

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION NO 68 OF 2024

Between:-

KothaRambabu&Ors.

...Applicant

vs

The State of Telengana&Ors

...Respondent

REPORT OF THE IRRIGATION DEPARTMENT - R4

S.No	DESCRIPTION	PAGE NOS
1	Report by the Irrigation Department	2 to 4
2	Annexure -I (FTL Map of BhandhamKunta)	5
3	Annexure -II (Expert Committee Joint report)	6 to 8
4	Annexure-III Survey Conducted Photos	9
5	High Court Writ Petition No 18204 of 2024 Report	10 to 12

Date:- 10.9.2025

Place:- Chennai

[Signature]
COUNSEL FOR RESPONDENT-1

[Signature]
Executive Engineer, I&CADD,
Irrigation Division No.9,
Marpada

REPORT OF THE IRRIGATION DEPARTMENT

OA NO.68 OF 2024 (SZ) (EARLIER O.A. NO. 761 OF 2023 (PB) ON A LETTER PETITION RECEIVED FROM KOTHA RAMBABU AND OTHERS, REGARDING "ENCROACHMENT OF DORNAKAL BANDHAM CHERUVU SIKHAM LAND OF DORNAKAL BANDHAM AYAKATTU".

I, P.Sudharshan Rao, Occ: Government Service, presently working as Executive Engineer, Irrigation and CAD Department, Irrigation Division No.09, Maripeda, Mahabubabad District, do hereby solemnly affirm and sincerely state on oath follows:-

The Hon'ble National Green Tribunal (NGT), New Delhi as registered Original Application No. 761 of 2023 based on a letter petition received from Mr. KothaRambabu & others, R/o Dornakal, Mahabubabad District regarding encroachment of CheruvuSikham land of DornakalBandhamAyakattu. The complainant and other farmers in his letter petition addressed to the Hon'ble NGT stated 1.1950 acres of land located in cheruvushikham were occupied by venkataRamana and others and are building a compound wall around the place thereby the flood water coming from the upper pond alugu is flooding their lands causing damage to the crops fields and requested to protect the farmers land from flooding and remove illegal constructions.


In compliance to the Hon'ble NGT order dated 22.01.2024 in O.A.No.761 of 2023, I.P.Sudharsan Rao, Executive Engineer (EE), Division No. 9, Maripeda, MahabubabadDist, I & CAD Department inspected along with Sri Bhadrudya Executive Engineer, Sub Division No.01, Dornakal verified the factual position and take appropriate remedial action to the Hon'ble NGT, Chennai.

At the time of inspection, Sri KothaRambabu applicant / petitioner was contacted and accompanied during the inspection. The other farmers were also present. The following observations are made by me:

- 1 Bhandhamcheruvu lake is located at Dornakal (coordinates N-17°26'19.4", 80°08'29.4") is surrounded by East: Agricultural land, West: Agricultural land, North: Open land followed by Road, South: Agricultural land.


 Executive Engineer, I & CAD,
 Irrigation Division No.9.

- 2 The complainant Sri KothaRambabu informed that, compound wall construction taken place in buffer zone and the natural stream which flows along the road is closed, due to this, the stream is taking diversion in another way and finally leading to submergence of their agricultural fields.
- 3 The surplus water from OoraCheruvu and rain water other catchement area flows into the Bhandhamcheruvu lake.
- 4 The total extent of the tank is 50 Acres. As per the irrigation department records actual Ayakattu is 35 Acres and presently reduced to 10 Acres.
- 5 The Lake is bifurcated into two parts one for irrigation and another is used as summer storage tank for drinking water. He informed that the inlet to the lake was disturbed due which rain water is flowing through the agricultural lands.
- 6 Presently, the inlet drain to the tank was restored by diverting the nala.
- 7 The outlet weir was closed during the summer storage tank.during the inspection, no water was observed in the irrigation tank.Thepatta land existing at Sy.No.300, belongs to NunnaRamana adjacent to the tank. The compound wall was constructed around the site. As per the revenue records, part of it is falling in Buffer zone of the tank.
- 8 The MRO informed that they will verify the records and take necessary action for issuing notices and removal of encroachments.
- 9 It is humbly submitted that, as per the Hon'ble National Green Tribunal (SZ), Chennai passed in orders Dt:19.04.2024 to the Respondent to file an independent report from Irrigation Department on the encroachment and illegal constructions in buffer zone of BandhamKunta (Summer Storage Tank) located in Dornakal Mandal of Mahabubabad District in Survey Nos. 292&300/A/1.
- 10 It is humbly submitted that, BhandhamKunta (Summer Storage Tank) is a Notified Tanks located in Dornakal under the jurisdiction of Irrigation and CAD Department with its lake ID: 91012200301301, the storage capacity of the tank is 5 Mcft.
- 11 It is humbly submitted that, the BandhamKunta (Summer Storage Tank) is monitoring by the Irrigation and CAD Dept., on ground as per the Govt. of Telangana, I&CAD Department.


Executive Engineer, I&CAD.,
Irrigation Division No.9.
Marjoda

- 12 It is humbly submitted that, as per the instructions of the National Green Tribunal, The Irrigation Department authorities and Mandal Revenue Authorities surveyed the BandhamKunta on 24-06-2024 and fixed the parameters of the tank along with Irrigation and CAD and Revenue departments.(The FTL Map is herewith enclosed).
- 13 It is humbly submitted that,formed a Joint Committee with Smt. L. Alivelu, RDO, Mahabubabad, Representative of the District Collector, Mahabubabad District, Sri. P.Sudarshan Rao, Executive Engineer (EE), Division No. 9, Maripeda, Mahabubabaddistrict, I & CAD Department, Representative of Principal Secretary, Water Resource Department, Government of Telangana, Sri D.Narender, Senior Environmental Engineer, Zonal Office, Hyderabad - Representative of the TSPCB, Hyderabad. During the inspection of joint committee contacted to the Applicant/Petitioner Sri KothaRambabu and other farmers,The Sri NunnaRamana and NunnaBharathi hadconstructed a compound wall across natural stream of upper lake without any prior permission from the Dornakal Municipality or any other department. The upper lake surplus water which flows along the natural stream, due to construction of compound wall the natural stream is diverted. The constructed compound wall is in buffer zone.
- 14 Further, it is to submit that based on the Hon'ble National Green Tribunal (SZ), Chennai Orders, Dt:19.04.2024, TheAsst.Executive Engineer, Irrigation sub-Division No.01,Dornakal of division No.09Maripedaalong with Mandal Revenue Surveyor conducted a survey in Survey Numbers 292&300/A/1. The FTL survey carried out with Mandal revenue Surveyor photos and the Sketchmap is here with enclosed.

For the aforementioned reasons, it is therefore prayed before this Hon'ble Tribunal, may be pleased to dismiss the present original Application matter and pass such other order or orders as this Hon'ble Tribunal may deem fit in the interest of Justice.

Date:



Executive Engineer, I&CADD.,
Irrigation Division No.9.
Maripeda.

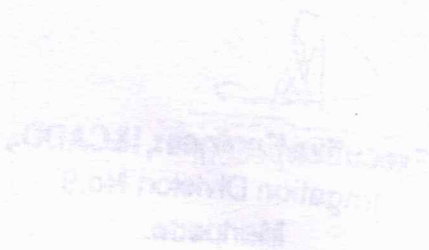
VERIFICATION

I, P.SudarshanRao,Occ: Government Service, presently working as Executive Engineer, Irrigation and CAD Department, Irrigation Division No.9, Maripeda, nahabubabad, Respondentherein do hereby verify and declare that the contents stated in the above affidavit are true and correct to the best of my knowledge and belief.

Date:

Place:


Executive Engineer, I&CADD.,
IRRIGATION DIVISION No.9.
Maripeda



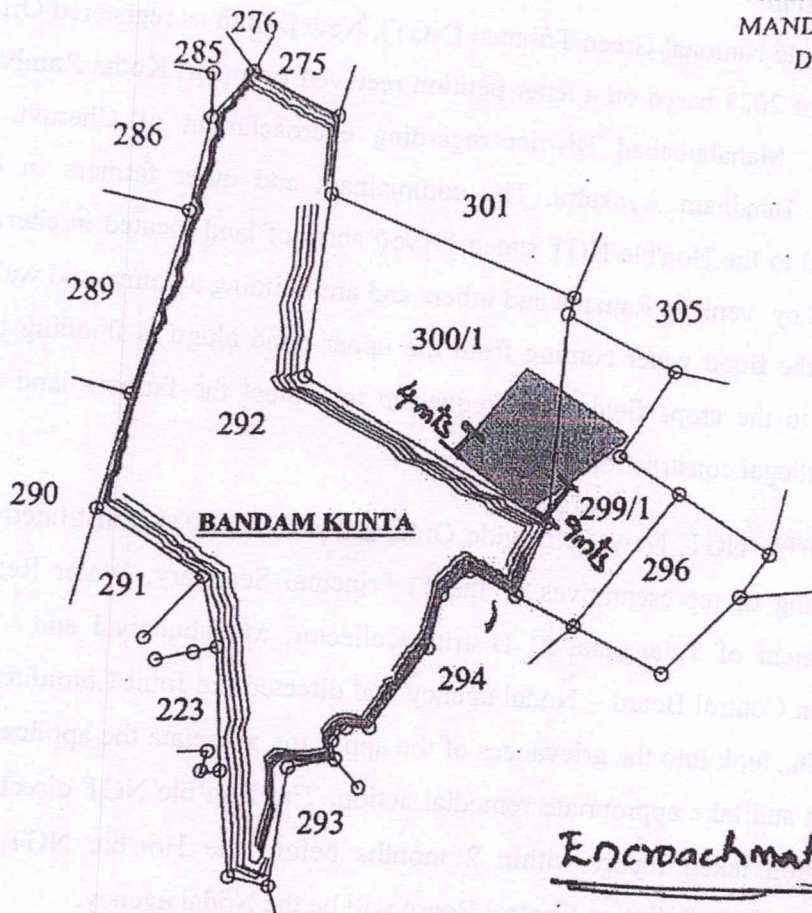
LOCATION SKETCH

- LOCATION SKETCH SHOWING SY NO 292 EXTENT AC 50-38 GTS
BANDAM KUNTA CHERVU-DORNAKAL
 - LOCATION SKETCH SHOWING SY NO 300/P EXTENT AC 03-16 GTS
 - LOCATION SKETCH SHOWING SY NO 299/1 EXTENT AC 00-28 GTS
- ENJOYER OF THE LAND IS SRI NUNNA RAMANA S/O RAMAIAH



SCALE: 1" = ONE MILE

VILLAGE : DORNAKAL
MANDAL : DORNAKAL
DIST : MAHABUBABAD



Encroachment details

4mts - North side
9mts - South side.

PREPARED BY

MANDAL SURVEYOR
DORNAKAL (M)

Bheem

Dy. EXECUTIVE ENGINEER
Irr. Sub-Divn. No. 1, Dornakal,
Irr. Divn. No. 9, MARIPEDA.

Executive Engineer, I&CADD.,
Irrigation Division No.9,
Maripeda.

JOINT COMMITTEE REPORT

Report of the Joint Committee constituted in the O.A. No. 68 of 2024 [earlier, O.A. No. 761 of 2023 (PB) on a letter petition received from Mr. Kotha Rambabu & others, R/o Dornakal, Mahabubabad District regarding encroachment of Cheruvu Sikham land of Dornakal Bandham Ayakattu.

Introduction:

The Hon'ble National Green Tribunal (NGT), New Delhi as registered Original Application No. 761 of 2023 based on a letter petition received from Mr. Kotha Rambabu & others, R/o Dornakal, Mahabubabad District regarding encroachment of Cheruvu Sikham land of Dornakal Bandham Ayakattu. The complainant and other farmers in his letter petition addressed to the Hon'ble NGT stated 1.1950 acres of land located in cheruvu shikham were occupied by venkata Ramaṇa and others and are building a compound wall around the place thereby the flood water coming from the upper pond alugu is flooding their lands causing damage to the crops fields and requested to protect the farmers land from flooding and remove illegal constructions.

The Hon'ble NGT, New Delhi vide Order dated 22.01.2024 constituted a Joint Committee comprising of representatives of the 1) Principal Secretary, Water Resource Department, Government of Telangana, 2) District Collector, Mahabubabad and 3) Telangana State Pollution Control Board – Nodal agency and directed the Joint Committee to undertake visit to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action. The Hon'ble NGT directed to submit factual and action taken report within 2 months before the Hon'ble NGT, SZ, Chennai. The Telangana State Pollution Control Board will be the Nodal agency.

Constitution of the Joint Committee:

In compliance to the Hon'ble NGT order dated 22.01.2024 in O.A.No.761 of 2023, the Joint Committee was constituted comprising the following officers:

- a. Smt. L. Alivelu, RDO, Mahabubabad, Representative of the District Collector, Mahabubabad District
- b. Sri. P.Sudarshan Rao, Executive Engineer (EE), Division No. 9, Maripeda, Mahabubabad, I & CAD Department, Representative of Principal Secretary, Water Resource Department, Government of Telangana

EXECUTIVE ENGINEER, ISCADD,
Page 1 of 2, No. 9

- c. Sri D.Narender, Senior Environmental Engineer, Zonal Office, Hyderabad - Representative of the TSPCB, Hyderabad.

Terms of reference (TOR) to the Joint Committee:

The Joint Committee to undertake visit to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action and to submit the factual and action taken report within 2 months from the date of Judgment to the Hon'ble NGT, Chennai.


The Joint Committee Meeting and Inspection:

The Joint Committee in its preliminary meeting held at Sub Division office, Irrigation & CAD dept, Dornakal, Mahabubabad District on 05.07.2024 at 11.30 A.M discussed about the Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 22.01.2024

The Joint Committee along with Sri J.Bhadru, DEE, I&CAD, Smt.K. Krishnaveni, MRO, & Environmental Engineer, TGPCB, Regional Office, Warangal have inspected the Dornakal Bandham Cheruvu and surrounding areas on 05.07.2024.

At the time of inspection, Sri Kotha Rambabu applicant/petitioner was contacted and accompanied during the visit. The other farmers were also present. The following observations are made by the Joint Committee:

- The complainant Sri Kotha Rambabu informed that, compound wall construction taken place in buffer zone and the natural stream which flows along the road is closed, due to this, the stream is taking diversion in another way and finally leading to submergency of their agricultural fields.
- Bhandham cheruvu lake is located at Dornakal (coordinates N-17°26'19.4", 80°08'29.4") is surrounded by East: Agricultural land, West: Agricultural land, North: Open land followed by Road, South: Agricultural land.
- The EE, I&CAD informed that the excess water from Oora Cheruvu and rain water other catchemnet area flows into the Bhandham cheruvu lake.
- The total extent of the tank is 50 Acres. As per the irrigation department records actual Ayakattu is 35 Acres.
- The Lake is bifurcated into two parts one for irrigation and another is used as summer storage tank for drinking water. He informed that the inlet to the lake was disturbed due which rain water is flowing through the agricultural lands.
- Presently, the inlet drain to the tank was restored by diverting the nala.


Executive Engineer, I&CAD,
Irrigation Department No.9,
Maripada

- He further informed that the outlet weir was closed during the summer storage tank. during the inspection, no water was observed in the irrigation tank. The patta land existing at Sy.No. 300, belongs to Nunna Ramana adjacent to the tank. The compound wall was constructed around the site. As per the revenue records, part of it is falling in Buffer zone of the tank.
- The MRO informed that they will verify the records and take necessary action for issuing notices and removal of encroachments.
- It was noticed that the natural stream which flows along the road was closed, due to which the run off rain water is flowing through the drain leading to stagnation and submergence of agricultural fields.

Recommendations:

1. The irrigation department shall restore the natural stream for flow of water in raining season to avoid flooding.
2. Action taken shall be taken against the encroachments for restoring the buffer zone.
3. Inlet and outlet of the lake shall be restored.



Sri P.Sudarshan Rao
Executive Engineer
Division No. 9, Maripeda,
Mahabubabad, I & CAD
Department



Blue

Dy. EXECUTIVE ENGINEER
Irr. Sub-Divn. No. 1, Dornakal,
Hq. Qlqn. No. 0, MARIPEDA,

[Signature]

Executive Engineer, IACADD,
Irrigation Division No. 9,
Maripeeda

[3168]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE THIRD DAY OF SEPTEMBER TWO THOUSAND AND
TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 18204 OF 2024

Between:

1. Nunna Venkataramana, S/o. Ramaiah
2. Nunna Bharathi, W/o. Venkataramana

...Petitioners

AND

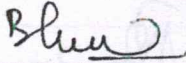
1. The State of Telangana, Rep by its Secretary, Irrigation Department, Secretariat, Hyderabad.
2. The Superintending Engineer, Irrigation, Sub-Division I, Dornakal, Mahabubabad District.
3. The Executive Engineer, Irrigation Sub-Division I, Dornakal, Mahabubabad District.
4. The SHO, PS Dornakal Mandal, Mahabubabad District.
5. The District Collector, Mahabubabad District.
6. The Revenue Divisional Officer, Mahabubabad District.
7. The Tahsildar, Dornakal Mandal, Mahabubabad District.
8. The Land Acquisition Officer, Mahabubabad District.


...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate order or direction particularly writ of mandamus declaring the action of the respondents in dispossessing/interfering with the possession of the petitioners in respect of land admeasuring Ac. 6.02 gts. in Sy.No. 300/E and 300/A/1A situated at Dornakal, Mahabubabad District as illegal, arbitrary, violative of natural justice, contrary to Article 21 and 300-A of the Constitution of India, the provisions of Land Revenue Act and consequently direct the respondents not to interfere/dispossess the petitioners from the aforesaid land;

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents herein not to interfere with the peaceful possession and enjoyment of the petitioners in respect of the land admeasuring Ac. 6.02 gts. in Sy.No.300/E and 300/A/1A situated at Dornakal, Mahabubabad District, pending disposal of WP.No.18204 of 2024, on the file of the High Court.


Dy. EXECUTIVE ENGINEER
Irr. Sub-Divn. No. 1, Dornakal,
Irr. Divn. No. 9, MARIPEDA.


Executive Engineer, I&CADD,
Irrigation Division No.9,
Maripeda.



The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 11.07.2024, 08.08.2024 & 29.08.2024 made. herein and upon hearing the arguments of M/s. KANUMURI KALYANI Advocate for the Petitioners, Assistant GP FOR IRRIGATION AND COMMAND AREA DEVELOPMENT for the Respondent Nos.1 to 3, Assistant GP FOR HOME for the Respondent No.4, Assistant GP FOR REVENUE for the Respondent Nos.5 to 7 and Assistant GP FOR LAND ACQUISITION for the Respondent No.8, the Court made the following.

ORDER:

At the request of learned Asst. Govt. Pleader for Revenue to get instructions, list on 09.09.2024 immediately after fresh matters finally.
Till then, the interim order granted earlier is extended.

**SD/- K. AMMAJI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/s. KANUMURI KALYANI, Advocate [OPUC].
2. Two CCs to GP FOR IRRIGATION AND COMMAND AREA DEVELOPMENT, High Court for the State of Telangana at Hyderabad [OUT].
3. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT].
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
5. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy

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Dy. EXECUTIVE ENGINEER
Irr. Sub-Divn. No. 1, Dornakal,
Irr. Divn. No. 9, MARIPEDA.

[Signature]
Executive Engineer, I&CADD.,
Irrigation Division No.9.
Maripeda

HIGH COURT

KLJ

DATED:03/09/2024

LIST ON 09.09.2024

ORDER

WP.No.18204 of 2024

INTERIM ORDER EXTENDED



[Signature]
Dy. EXECUTIVE ENGINEER
 Irr. Sub-Divn. No. 1, Dornakal,
 Irr. Divn. No. 9, MARIPEDA.

[Signature]
Executive Engineer, I&CADD,
 Irrigation Division No.9.
Maripeda