

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 07 of 2024

IN THE MATTER OF:

Tandur Citizens Welfare Society,
Telangana.

.....Applicant(s)

-Vs-

The Collector,
The Collector of Vikarabad,
Burgupally and ors.

.....Respondent(s)

**REPORT FILED BY 5th & 6th RESPONDENT – IRRIGATION
DEPARTMENT**

Date: 12.09.2024

Place: Chennai



Mrs. H. Yasmeen Ali,
Counsel for the 5th & 6th Respondent.

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE ATCHENNAI

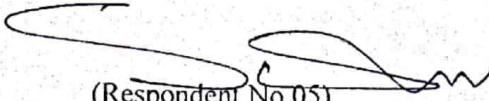
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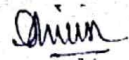
IN THE MATTER OF:

Tandur Citizens Welfare Society
Reg.No.714/2016.
Rep. by its President
RajgopalSarda
Having its registered office previously at
No.7/7/52/4A, GomthiKunj
Tandur-501 141.
Rangareddy District
Telangana.
Currently located at Vikarabad District ...Applicant

VS

1. The Collector
Integrated Collectorate Complex
Parigi Road
Vikarabad-501 101.
Alternate address including :
The Collector of Vikarabad
Pargi- Naskal Road
Burgupally – 501102.
Ph: 7995061159
Email id: collector-vkb@telangana.gov.in
2. Tandur Municipal Corporation
Represented through The Commissioner
Mr.Shafiulla
Near Lorry Parking Area
Tandur-501 141.
Ph:9849905909
Email id: tdrmct@gmail.com
3 The Environmental Engineer
T.S. Pollution Control Board
Hyderabad, H.No.6-3-1219
2ndFloor, TS No.1, Part, Block-C
Ward No.91. Begumpet
Umanagar, Near Country Club
Hyderabad - 500 016.
Ph:9866776743
Email id: ec-zhyd-tspcb@telangana.gov.in


(Respondent No.05)
Executive Engineer I&CADD
Irrigation Division No.04,
Vikarabad


(Respondent No.06)
Dy. Executive Engineer I&CADD
Irrigation Sub Division No.02
Tandur

4. The Chairman
Central Pollution Control Board
Parivesh Bhawan
CBD-cum-Office Complex
East Arjun Nagar, Delhi-110032.
Landline: 011-43102030
Email id: ccb.cpcb@nic.in

5. Executive Engineer
Irrigation & CAD Dept.
Irrigation Division No. 4 at
Tandur - Vikarabad Road
Vikarabad-501101.
Ph: 9502353300
Email id: eevkb4.irr@gmail.com

6. Deputy Executive Engineer
Irrigation Sub Division No.2
Near R & B office
Tandur-501141.
Ph: 9701375883
Email id: eevkb4.irr@gmail.com... 1 to 6 Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.5 & 6

1. In reply to para no 1 of the Application needs no reply, as the same is about registration particulars, description of its address, aims and objects of the Society, geography and population of Tandur Town.

2. In reply to para no.2 of the Application, it is humbly submit that, on the Southern side of Tandur town, there flows a holy RIVER KAGNA with a width of about 200 to 250 meters and with a depth of around 4 to 6 meters from ground level. This river flows almost at a distance of about 3 kms from Bus stand & Railway station of Tandur town. When the upper areas of Tandur receive incessant and heavy rainfall during the monsoon season, this River flows at its full throttle by almost touching the ground.

3. It is not concerned to Irrigation Department.

4. In reply to para no 4 of the Application, it is humbly submit that, a Check Dam across Kagna River near Tandur Village, Tandur Mandal, Vikarabad District was constructed which is the extreme point of this river within the Tandur limits. The Check Dam was constructed as a ground water recharging station as a heavy water storage to obstruct rain water. During the month of March' 2023, it was noticed that, an illegal trench was excavated beside the Check Dam near Wing wall by unknown persons. The same was immediately restored in order to avoid damage to the structure.

5. In reply to para no 5 of the Application, it is humbly submit that, one of its tributary called "Chilukala Vagu" (a small water Stream) carrying pure water into this river KAGNA. Chilukala Vagu passes through PEDDEMUL, YALAL and TANDUR Mandals of Tandur & Yalal Sub Divisions and finally reaches RIVER KAGNA in Tandur Mandal. But the allegation that now this river is completely filled with filthy water. Till today, this Chilukala Vagu while passing through PEDDEMUL Mandal is found pure but problem starts when it enters into Yalal which continues to Tandur Mandals.

(Respondent No.05)

Executive Engineer I&CADD
Irrigation Division No.04,
Vikarabad

Anir

(Respondent No.06)

Dy. Executive Engineer I&CADD
Irrigation Sub Division No.02
Tandur

The Deputy Executive Engineer, Irrigation Department, Irrigation Sub-Division No.2, Tandur (Respondent No.6) has requested the Municipal Commissioner of Tandur, Vikarabad District vide Lr.No.ISD No.02/TDR/DEE/AEE/ 2022-23/129, Dated 25.02.2023 & Lr.No.ISD No.02/TDR/DEE/AEE/2023-24/134, Dated 01.03.2024 & the Executive Engineer, Irrigation Department, Irrigation Division No.4, Vikarabad (Respondent No.5) has addressed a letter to the District Collector, Vikarabad District vide Lr.No.Irri.Div No.04/VKB/DEE(T)/AE/2022-23/1229 Dated 25.03.2023 (copies enclosed) that, as the drainage water is polluting the Chiluka Vagu and Kagna River, it is requested to take necessary action by constructing Sewerage Treatment Plant or to make necessary alternative arrangements, duly forwarding a copy of the Hon'ble National Green Tribunal, Original Application No.07 of 2024 and duly marking a copy to the Revenue Divisional Officer, Tandur Division.

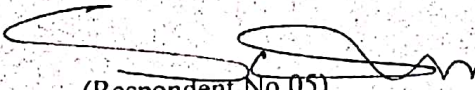
Also the Respondent No.6 has addressed a letter to the Respondent No.5 vide Lr.No.ISD No.02/TDR/DEE/AEE/2024-25/08, Dated 26.04.2024 & in turn the Respondent No.5 has addressed a letter to the Revenue Divisional Officer, Tandur Division vide Lr.No.Irri.Div No.04/VKB/ DEE(T)/AEE(T)/2024-25/151, Dated 07.05.2024 (copies enclosed) that, the drainage water from few colonies in Tandur town are entering into Chiluka Vagu which is flowing and finally merging into Kagna River is getting polluted and with a request to address to the Pollution Control Board of Vikarabad District for taking preventive measures to control the pollution by the Municipal Commissioner, Tandur, in order to protect the Kagna River from getting contaminated and also the quality of water may be checked, for appraise the same to the Hon'ble NGT duly marking a copy to the District Collector, Vikarabad District.

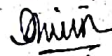
Further, the Deputy Executive Engineer, Irrigation Dept., Irrigation Sub-Division No.4, Yalal has observed that, the Chiluka Vagu is passing through the Sy.No.52 of Kokat Village, Yalal Mandal, Vikarabad District and the Stream width in Sy.No.52 varies from 6 to 7 M.

A walk through Survey was conducted along Chiluka Vagu on dated 02.07.2024 & 03.07.2024 along with the Revenue, Municipal and R&B officials.

On dated 08.07.2024, the Mandal Surveyor and Revenue Inspector of Yalal Mandal has fixed the alignment of Chiluka Vagu Nala as per the Village Map.

6.In reply to para no 6 of the application, it is alleged that, the sewage discharges from the village "KOKAT" of YalalMandal which is just 4 kms away in East from Tandur town located on the banks of this River KAGNA is also entering into this holy River KAGNA thus polluting and contaminating.It is humbly submit that, as the drainage water from few colonies in Tandur town are entering into Chiluka Vagu which is flowing and finally merging into Kagna River which is polluting the natural source, we the Irrigation Department has requested the concerned Municipal Department of Tandur Mandal and the District Collector, Vikarabad District to take necessary action in this regard.


(Respondent No.05)
Executive Engineer I&CADD
Irrigation Division No.04,
Vikarabad


(Respondent No.06)
Dy. Executive Engineer I&CADD
Irrigation Sub Division No.02
Tandur

7. Inreply to para no 7 of the Application, it is humbly submit that, Respondent No.5 & 6 has addressed letters to the concerned Municipal Authorities to take necessary action about the problem of seepage of filth and drainage water into holy River KAGNA.

8. Inreply to para no 8 of the Application, it is humbly submit that, Respondent No.5 & 6 has addressed letters to the concerned Municipal Authorities to take necessary action about the problem of seepage of filth and drainage water into holy River KAGNA duly intimating the same to the Applicant.

9. It is not concerned to Irrigation Department.

10. It is not concerned to Irrigation Department.

11. It is not concerned to Irrigation Department.

12. It is not concerned to Irrigation Department.

13. It is humbly submitted that, as the drainage water from few colonies in Tandur town are entering into Chiluka Vagu which is flowing and finally merging into Kagna River which is polluting the natural source, in order to protect the Kagna River from getting contaminated, we the Irrigation Department (Respondent No.5 & 6) has requested the concerned Municipal Department of Tandur Mandal and the District Collector, Vikarabad District and Revenue Divisional Officer, Tandur Division for taking necessary action in this regard.

14. It is learnt that, a Storm Water Drain has been proposed with the cost of Rs.16.00 Crores from Chiluka Vagu to old Tandur by Respondent No.2 And also Two STP's i.e., Sewerage Treatment Plant proposed in Tandur Town, and that survey work completed and it will be taken up within short period by Respondent No 2.

VERIFICATION

1. I, Executive Engineer Irrigation & CAD Department, Irrigation Division No.4, Vikarabad (Respondent No.5) office at Tandur - Vikarabad Road, Vikarabad District, Telangana State do hereby verify that the contents stated above are true and correct to the best of my knowledge and belief, hence verify the same on this the day of 2024, at Vikarabad.

2. I, Dy. Executive Engineer, Irrigation & CAD Department, Irrigation Sub-Division No.2, Tandur (Respondent No.6) office Near R&B office, Tandur, Vikarabad District, Telangana State do hereby verify that the contents stated above are true and correct to the best of my knowledge and belief, hence verify the same on this the day of 2024, at Tandur.

Date: 05/08/2024.

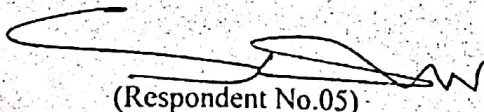
Place: Vikarabad - 501101.

Respondent No.5.

DEPONENT

Place: Tandur-501141.

Respondent No.6.



(Respondent No.05)
Executive Engineer I&CADD
Irrigation Division No.04,
Vikarabad



(Respondent No.06)
Dy. Executive Engineer I&CADD
Irrigation Sub Division No.02
Tandur.