 M) over the Crest of
Dowlaiswaram Barrage at Hours 9:00 AM on 10/08/2022.
First Warning issued. Informed to all Flood Duty Officers.

Forecast indicates further rise expected.

checked
10/8/2022
Flood Conservator &
Executive Engineer,
Godavari Head Works Division
Dowlaiswaram.

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR

No.17/RAY/PRA/2022

Yanam, dt. 10-08-2022

PRESS RELEASE

As per the Weather forecast flood water is likely to increase during next 5 days and about 15 lakhs cuses of water may be released from upstream areas by 15th August 2022. Hence, all public of Yanam region are instructed to be vigilant and stay safe in view of expected rise in river level.

All the residents of Ferry Road i.e. KVR Nagar, Helipad area, Kshatriya parishat area, Gurukrishnapuram etc. are requested to remain extra vigilant.

Necessary precautionary measures are being taken in respect of low lying areas of Yanam region viz. closing of culverts, bailing of water through motors etc. and situation is being monitored closely.

A Control Room was opened at RA office, Yanam with telephone number **0884-2325105, 0884-2321223** and **Toll Free number 18004252303** and working on 24 x 7 basis. Public may submit their complaints if any to the above telephone numbers with regard to floods.

(AMAN SHARMA)
REGIONAL ADMINISTRATOR
YANAM

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR
YANAM

No.17/RAY/PRA/2022

Yanam, dt. 12-09-2022

PRESS RELEASE

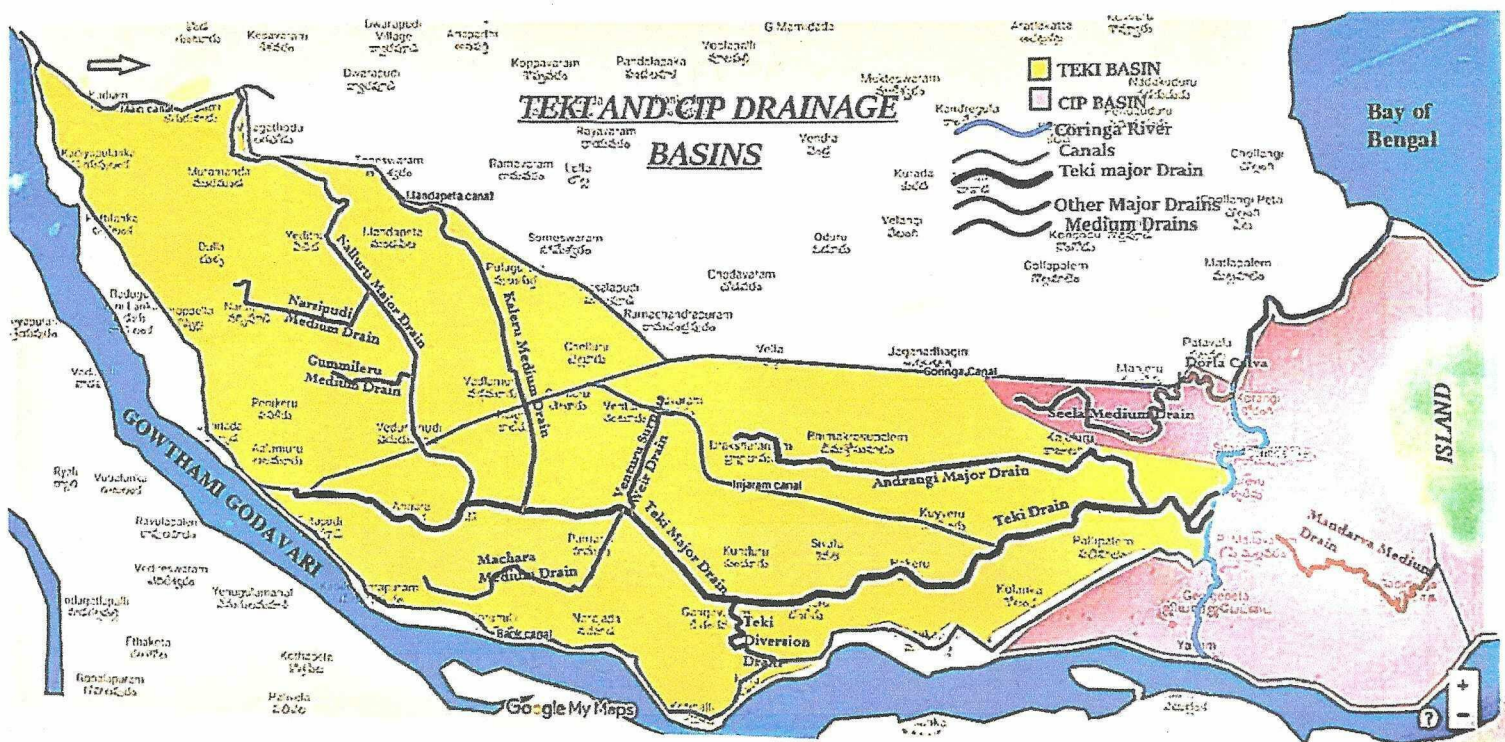
Due to heavy rains at upstream areas of river Godavari, the flood water levels are increasing and water is being released continuously from Dowleswaram barrage.

All the residents of Francethippa areas of Yanam region (Ferry Road, KVR Nagar, Kshatriya parishat area, Gurukrishnapuram, Helipad area etc.) are instructed to stay alert and shall be ready to shift to Relief Shelters in case of further raise in flood water level.

Public may submit their complaints to Control Room number 0884-2325105, 0884-2321223 and Toll Free number 18004252303 with regard to floods.



(AMAN SHARMA)
REGIONAL ADMINISTRATOR
YANAM



5/12/2023

Deputy Executive Engineer,
Drainage Sub-Division,
Ramanandapuram

Report accompanying the estimate for the work "Repairs to Gate elements of Coring Regulator including Replacement of Rubber seals And Repairs of hoist equipment on Coringa Drain at Yanam Town Limits".

Est. Rs.51.50 lakhs.

Coringa Regulator is situated at the tail end of coringa River in Yanam town Limits in the jurisdiction of G.L.B (L) section. It being operated during flood season to prevent entering of Gowthami river water into coringa drain there by safe guarding the nearest villages and fields against submergence .It is having 2 no of stop log gates with each 5 elements operated by the hoist equipment. The gates were fabricated in the year 1992.

The gates are generally exposed to saline water as the site is nearer to the Sea. The gates are fully rusted During Recent floods and highly damaged. The gates and hoist mechanism were completely rusted and in damaged condition. In this condition it is very difficult to operate the gates in emergency conditions. So emergency repairs are necessary to safely operating the regulator and also safeguard the fields and villages of Yanam, Tallarevu and Kajuluru mandals.

The CE/GDS inspected the regulator on 09/10/12, and has given the instructions to prepare the necessary estimate for the repairs, replacement of rubber seals and paintings in order to keep in good operating condition before next ensuing floods. As per instructions of CE/GDS, the condition of gates are intimated to GS/Sitanagaram. The DEE, GS/Sitanagaram and Staff inspected the site on 05-03-13 and given the suitable instructions to prepare estimate as per regulator condition. Sa per the instructions the estimate prepared and submitted of General Superintendent, Sithanagaram for vetting.

The Estimate is scrutinized and verified (Vetted) by the General Superintendent, P.W.D Workshop, Sithanagaram with following Provisions and same was sent to Government.

1. Supply of 10 mm thick M.S. Plate for strengthening of skin plate.
2. Supply of 12mm&20mm thick M.S. Plate for strengthening stop log gate horizontal girder(web plate of portion by removing rusted portion and welding new plate etc..).
3. Supply and fixing of new rubber seals .
4. Supply of cardium compound (servo coat 120) best quality.
5. Labor charges for applying cardium compound to wire ropes of stop log gates .
6. Complete Rewinding and servicing to self motor of regulator.
7. Supply of best quality Engine Oil for generator engine.
8. Cleaning gates / hoists/ embedded parts/lifting beams etc., by sand blasting
9. Painting of embedded metal parts and all types of gates stop logs etc., .
10. Painting of structural components and hoists mechanism
11. Supply and fixing of 12 core cable wire for hoist mechanism.
12. Supply and fixing of 3TB41 contractor for hoist mechanism.
13. Supply and fixing of 3TB40 contractor for hoist mechanism.
14. Supply and fixing of 3TF43 contractor for hoist mechanism.
15. Supply and fixing of 4 to 10 Relays for Hoist Mechanism.
16. Supply and fixing of 1.6 to 2.5 Relays for Hoist mechanism.
17. Supply and fixing of n.s Type fuse 10A for hoist mechanism.
18. Supply and fixing of n.s Type fuse 20 A for hoist Mechanism
19. Supply of spanner set.
20. Provision towards motor bearings.

21. Provision towards couples bearings.
22. Provision towards VAT charges @5%.
23. Provision towards CESS charges @ 1%.
24. Provision towards photographic, video, tender publication, printing charges and other unforeseen items etc.,

Further, The hon'ble MLA Tallarevu Sri P. SATISH KUMAR and hon'ble MLA Yanam Sri M. KRISHNA RAO also noticed and instructed to authorities for necessary repairs of regulator to avoid further damage and to protect the fields and villagers next ensuing floods. In view of that the Government accorded administrative approval for Rs.51.50 Lakhs vide G.O.Rt No.581. Dated 18.09.2014.

But the work couldnot be technically sanctioned as the work is covered under Godavari Delta modernization. Now the work is deleted in Godavari Delta modernization as authourised deletion in the revised estimate. So it is decided to take up the work now under NON EPC. Further the gate elements are fully damaged and difficult to repairs. The Superintending Engineer, Irrigation Circle, Dowlaiswaram was inspected the Regulator and instructed to prepare the estimate for fabrication of new gate elements. As per the instructions of SE/IC/Dowlaiswaram, the estimate is prepared and sent to General Superintendent, PWD work shop, Sithanagaram for Re-Wetting.

The estimate is Re-wetted by The General Superintendent, PWD work shop, Sithanagaram vide Lr.No. GS/P.W.W.S.Dn.Sn./DB/JTO/ 15th Dt. 07.01.2017 with following provisions.

1. Fabrication, Supply, erection, testing and commissioning of automatic lifting beam with all accessories for handling and lifting of Stop log gate elements including cost of all materials, machinery, labour, cutting aligning, welding, finishing, etc.,
2. Fabrication and erection of ISMC 400X100 for Anchor Bar.
3. Cleaning gates/hoists/embedded parts/lifting beams etc, to expose fresh metal surface for painting by sand blasting method.
4. Painting of embedded metal parts and all types of gates stoplogs, etc, On sand blasted surfaces with one coat of inorganic zinc silicate etc, Complete.
5. Provision towards VAT, CESS, NAC, Swatcha Bharat Cess Price escalation Other Unforeseen Items.

The Estimate is prepared with SSR 2016-17.

The Estimate is chargeable to Head of Account "4700-COL ON M&MI PROJECTS-01 MH11
GDS -GH(11) NORMAL STATE PLAN-SH27 C&D-530,531 MAJOR OTHERS Expenditure.

20/1/17
Executive Engineer
G.H. DIVISION
DOWLAISWARAM

20/1/17
Superintending Engineer
Irrigation Circle
Dowlaiswaram

20/1/17

16/1/17
Deputy Executive Engineer
GOWTHAMI SUB DIVISION
DOWLAISWARAM

17/01/2017
Asst. Executive Engineer
G.L.B (L) Section
KOTIPALLI

(True Copy)

Assistant Executive Engineer
G.L.B (L) Section, KOTIPALLI

**BEFORE THE HONBLE NATIONAL GREEN
TRIBUNAL (SZ) AT CHENNAI**

Original Application No. 181 of 2025

BETWEEN

Kondamuri Kusuma Nagendra Prasad

..... Applicant

AND

The Chief Secretary

And 12 Others

..... Respondents

**REJOINDER / REPLY TO THE
COUNTER STATEMENT FILED BY
THE 10th RESPONDENT ON BEHALF
OF RESPONDENTS 7 TO 10**

M/s. S. Rishab Narayanan [MS/1958/2019]

Sunny Sheen Akkara [MS/ 2171/2020]

Counsel for Applicant

rishabnarayanan.adv@gmail.com | 9591465291