

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SZ) CHENNAI  
ORIGINAL APPLICATION No. 249 of 2020**

IN THE MATTER BETWEEN

Dusharla Satyanarayana

...Applicant

Versus

National Highway Authority of India  
and others.

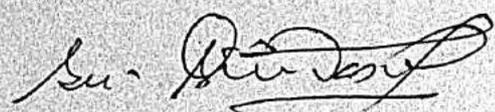
...Respondents

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Dated at Chennai this the 25<sup>th</sup> day of February, 2021

  
PROJECT DIRECTOR  
National Highways Authority of India  
Project Implementation Unit, Khammam

  
Counsel for Respondent No.1

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SZ) CHENNAI

ORIGINAL APPLICATION No. 249 of 2020

IN THE MATTER BETWEEN

Dusharla Satyanarayana

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Versus

National Highway Authority of India  
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...Respondents

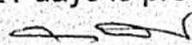
**REPLY STATEMENT FILED ON BEHALF OF 1<sup>st</sup> RESPONDENT**

I, V. Durga Prasad son of V.Sambasiva Rao aged about 58 years, working as Project Director, NHAI, PIU, Khammam do hereby solemnly affirm and sincerely state as follows.

I am the 1<sup>st</sup> respondent herein and am well acquainted with the facts of the case from the records and as such I am competent to file this reply before this Hon'ble Tribunal. The answering respondent deny all the allegations and averments contained in the above OA except those that are specifically admitted herein, and put the applicant to strict proof of the same.

**PRELIMINARY OBJECTION:**

- (A) It is respectfully submitted that the Application filed by the Applicant is barred by limitation, hence, liable to be dismissed on this sole ground. Though, the applicant stated that the damage to the land is caused from July 2020 and continues till now, is within the limitation, does not stand legal scrutiny. Admittedly, the notification for acquisition of land passing through the subject land was published in local dailies on 22.09.2017 in "Andhra Jyothi (Vernacular) and "The Hindu", whereby, opportunity of making objection within 21 days is provided as per Section

  
PROJECT DIRECTOR  
National Highways Authority of India  
Project Implementation Unit, Khammam

2. With regard to paragraph 3, it is submitted that the Environmental clearance is not required for the instant project in terms of MoEF notification No.S.O.2559(E) dated 22.08.2013 as the project highway is less than 100 km length and does not involve additional Right of Way or land acquisition more than 40m on existing alignment and 60m on Bypass/Realignments, other than Toll plaza location.

3. With regard to paragraphs 4 to 6, it is submitted that the location of Chuttugunta cheruvu is on RHS towards Khammam at design chainage from Km.26+120 to Km.26+200 in the Raghavapuram Village, Mothey Mandal of Suryapet District. The total area of Chuttugunta cheruvu in Sy.No.22 is about Ac.21-21Gts, in which 32.5 Gts (0.79 Ac) only affected in the alignment. The Competent Authority of Land Acquisition (CALA) & RDO, Suryapet have proposed & published the Gazette Notification U/s. 3(A) of NH-Act, 1956, its intention to acquire the lands, vide S.O.No.3001(E) dated 12.09.2017 in two local news papers i.e., Andhra Jyothi and the Hindu paper in vernacular languages on 22.09.2017. The notice referred by the applicant sent by the Executive Engineer, I.B. Division, Suryapet dated 17.7.2020, it is to be seen the land acquisition was made in this alignment by publishing Notification under section 3(A)1 of NH 1956 on 12.09.2017 and it was listed in local dailies 22.09.2017.

4. It is further submitted that in response to the Public Notification issued U/s.3(A)(1) of NH-Act, 1956, no objections were made nor petitions received from Irrigation Dept., Telangana State against the acquisition of land for the said public purpose. Subsequently, Notification was published by MoRT&H vide S.O.3055 (E) dated 18.06.2018 U/s.3(D) of NH-Act, 1956. After declaration under section 3D(1) of NH Act 1956, the land shall vest absolutely with Central Government free from encumbrances, as per Section 3D (2) of NH Act, 1956.

It is submitted that the 3G(3) notice was also published in the daily newspapers "Vaartha" on 08.07.2018 and "The Hans India" on 07.07.2018 and award enquiry was conducted on 28.07.2018 & 30.07.2018 at O/o Thasildar Mothey Mandal. Further CALA cum RDO, Suryapet has also verified the title of the land owners who have present and submitted their documents for receiving Compensation, determined the market value for the acquired land vide the Award No. C/1522/2017 dated: 30.08.2018.

5. With regard to paragraphs 7 and 8, it is submitted that before finalization of Final Detailed Project Report all possible alternative routes have been explored and the alignment has been fixed only after coming to irresistible conclusion that the alignment is feasible both economically and environmentally. Awards have been passed and Compensation amount has also been paid to the land owners' whose lands were acquired for this project. Therefore, any interference at this stage of project with the public project would only affect the public interest. It is submitted that the affected area of pond is about 50x25 sqm approx. on right side of Design chainage at Km 26+200. The existing road and cross drainage works i.e., Minor Bridge 2X3.8m is proposed only to be widened. At this location Cross Drainage structure would balance the water on either side of existing road. However, an additional depth would be dug for increasing the storage capacity of Pond without disturbing the water body/Lake.

6. It is submitted that even before publication of 3A (i) notification, the 1<sup>st</sup> respondent vide letter dated 05.06.2017 (Annexure R1) had written to the Executive Engineer, Irrigation and CAD Department, Suryapet, informing him that the alignment is passing through Suryapet- Khammam section of NH-365BB from chainage Km.0/0 to Km.64/240 and requested to provide hydraulic particulars as requested by the DPR consultant of the project highway. From

the aforesaid communication, it could be inferred that the irrigation department is made aware of the alignment details even in June 2017 itself.

7. It is further submitted that on receipt of the representation of the applicant, the 1<sup>st</sup> respondent vide PIU, Khammam letter number 2274 dated 06.05.2020 (Annexure R2) had given the details informing that the project activities are in full swing and any change in alignment will cause claim and legal complications at this juncture of execution of the project. It is submitted that vide PIU, Khammam letter number 2574 dated 29.07.2020 (Annexure R3) the 1<sup>st</sup> respondent had written to the Executive Engineer of I.B. Division Suryapet providing all the details and also informed as follows:

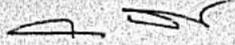
- (i) The effected area of pond is about 50 x 25 Sq.m on right side of chainage at Km. 26+200, the existing road and cross drainage works i.e., Minor Bridge 2 x 3.8 m are proposed to widened.
- (ii) From the Technical point of view NHAI is widening the existing road only not a new alignment and NHAI has proposed Cross Drainage structure at the location for balancing the water on either side of existing road.
- (iii) The subject project which is affecting minor area of the pond i.e., Chuttugunta cheruvu in Ragavapuram village for which we may propose additional digging pond for increase the storage capacity without disturbing the pond.

8. It is further submitted that the 1<sup>st</sup> respondent had also requested the TPF GETINSA EUROESTUDIOS, S.L., the Independent Engineer of the project highway to inspect and examine the Chuttugunta Cheruvu with regard to the issues raised by the applicant. The Independent Engineer had also carried out

  
PROJECT DIRECTOR  
National Highways Authority of India  
Project Implementation Unit, Khammam

the inspection on 22.12.2020 through the Resident Engineer along with the senior payment specialist and obtained the inspection report and the same was communicated to the 1<sup>st</sup> Respondent on 24.12.2020 (Annexure R4). After elaborating the views of the inspecting team, they have remarked that "in view of the project, as affecting only a minor area of the pond i.e., Chuttugunta Cheruvu in Ragavapuram Village, we propose additional digging of pond to increase the storage capacity without affecting the pond and also it was remarked that there is a proposal for Cross Drainage structure i.e., Minor Bridge 2 x 3.8m of span at the location for balancing the water on either side of the existing pond". It was further remarked that there is no alternative option other than widening the existing road at the above mentioned location and already Minor Bridge has been proposed for balancing the water from RHS to LHS.

9. It is further submitted that the answering respondent has received letter dated 05.01.2021 (Annexure R5) which is said to have been sent by Deputy Executive Engineer I.B, Sub Division, Suryapet. It is also pointed out that the answering respondent had sent detailed communication to the Executive Engineer, I.B. Division, Suryapet on 29.07.2020 (Annexure R3) wherein, it was pointed out that the NHAI has not received any objection from the concerned Irrigation department since 2 years from 3G publications nor had received any objection from any other Government Departments. While this respondent had correspondences with the District Collector of Suryapet District and the Executive Engineer, I.B. Division, Suryapet of Suryapet District, it is not known why and under what circumstances the Deputy Executive Engineer had issued the alleged notice dated 05.01.2021 (Received on 18.01.2021) (Annexure R5). This respondent, however, on coming to know about the aforesaid letter, vide

  
PROJECT DIRECTOR  
National Highways Authority of India  
Project Implementation Unit, Khammani

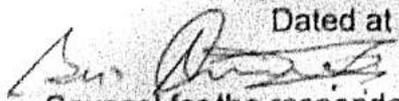
communication dated 21.01.2021 (Annexure R6) had requested the Executive Engineer, I.B. Division, Suryapet to inform the Deputy Director for needful cooperation in the interest of the project.

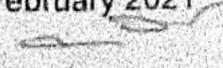
10. It is submitted that the Project from Suryapet to Khammam section of NH-365BB for a length of 59Km was awarded to M/s. Adani Transport Ltd., with an awarded cost of 1566.30 Cr and Agreement concluded between M/s. Suryapet Khammam Road Pvt. Ltd., & NHAI on 14.06.2019. The appointed date for Suryapet to Khammam section of NH-365BB is declared as 27.12.2019 and schedule completion date is 24.06.2022 (910 Days from Appointed Date). The Civil works are in progress by the Concessionaire (Physical progress: 20.99% & Financial progress: 21.11% as on January, 2021).

11. It is to submit that the road widening project is being undertaken for the benefit of general public, commuters and in larger public interest and any delay, stoppage of project at this stage would lead to huge loss to the Authority in the form of financial aspect i.e. delay in grounding of work would lead to escalation of project cost, negative impact, leads Arbitrations from Concessionaire side also.

In view of above circumstances, this application is devoid of any merit and hence it is prayed that this Hon'ble Tribunal may be pleased to dismiss the above application and thus render justice.

Dated at Khammam this the 25<sup>th</sup> day of February 2021

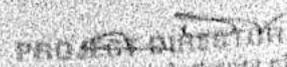
  
Counsel for the respondents

  
1<sup>st</sup> Respondents

**VERIFICATION**

I, V. Durga Prasad, Project Director, NHAI, PIU, Khammam hereby verify that whatever is stated above is based on official records and true to the best of my knowledge and belief.

Dated at Khammam this the 25<sup>th</sup> day of February 2021

  
Project Director  
National Highway Authority of India  
1<sup>st</sup> Respondent

R-1 - 8

टेलीफैक्स / TeleFax : 08742 - 242180  
ई-मेल / email : piukhammam@nhai.org  
: piukhammam@gmail.com

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय)  
National Highways Authority of India  
(Ministry of Road Transport & Highways)  
परियोजना कार्यान्वयन इकाई  
Project Implementation Unit  
D.No.6-1-16/89, Mamatha Hospital Road, Near Toyota Showroom,  
Beside Krishnaveni College, Khammam - 507 002.

dated 05.06.2017

NHAI/PIU-KMM/2017/146

To  
The Executive Engineer  
Irrigation & CAD Dept.,  
SRSP Stage-II, Division No.4  
Janagaon, Suryapet  
Email: [cedn4srsp2@gmail.com](mailto:cedn4srsp2@gmail.com)

Sub: NHAI - PIU-Khammam - 4- laning of Suryapet - Khammam section of NH-365BB from Design Chainage from Km.0/0 to Km.64/240 in the State of Telangana - Techno-Economic Feasibility Study for 7 roads in the Telangana State - Request for providing the Hydraulic Particulars for Irrigation Canals of Suryapet-Khammam section - Reg.,

Ref: 1) MoRT&H In.no.RW/NH-12037/27/2016-(P-7) dated 29.04.2016  
2) M/s. Feedback Infra Pvt. Ltd., In.no.FIPL/Highways/R&B(PPP)/17-18/H/012 dated 12.04.2017

Sir,

MoRT&H vide reference 1<sup>st</sup> cited has assigned the subject stretch to NHAI for four laning. M/s. Feedback Infra Pvt. Ltd., were appointed as the DPR Consultants for the subject stretch.

Vide reference 2<sup>nd</sup> cited, DPR Consultant requested to organise the hydraulic particulars from Irrigation Department for irrigation canal bridges crossing on NH Suryapet-Khammam road for preparation of General Arrangement Drawings (GAD) and onward submission to Irrigation Department for getting the approvals. The list of irrigation structure falling on proposed alignment is enclosed herewith.

In view of the above, it is requested to furnish the above particulars pertaining to Suryapet District under your jurisdiction immediately for preparation and GADs for approval to avoid further delay and early completion of the project.

Please treat the matter on Top Priority basis.

Yours faithfully  
P. R. Reddy  
(P. Ramesh Reddy)  
DGM (Tech.) & Project Director

Copy to:

- 1) Regional Officer, NHAI, Hyderabad for information
- 2) M/s. Feedback Infra Private Ltd., for information for pursuing the matter

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग विभाग)

National Highways Authority of India  
(Ministry of Road Transport & Highways)

परियोजना कार्यालय इकाई - खम्मम

डोर नंबर 6-1-16/89, मामा हॉस्पिटल रोड, कृष्णवैनी कॉलेज के पास, खम्मम - 507 002, तेलंगणा

Project Implementation Unit - Khammam  
D. No. 6-1-16/89, Mamatha Hospital Road, Beside Krishnaveni College, Khammam-507 002, Telangana.

टेली/Tele : 08742 - 242180

ई-मेल/Email : piukhammam@nhai.org

: piukhammam@gmail.com



भारतीय  
राष्ट्रीय राजमार्ग प्राधिकरण

NHAI/PIU-KMM/2020/9274

Dated 06.05.2020

To  
The District Collector & Magistrate  
Suryapet.

Sub: NHAI-PIU, Khammam - Four laning of Suryapet-Khammam section of NH 365BB from Suryapet (Design Ch.0+420/Existing Km.128+500 of NH-65) to Khammam Design Ch.59+046/Existing Km.50+750 of old SH-42 of NH-365BB (Design Length 58.626) in the State of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode - Stoppage of soil filling in bufferzone area of Chuttugunta cheruvu - Reg.,

Ref: District Collector, Suryapet Ir.no.G/532/2020 dated 22.02.2020

Sir,

Please refer to the letter cited above, wherein District Collector, Suryapet has requested to conduct enquiry into the contents of the representation of Sh.Dusharla Satyanarayana, President of Jala Sadhana Samiti, Telangana.

In this connection Regional Officer, Hyderabad and the undersigned has visited the "Chuttugunta cheruvu" in Raghavapuram Village, Mothey Mandal of Suryapet District on 17.03.2020 on the same day of District Collector, is visit on the site with the presence of personnel of NHAI, Concessionaire and Independent Engineer and appraised the subject matter.

In this regard, the details for the subject is as follows

- i) The location of bufferzone area of Chuttugunta cheruvu is in RHS towards Khammam at design chainage from 26+120 to 26+200 in the Raghavapuram Village, Mothey Mandal of Suryapet District.
- ii) Total area of Chuttugunta cheruvu in Sy.No.22 is about Ac.21-21Gts in that 32.5 Gts is affected in our alignment is a Government Land, for which this office letter NHAI/PIU-KMM/2019/1049 dated 06.02.2019, processed & requested the District Collector, Suryapet for sanction of Alienation of Govt land as per G.O.Ms.No.571 dated 14.09.2012, and awaiting approval from Dist suryapet.
- iii) Sy.No.23 also affected of 35 Gts of Patta land, for which in our possession was taken by NHAI. Possession Certificate of CALA & RDO, Suryapet is here with enclosed for ready reference.
- iv) Land Acquisition also completed in this area and the same was handed over to Concessionaire on 23.12.2019 by mutually agreed by both the parties NHAI & Concessionaire for declaration of Appointed date as 27.12.2019.
- v) The effected area of pond is about 50x25 sqm on right side of chainage at.Km 26+200, the existing road and cross drainage works i.e., Minor Bridge 2X3.8m are proposed to widened (copy of the plan effecting the area is herewith enclosed for ready reference). At this location Cross Drainage structure is a balancing the water on either side of existing road earlier & after widening Road also.
- vi) The subject project which is affecting minor area of the pond i.e., Chuttugunta cheruvu in Ragavapuram Village for which we may propose additional digging the pond for increase the storage capacity without disturbing the pond, please

21/5/20

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NHAI/PIU-KMM/2020/

Dated 06.05.2020

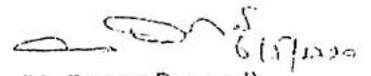
Further, the project activities are in full swing, if any changes may causes time & legal complications may arise at this juncture of four laining of the project.

In view of the above, it is requested to intervene into the matter for resolving the issue, duly directing the concerned official CALA & RDO, Suryapet for doing needful cooperation and further action at the earliest, please.

Thanking you,

Encl: As above

Yours faithfully

  
(V. Durga Prasad)  
Project Director

- Copy to: i).The Regional Officer, NHAI, RO, Hyderabad for information, please.
- ii).GM (HQ)/AP/TS, for Information, please.

# भारतीय राष्ट्रीय राजमार्ग प्रधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

## National Highways Authority of India

(Ministry of Road Transport & Highways)

परियोजना कार्यान्वयन इकाई - खम्मम

डोर नंबर 6-1-16/89, ममता हॉस्पिटल रोड, कृष्णवैनी कॉलेज के पास, खम्मम - 507 002, तेलंगणा

Project Implementation Unit - Khammam

D. No. 6-1-16/89, Mamatha Hospital Road, Beside Krishnaveni College, Khammam-507 002, Telangana.

टेली/Tele : 08742 - 242180

ई-मेल/Email : piukhammam@nhai.org  
: piukhammam@gmail.com



BHARATMALA  
ROAD PROJECT

NHAI/PIU-KMM/2020/ 2574

Dated 29.07.2020

To  
The Executive Engineer  
I.B.Division, Suryapet  
Suryapet District

Sub: NHAI-PIU, Khammam - Four laning of Suryapet-Khammam section of NH 365BB from Suryapet (Design Ch.0+420/Existing Km.128+500 of NH-65) to Khammam Design Ch.59+046/Existing Km.50+750 of old SH-42 of NH-365BB (Design Length 58.626) in the State of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode - Request to stop raising of land by soil filling in Full tank level (FTL), Buffer zone areas of Chuttukunta, Raghavapuram (V), Mothey (M) of Suryapet District-Furnished details and Status - Reg.,

Ref: E.E, I.B.Division, Suryapet Ir.no.EE/IB/SRPT/2020-21/169 dated 17.07.2020

Sir,

Please refer to the letter cited above, wherein Executive Engineer, I.B.Division, Suryapet has requested to stimulate other modes of formation of road other than raising using soil heaps within the FTL and bufferzone to safeguard the precious water body for the buffer zone area of Chuttukunta Cheruvu for the subject project.

In this regard, the details for the subject is as follows

- The location of bufferzone area of Chuttugunta cheruvu is in RHS towards Khammam at design chainage from 26+120 to 26+200 in the Raghavapuram Village, Mothey Mandal of Suryapet District.
- The approved alignment for the subject project was informed to the District Collector, Suryapet and also concerned Irrigation Departments vide this office letters even numbers 117 dated 15.05.2017, 146 dated 05.06.2017 and Google map with KMZ file were also furnished to concerned Superintending Engineers, Executive Engineers of Minor & Major Irrigation and CAD Dept., Suryapet.
- Total area of Chutugunta cheruvu in Sy.No.22 is about Ac.21-21Gts in that 32.5 Gts is affected in our alignment, for which, Competent Authority of Land Acquisition (CALA) & RDO, Suryapet has published the Gazette Notification U/s.3(A) of NH-Act, 1956, its intension to acquire the lands, vide S.O.No.3001(E) dated 12.09.2017 in local news papers in vernacular languages on 22.09.2017 in Andhra Jyothi and the Hindu on behalf National Highways Authority of India, PIU, Khammam.
- In response to the Notification U/s.3(A)(1) of NH-Act, 1956, no objections petitions were received from Irrigation Dept., against the acquisition of land for the said public purpose.
- Subsequently, Notification was published by MoRTH vide S.O.3055 (E) dated 18.06.2018 U/s.3(D) of NH-Act, 1956. After issuance of declaration under section 3D of NH Act, the land shall vest absolutely with Central Government free from encumbrances, as per Section 3D (2) of NH Act, 1956.

3/7

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NHAI/PIU-KMM/2020/ 257-4

Dated 29.07.2020

- vi) The 3G Notice was also published in the daily news papers "Vaartha" on 08.07.2018 and "The Hans India" on 07.07.2018 and award enquiry was conducted on 22.09.2018. Further CALA cum RDO has passed the Award No.C/1393/2017 dated: 09.08.2019.

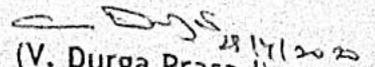
In view of the above explanation, it is to inform that this office has not received any objections from concerned Irrigation Dept., since 2 years from 3G public notice.

- vii) The effected area of pond is about 50x25 sqm on right side of chainage at Km 26+200, the existing road and cross drainage works i.e., Minor Bridge 2X3.8m are proposed to widened.
- viii) From the Technical point of view NHAI is widening the existing road only not a new alignment and NHAI has proposed Cross Drainage structure at the location for balancing the water on either side of existing road.
- ix) The subject project which is affecting minor area of the pond i.e., Chuttugunta cheruvu in Ragavapuram Village for which we may propose additional digging pond for increase the storage capacity without disturbing the pond, please.

Based on the above, land acquisition and as well as Technical Point of view, NHAI had acquired land as per NH-Act, 1956 and also approved alignment was also well in advance informed to concerned Irrigation Dept., officials but there is no objections were raised from State Government Departments.

Thanking you,

Yours faithfully

  
(V. Durga Prasad)  
Project Director

Copy to: 1) The Regional Officer, NHAI, RO, Hyderabad: for information please.  
2) The District Collector Suryapet for information, please.

R A

**TPF GETINSA EUROESTUDIOS, S.L.**

in association with

**Segmental Consulting & Infrastructure Advisory (P) Ltd**Project Office: Second Floor, House No 6-7/2, Yedulapuram, Warangal Cross Roads,  
Khammam District, Telangana - 507003,

Email :- Scia034.Suryapet@Segmental.in

Project: Consultancy services for Independent Engineer for supervision of Four Laning of the Suryapet (Design Ch.0.420/Existing Km. 128.500 of NH-65) to Khammam (Design Ch.59.046/Existing Km. 50.750 of old SH42) of NH-365BB (Old SH-42) (Design Length = 58.626 Km) in the state of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode.

FCRN: F04460, CIN: U74140DL2009PTC188591

getinsa-euroestudios

EPF  
INGENIERIA

TPF-SCIA/NHAI/SCIA034/20-21/155

Date:24.12.2020

To

The Project Director, PIU

National Highways Authority of India

D. No. 6-1-16/89, Mamatha Hospital Road,

Near Toyota Showroom, Beside Krishnaveni Collage,

Khammam-507002. Ph.: 08742-242180

E-mail: piukhammam@nhai.org; piukhammam@gmail.com;

**Subject:** Consultancy services for Independent Engineer for supervision of Four Laning of the Suryapet (Design Ch.0.420/Existing Km. 128.500 of NH-65) to Khammam (Design Ch.59.046/Existing Km. 50.750 of old SH42) of NH-365BB (Old SH-42) (Design Length = 58.626 Km) in the state of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode- **Application received from National Green Tribunal, Southern Zone, Chennai -Original Application No:249 of 2020-Detailed report -Reg.**

**Reference:** - 1) Your Letter No. NHAI/PIU-KMM/2020/2039 dated 20.02.2020  
2) PIU, KMM E-mail dated 16.12.2020 Application received from National Green Tribunal, Southern Zone, Chennai on Chuttugunta Cheruvu by NGT

Dear Sir,

Please refer to the E-mail dated 16.12.2020 regarding on the subject matter.

Site Inspection was carried out by Resident Engineer along with Senior Pavement Specialist on 22.12.2020, the detailed report is as follows.

- i) The location of buffer zone area of Chuttugunta cheruvu is in RHS towards Khammam at design Chainage from 26+120 to 26+200 in Raghavapuram (V), Mothey (M) of Suryapet District.
- ii) Total area of Chuttugunta cheruvu is Ac.21-21Gts (approx.) in that 32.5 Gts. is affected in our PROW.
- iii) From the Technical point of view, it has been proposed widening of the existing road only but not a new alignment, also it has been proposed a Cross Drainage structure i.e., Minor Bridge 2X3.8m of span at the above mentioned location for balancing the water on either side of existing road.
- iv) In view of the project, as affecting only a minor area of the pond i.e., Chuttugunta cheruvu in Raghavapuram Village, we propose additional digging of pond to increase the storage capacity without disturbing the pond.

**TPF GETINSA EUROESTUDIOS, S.L.**

in association with

**Segmental Consulting & Infrastructure Advisory (P) Ltd**

Project Office: Second Floor, House No 6-7/2, Yedulapuram, Warangal Cross Roads,  
Khammam District, Telangana – 507003.

Email :- Scia034.Suryapet@Segmental.in

Project: Consultancy services for Independent Engineer for supervision of Four Laning of the Suryapet (Design Ch.0.420/Existing Km. 128.500 of NH-65) to Khammam (Design Ch.59.046/Existing Km. 50.750 of old SH42) of NH-365BB (Old SH-42) (Design Length = 58.626 Km) in the state of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode.

FCRN: F04460, CIN: U74140DL2009PTC188591

*getinsa-euroestudios*



In this connection, it is to inform that there is no alternative option other than widening of existing road at above mentioned location and already Minor Bridge has been proposed for balancing the water from RHS to LHS.

Assuring you of our best services as always.

Thanking you,

For TPF GETINSA EUROESTUDIOS S.L.

In association with

Segmental Consulting & Infrastructure Advisory (P) Ltd.

*B. Gopal Rao*  
Gopal Rao, B  
Acting Team Leader/Resident Engineer.



*Shaik Imtiaz Ahmed*  
Shaik Imtiaz Ahmed  
Senior Pavement Specialist

Cc: Regional Officer, NHAI, RO-Hyderabad -For kind Information.

**GOVERNMENT OF TELANGANA**  
**IRRIGATION & CAD DEPARTMENT**

From  
Sri N.Ramesh,  
Deputy Executive Engineer,  
I.B. Sub division Suryapet,  
Suryapet dist.

To  
The Project Director,  
National Highways Authority of India,  
Project Implementation Unit,  
Khammam.

Lr.No.DEE/IB SD/SRPT/2020-21

Dt: 05-01-2021.

Sir,

Sub:- I & CAD Department- Request to stop raising of land by soil filling in Full tank Level (FTL), Buffer zone areas of Chuttu Kunta, Raghavapuram (V), Mothey Mandal, Suryapet District - submission of Report- Regarding.

Ref:- 1. Ass. Executive Engineer, IB section Mothey, Suryapet Lr. No. 5 AEE/IB SD/SRPT/Mothey/ , Dt: 04-01-2021.  
2. Chief Engineer, Minor Irrigation (KB) Memo. No. DCE-1/OT1/AEE2/Soil Filling/2020, Dt. 19-06-2020.

With reference to the letter of Deputy Executive Engineer I.B. Sub Division Suryapet vide reference 1<sup>st</sup> cited the tank Chuttu Kunta, Raghavapuram village, Mothey Mandal, Suryapet District is inspected by me and the field staff and observed that old NH 365 (Khammam to Suryapet road) is passing adjacent to the said tank Chuttu Kunta. As a part of developmental activity the old NH 365 road is being upgraded from 10.50 Meter Width to 33.00 Meters and the work is in progress. While widening of the old NH 365 road it observed that the new formation road of extra width is falling into the FTL of Irrigation Source tank Bed of Chuttu Kunta and also observed that FTL land is being raised by soil heaps for formation of the road which thereby leads to decrease in the tank submergence area and ultimately to decrease in water storage capacity.

As per Go.Ms.168 Dated 07-04-2012 MA & UD (M Department, Rule 3 a (i) No building / development activity shall be allowed in the bed of water bodies like river or nala and in the Full Tank Level (FTL) of any lake, pond, cheruvu or kunta / shikam lands.

Rule 3 a (ii) The above water bodies and courses shall be maintained as Recreational/Green Buffer Zone and no building activity shall be carried out within:

Rule 3 a (ii) (2) 30m from the FTL boundary of Lakes / Tanks / Kuntas of area 10Ha and above.

As, the tank Chitto Kunta, Raghavapuram (V), Mothey Mandal, Suryapet District submergence area is more than 10Ha hence the buffer zone is maintained to be of 30 meter.

In this connection the NHAI authorities are requested to stimulate other modes of formation of roads other than raising using soil heaps with in the FTL and buffer zones so as to safeguard the precious water body and also to take the NOC clearance from this department while encountering any tank, nala, stream, canal in the stretch of laying of the New NH 365 (Suryapet to Khammam Road).

Yours faithfully,

*N. Kalavathi*  
05/01/2024

Deputy Executive Engineer,  
I.B. Sub division, Suryapet,  
Suryapet Dist.

R-6

17.

भारतीय राष्ट्रीय राजमार्ग प्रधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय)  
National Highways Authority of India  
(Ministry of Road Transport & Highways)

टेली/Tele : 08742 - 242180  
ई-मेल/Email : piukhammam@nhai.org  
: piukhammam@gmail.com



परियोजना कार्यान्वयन इकाई - खम्मम  
डोर नंबर 6-1-16/89, ममता हॉस्पिटल रोड, कृष्णवैनी कॉलेज के पास, खम्मम - 507 002, तेलंगाना  
Project Implementation Unit - Khammam  
D. No. 6-1-16/89, Mamatha Hospital Road, Beside Krishnaveni College, Khammam-507 002, Telangana.

NHAI/PIU-KMM/CGC/2021/3165

Dated 21.01.2021

To  
The Executive Engineer  
I.B.Division, Suryapet  
Suryapet District

**Sub:** NHAI-PIU, Khammam - Four laning of Suryapet-Khammam section of NH 365BB from Suryapet (Design Ch.0+420/Existing Km.128+500 of NH-65) to Khammam Design Ch.59+046/Existing Km.50+750 of old SH-42 of NH-365BB (Design Length 58.626) in the State of Telangana under Bharatmala Pariyojana on Hybrid Annuity Mode - **Buffer zone area of Chuttukunta, Raghavapuram (V), Mothey (M) of Suryapet District - Reg.,**

**Ref:** 1) E.E, I.B.Division, Suryapet Ir.no.EE/IB/SRPT/2020-21/169 dated 17.07.2020  
2) T/o Lr.No.NHAI/PIU-KMM/2020/2574 dated:29.07.2020(Copy enclosed)  
3) Dy.E.E, I.B.Division, Suryapet Ir.no.DEE/IB SD/SRPT/2020-21/2436 dated 05.01.2020

Sir,

Please refer to the letter vide reference 3<sup>rd</sup> cited above, wherein Deputy Executive Engineer, I.B.Division, Suryapet has requested to stimulate other modes of formation of road other than raising using soil heaps within the FTL and bufferzone to safeguard the precious water body for the buffer zone area of Chuttukunta Cheruvu for the subject project.

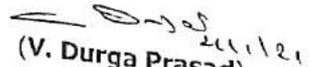
In this regard, vide reference 2<sup>nd</sup> cited above, wherein this office informing the status of project in time to time developments to Irrigation Dept and other concerned departments.,(Copy enclosed for your reference).

In view of above, it is requested to inform the Deputy Executive Engineer, I.B.Division, Suryapet for needful cooperation in the best interest of the project, in timely please.

Thanking you,

Encl: As above

Yours faithfully

  
(V. Durga Prasad)  
Project Director

**Copy to:** 1) The Regional Officer, NHAI, RO, Hyderabad: for information please.  
2) The District Collector, Suryapet for information, please.  
3) The Deputy Executive Engineer, I.B. Sub division, Suryapet, Suryapet District along with the Letter's issued by this office.

**BEFORE THE HON'BLE  
NATIONAL GREEN TRIBUNAL  
(SZ) CHENNAI**

**ORIGINAL APPLN No. 249 of 2020**

Dusharla Satyanarayana  
Applicant

Versus

National Highway Authority of India  
and others. Respondents

**Reply statement filed on behalf  
of Respondent No. 1**

**Su.SRINIVASAN (475/1993)**

**Standing Counsel for NHAI**

**Counsel for Respondent No.1  
9444089457**



srinivasan subramaniam <susrinivasan.asstsg@gmail.com>

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**O.A.NO.249 OF 2020 DUSHARLA SATHYANARAYANA Vs. NATIONAL HIGHWAYS AUTHORITY OF INDIA-NATIONAL GREEN TRIBUNAL-SOUTHERN ZONE**

1 message

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srinivasan subramaniam <susrinivasan.asstsg@gmail.com>

Tue, Mar 2, 2021 at 1:30 PM

To: advsravan@gmail.com

Sir,

I'm herewith attaching the scanned copy of the Reply Statement along with Annexures being filed on behalf of the 1st Respondent (NHAI) in the subject noted Application which is to be heard on 10.03.2021.

With warm regards

Su. Srinivasan  
Former Asst Solicitor General of India  
Senior Central Government Standing Counsel, CAT  
Standing Counsel for NCTE, FSSAI and NHAI  
Chamber No 95, Additional Law Chambers  
Madras High Court-600 104

Res Office

# 19, Pattammal Street  
Raja Annamalaipuram  
Chennai -600 028  
Mob: +91 9444089457

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