

etc

Dt. 20.07.2017

From:
P. Vikram Kumar
Advocate
Flat No.103, Suresh Harivillu Apts
Road No.11, West Marredpally
Secunderabad.

To
The Public Information Officer,
Irrigation & CAD Department,
7th Floor, Buddha Bhavan,
Karbala Main, M. G. Road,
Secunderabad - 500 003.

Dear Sir,

Sub: Request for clarification in respect of minimum NALA width under RTI Act.

Ref: Tahsildar, Kapra Mandal letter No. B/502/2017 dated 28.06.2017

My client have obtained gated community lay-out cum group housing permission from HMDA/ GHMC in Sy. Nos. 31, 40, 41, 42, 44, 45 & 55 situated at Cherlapally Village, Kapra Mandal, Medchal Malkazgiri District, Telangana vide file No. 2698/MP2/Plg/H/2007 dated 25.03.2008 to construct 103 duplex villas/bungalows.

A small nala in Sy. No.30 is passing between the Sy. Nos. 31 & 42 of Cherlapally Village. My client have maintained a 9 mtr width nala and 2 mtr buffer strip on both sides of nala and the same has been accepted and approved by HMDA/GHMC and released the permit for construction.

Recently Irrigation Department has suggested (reference 1 above) that the nala must be 10 mtrs wide Please provide a copy of the relevant document that shows the width of the nala as 10 mtrs.

We have enclosed herewith postal order for Rs.10/- towards fees under RTI Act.

Please reply at the earliest.

Thank you,

Yours faithfully,

(P. Vikram Kumar)

<Dial 1800 266 6868>

भारतीय डाक

India Post

RN012159426IN IVR:8278012159426
RP SECUNDERABAD H.O <500003>
Counter No:1,20/07/2017,15:54
To:THE PUBLIC IN.-I CAD DEP
PIN:500003. Secunderabad H.O
From:P VIKRAM KUMAR,-
Wt:20oms
Amt:25.00(Cash)
<Track on www.indiapost.gov.in>

अथपत्र COUNTERFOIL

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by the Sender.

पोस्टल आर्डर

₹ 10

POSTAL ORDER

किसे अदा करना

To whom payable ₹ 10

20/07/2017

किस डाकघर में

At what Office _____

क्या इसे क्रॉस किया है

Whether crossed _____

पेसने की तारीख

Date sent _____

39F 527976

**GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT**

From
R. Dayanand, M.E.,
Dy. Executive Engineer-1 &
Public Information Officer,
North Tanks Division,
Buddha Bhavan, 7th Floor,
Secunderabad – 500 003

To
Sri P. Vikram Kumar,
Advocate
Flat No. 103, Suresh Harivillu Apts,
Road No. 11, West Marredpally,
Secunderabad.

Lr.No.DEE1&PIO/NTD/RTI/2017 1155 Date: 06.09.2017

Gentleman,

Sub: - RTI Act 2005 – Submission of information as requested - Reg.

Ref: - 1. Application of Sri P. Vikram Kumar, West Mared pally, Sec. bad
Dt. 020.07.2017.
2. T.O. Lr.No.D.E.E-3/NTD/RTI Act/105 Dt. 23.08.2017.

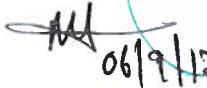
With reference to letter cited, as reported by the concerned officer, it is to inform that the copy of the relevant document that shows width of nala to be 10M as requested by the applicant is not found in this office records.

However, a report has been submitted to the Honble High Court in WP No. 2276 of 2017 in report of nala passing through Sy.Nos 40&41 of Cherlapally (V), Kapra (M). The copy of such document is annexed here with.

This is submitted for favour of kind information.

Yours faithfully,


Dy. Executive Engineer – 1 & PIO,
North Tanks Division, Hyd.


06/9/17



**GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT**

From
Sri Y. Shekhar Reddy, B.E.,
Executive Engineer,
North Tanks Division,
7th Floor, Buddha Bhavan,
M.G. Road, Secunderabad.

To
The Govt Pleader,
Hon'ble High court of Telangana & AP,
Hyderabad.

Lr.No.EE/NTD/DEE/SD3/AEE/2017/489

Dt. 6-5-2017.

Sir,

Sub: - W.P.No.2276 of 2017 – petition filed by Silver Oak Bungalow Owners Association, Sy.No.35 to 39, Cherlapally, Kapra (M) (Erstwhile, Ghatkesar (M), R.R.District), Medchal District – Submission of Parawise replies – Reg.

Ref: - W.P.No.2276 of 2017.

It is to submit that, the Silver Oak Bungalow Owners Association, represented by its General Secretary Mr.V.Siva Kumar, S/o V.Gandhi, Sy.No.35 to 39, Cherlapally has filed a petition to restore the encroached Nala running between the Sy.No.40 & 41 in Cherlapally (V). The parawise replies relevant to this department are submitted herewith

Reply to Para 1 to 9:- The petitioner has elucidated the details of their layout and utilization of their internal roads to form another layout in Sy.No.41 & 34 by respondents No.5, 6 & 7. Hence does not pertain to this department.

Reply to Para 10:- As contended by the petitioner, the Right flank Surplus Course of Cherlapally tank, Cherlapally (V) flows through the Silver Oak bungalows community. It is stated that the natural flow is in between Sy.No.41 and 34, this has to be got clarified by the Mandal Revenue Surveyor, Kapra (M). The concept of FTL is not applicable in this case as the subjected land is along the surplus course.

Reply to Para 11:- It is to submit that, the complaint filed by the petitioner society Dt.12.01.2017 was received to this office. Based on the complaint filed the site inspection was made on Dt.20.01.2017. As contended by the petitioner society the surplus channel has been filled up with Gravel on either side and restricted the nala to a width of 2.0 mtrs x 2.0 mtrs. On verification of Memoirs it is noticed that the maximum flood discharge from Cherlapally tank to 6,994 Cumecs. Since, there are two surplus weirs one on left flank of bund and other right flank of bund, these two surplus weirs together

discharges the above quantum of flood during peak rainfall. The lengths of surplus weirs on Right flank is 140' and Left flank is 75', so the right flank weir discharges more flood than left flank weir. Therefore, as per the calculation the max flood discharge through Right flank weir is arrived as 4554 cumecs i.e., 129.0 cumecs. There is no defined cross-section of course on the downstream, the surplus water flows through the natural course to the Rampally tank on its downstream. As worked out a width of 16.20 m x 2.0 m is required to carry the above discharge of 129.0 cumecs without causing any flooding to the adjacent or upstream localities.

It is further submit that, a report on encroachment of nala along with Photographs was also submitted to the District Collector, Medchal District, Deputy Commissioner kapra Circle and Tahasildar, kapra (M) to initiate action against the encroachment of nala as per rules (Copy enclosed). Therefore, the nala has to be restored to the above specified width for safe disposal of flood waters.

Reply to Para 13, 14 & 15:- The petitioner has contended about the proposal of 100' road marked through alleged land in above Sy.Nos.30, 40 & 41 as per Master plan 2020 of HMDA. Hence, does not pertains to this department.

In view of statements submitted above, it is to submit that the surplus nala has been encroached in the subjected land as stated by the petitioner society. Hence, the action against the violation has to be initiated by the Town Planning Section of GHMC and the Tahasildar, Kapra Circle as they are vested with powers to issue notice and make recovery for restoring the original nala.

This is submitted for favour of kind information and taking necessary action.

- Encl:- 1) Photographs
2) Copy of Memoirs
3) Google image
4) Copy of Letter reported

Yours faithfully,
Sd/-

**Executive Engineer,
North Tanks Division, Hyd.**

Copy to DEE-3, North Tanks Division for information.

**Executive Engineer,
North Tanks Division, Hyd**