

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

ORIGINAL APPLICATION No. 103 OF 2022 (SZ)

IN THE MATTER OF:

Dr. Lubna Sarwath,
Telangana.

....

Applicant(s)

Versus

State of Telangana,
rep. by its Chief Secretary,
Hyderabad & Ors.

....

Respondent(s)

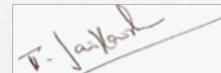
REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R11)

RUNNING INDEX

Sl. No.	Particulars	Page Nos.
1.	Report dated 24.07.2023 of the Telangana State Pollution Control Board (Respondent No.11).	1
2.	Annexure-I – Respondent Board report dated 09.03.2023 filed before the Hon'ble NGT, Chennai.	2 – 3
3.	Annexure-II – Respondent Board directions dated 20.07.2023 issued to M/s. Oro Sports Village, Khanapur (V), Gandipet (M), RR District.	4 – 5

Place: Hyderabad

Date: 24-07-2023.



Counsel for 11th Respondent

①

1

REPORT DATED 24.07.2023 OF THE TELANGANA STATE POLLUTION CONTROL BOARD IN ORIGINAL APPLICATION No. 103 OF 2022 IN THE MATTER OF TRIBUNAL ON ORO SPORTS VILLAGE FILED BY DR. LUBNA SARWATH BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI.

It is to submit that the Hon'ble NGT, Chennai in its Order dated 03.02.2023 directed the Govt. of Telangana to file its report and vide order dated: 09.01.2023 directed the TSPCB to file detailed report.

In this regard, the following is submitted: -

The Board has submitted a detailed report dated: 09.03.2023 (**ANNEXURE-I**) and subsequent to this report the following is submitted:

The issue of operating restaurant by Oro sports village was reviewed in the Task force committee meeting held on 22.06.2023 at Zonal office, Hyderabad. During the meeting the Oro sports village has submitted a letter, stating that their project is a sports & recreation facility hosting training in football, basketball, skating & boxing with a restaurant and bar seating capacity of 32 nos only on the premises & operating with temporary structures only. They have provided STP of capacity 30 KLD for treatment of sewage.

In this regard, the Board officials has inspected the site on 19.07.2023 and observed that the facility has reduced the seating capacity to 32 nos. only. It is to submit that, as per mechanism /guidelines prepared by Central Pollution Control Board in compliance with the Hon'ble NGT order dated: 19.09.2019, in the matter of OA No.400 of 2017, restaurant with seating capacity of more than 36 nos is required to take consent for establishment and consent for operation under Water act, 1974 & Air act, 1981.

In view of the above, the Board issued certain directions, vide order dated: 20.07.2023 (**ANNEXURE-II**) to the Oro sports village to comply with.

Submitted.

Date: 24.07.2023

Place: Hyderabad.

ENVIRONMENTAL ENGINEER

ENVIRONMENTAL ENGINEER
Telangana State POLLUTION CONTROL
BOARD REGIONAL OFFICE - I,
RANGA REDDY DISTRICT.

REPORT DATED 09-03-2023 OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R11) IN ORIGINAL APPLICATION No. 103 OF 2022 FILED BY DR. LUBNA SARWATH BEFORE THE HON'BLE NGT, CHENNAI.

It is to submit that the Hon'ble NGT, Chennai vide order dated 03.02.2023 directed the Govt. of Telangana to file its report. The Hon'ble Tribunal vide order dated 09.01.2023 directed the TSPCB to verify whether M/s. Oro Sports Village has obtained Consents of the Board and submit report.

In this regard, the following is submitted: -

The Board Officials have inspected the M/s. Oro Sports Village, Khanapur (V), Gandipet (M), Rangareddy District on 24.02.2023 and made following observations:

I. Activities has been taken up by sports village

- a. Indoor games (Badminton, Boxing, Snooker, etc.,)
- b. Outdoor games (Football, Basketball, Cricket practice nets)
- c. Kids play zone.
- d. Bar & Restaurant.
- e. Open air Theatre.

II. Structures present in the sports village and their built up area

M/s. Oro Sports Village is located in an area of Acres 7.14 Guntas. It consist of following structures [including permanent as well as temporary and their built up area was physically verified and submitted below]: -

S No	Description of Building	Nature of Structure	Built up area in Sq mtrs
1	Shed-I for indoor games	Permanent	836
2	Shed-II for indoor games	Permanent	745
3	Cricket Practice Net	Temporary	1232
4	Reception hut	Temporary	45
5	Terrace portion of Restaurant	Temporary	45
6	Side open type restaurant	Temporary	347
7	Closed type restaurant	Temporary	219
8	Open air theatre	Temporary	347
9	Dias	Temporary	99
10	Kitchen	Temporary	60
		Total	4067

The total built up area is 4067 Sq mtrs, out of which Permanent structure is 1581 Sq mtrs and Temporary Structure is 3486 Sq mtrs. Temporary structures were constructed with steel and panel boards and the roof with insulated sheets. No concrete is involved in the temporary structures except for the flooring and steps.

As per CPCB categorization/ EIA Notification 2006, building and construction projects with built up area more than 20,000 Sq mtrs & having discharge more than 100 KL fall under red category and Construction Projects with built up area more than 20,000 Sq mtrs & having discharge less than 100 KLD comes under Orange category. Both the categories require Environmental Clearance. As the built up area of Oro sports village is 4067 Sq mtrs which is less than 20,000 Sq mtrs and doesn't come under Environmental Clearance/consent purview.

III. Activity comes under consent purview

As per mechanism /guidelines prepared by Central Pollution Control Board in compliance with the Hon'ble NGT order dated: 19.09.2019, in the matter of OA No.400 of 2017, hotel with restaurant with minimum seating capacity of 36 is required to take consent for establishment and consent for operation under Water act, 1974 & Air act, 1981.

The Oro sports village is not a hotel and not having any bedrooms. However, the facility is having restaurant with seating capacity of 84 and hence it is required to take consent for establishment and consent for operation under Water act, 1974 & Air act, 1981.

The domestic waste water generation from the Bar & Restaurant is about 3 KLD, the same is being treated in STP of capacity 10 KLD and the treated water is used for development of greenbelt

IV. Action taken by the Board

The Board issued show-cause notice dated 28.02.2023 (Copy enclosed as **ANNEXURE**) for operating restaurant with seating capacity of more than 36 seats. Based on the reply received further action will be taken.

Date: 09-03-2023

Place: Hyderabad.

ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
Telangana State POLLUTION CONTROL
BOARD REGIONAL OFFICE - I,
RANGA REDDY DISTRICT.



**TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD**

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402495
Email: jcee-zhyd-tspcb@telangana.gov.in

Order No. 15-RR-I/TSPCB/ZO-HYD/TF/2023- 376

Date:20.07.2023

Sub: TSPCB – Zonal Office - Hyderabad – **M/s. Oro Sports Village, Sy.No. 245/2, 246/2, Khanapur (V), Gandipet (M), Rangareddy District** – An Original application No.103 of 2022 filed by the Dr. Lubna Sarwath before the Hon'ble National Green Tribunal, Southern Zone, Chennai – Operating without consents of the Board - **DIRECTIONS – ISSUED** – Reg.

Ref:

1. O.A No. 103 of 2022 filed By Dr. Lubna Sarwath before the Hon'ble National Green Tribunal, Southern Zone, Chennai.
2. Inspection of the site/area on 24.02.2023.
3. TSPCB, Regional Office, Rangareddy issued Show Cause Notice dated 28.02.2023.
4. TSPCB, Regional Office, Rangareddy report dt.26.05.2023 received by Zonal office, Hyderabad on 29.05.2023.
5. Task Force Committee meeting held on 22.06.2023 at TSPCB, Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating the industry in the name of **M/s. Oro Sports Village, Sy.No. 245/2, 246/2, Khanapur (V), Gandipet (M), Rangareddy District** and is involved in bar & restaurant with seating capacity of 84.
2. **WHEREAS**, vide reference 1st cited, an Original Application No.103 of 2022 filed by the Dr. Lubna Sarwath before the Hon'ble National Green Tribunal, Southern Zone, Chennai with a allegation that the facility falls under FTL of Osmansagar lake.
3. **WHEREAS**, the Board officials have inspected your site and observed that the facility is having different structures with total built up area of 4067 Sq mtrs. The facility is having bar & restaurant with seating capacity of 84.
4. **WHEREAS**, vide reference 2nd cited, the Board officials have inspected the industry & its surroundings on 06.01.2023 & 24.02.2023. During inspection, the following was observed:
 - M/s. Oro Sports Village established restaurant with seating capacity of 84 without obtaining consent for establishment and operating without obtaining consent for operation required under Water act, 1974 & Air act, 1981.
 - The M/s. Oro Sports Village, Khanapur (V), Gandipet (M), Rangareddy District is located at latitude & longitude of 17°24'09.0"N 78°17'19.8"E at Khanapur (V), Gandipet (M), Rangareddy District. It is located in the catchment area and at about 230 mtrs away from the Osmansagar lake.
 - M/s. Oro Sports Village is located in an area of Acres 7.14 Guntas in which part of it is leased to a Bar & Restaurant named Heart Cup Coffee. The domestic waste water generation from the Bar & Restaurant may be about 3 KLD, the same has being treated in STP of capacity 10 KLD and the treated water is used for development of greenbelt. No disposal of sewage was observed outside the premises.
 - M/s. Oro Sports Village is running a facility for playing of indoor games like boxing etc., and outdoor games like foot ball etc. without any stay rooms, which does not come under consent purview of the TSPCB.
 - The buildings and sheds constructed are single storied only. The built-up area constructed at the facility, calculated based on satellite images, is about 9360 Sq.mtrs (which is less than 20,000 Sq.mtrs) and does not generate any waste water. Thus, the facility also does not fall under CPCB categorization of building & construction projects.
 - As per mechanism /guidelines prepared by Central Pollution Control Board in compliance with the Hon'ble NGT order dated: 19.09.2019, in the matter of OA No.400 of 2017, restaurant with seating capacity of more than 36 nos is required to take

consent for establishment and consent for operation under Water act, 1974 & Air act, 1981.

5. **WHEREAS**, vide reference 3rd cited, the EE, RO, Rangareddy has issued Show cause notice on 28.02.2023 for operating the restaurant without the consents of the Board.
6. **WHEREAS**, vide reference 5th cited above, the Zonal Office, Hyderabad has conducted Legal Hearing before the Zonal office, Task Force Committee meeting held on 22.06.2023 at Zonal Office, T.S Pollution Control Board, Begumpet, Hyderabad. The representative of the industry has attended the meeting. The committee noted that the facility is a sports and recreation facility having training facility for football and other indoor games with a restaurant and bar seating facility. The facility has provided STP to treat the domestic effluents generated from the activities. He informed that the facility is operating with 32 seating capacity and he informed that they will reduce the seating capacity, if directed. The committee noted that the CPCB issued guidelines for environment management in restaurants and as per guidelines, the facility is required to obtain consents if seating capacity exceeds 36 nos. As informed by the representative, the facility will restrict the seating capacity to 32 nos only. After detailed discussions and careful consideration of material facts of the case, the committee recommended to issue following directions to the industry under Section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 and under Water (Prevention and Control of Pollution) Amendment Act, 1988 to comply with:
 - i. The industry shall restrict the seating capacity to 32 Nos and shall not exceed the same.
 - ii. The industry shall regularly operate the STP and the treated waste water shall be used onland for gardening within the premises.
 - iii. The industry shall segregate the Municipal waste at source and the wet waste shall be bio-composted at the premises and the dry waste shall be handed over to the municipal authorities.
 - iv. The industry shall develop thick green belt all along the boundary of the unit and also in the vacant places with all tall growing trees with wide leaf area.
7. **In view of the above, the industry is hereby directed to comply with the above directions with.** These directions are issued under Section 31 (A) of the Air (Prevention and Control of Pollution) Amendment Act, 1987 and under Section 33 (A) of the Water (Prevention and Control of Pollution) Amendment Act, 1988.
8. It is also to note that, if it is continued to operate the industry violating any of the directions above, the unit will be closed under section 31(A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 and under Section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and you will also be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under Section 37(1) of Air (Prevention and Control of Pollution) Amendment Act, 1987 and under Section 41(2) of Water (Prevention and Control of Pollution) Amendment Act, 1988, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years with fine.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Oro Sports Village,
Sy.No. 245/2, 246/2,
Khanapur (V), Gandipet (M),
Rangareddy District.

Copy to the Environmental Engineer, TSPCB, Regional Office, Rangareddy for information. The EE, RO, Rangareddy is directed to inspect the industry after one month from the issue of this directions for the compliance, and forward the detailed report for further necessary action.