

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 107 of 2020 (SZ) &

I.A. No.118 of 2020 (SZ)

IN THE MATTER OF

Anumula Revanth Reddy

...Applicant(s)

Versus

The Union of India and Ors

....Respondent(s)

Affidavit in Reply on behalf of Ministry of Environment, Forest &
Climate Change, Government of India, Respondent No. 1

I, **Dr. E. Arockia Lenin**, working as **Scientist C** in the Ministry of Environment, Forest & Climate Change (MoEF&CC), Integrated Regional Office (IRO), Hyderabad do hereby solemnly affirm and state as under that:

1. The deponent in his official capacity is conversant with the facts of the case and duly authorized to file the present affidavit in reply on behalf of the answering Respondent No.1.
2. This reply is being filed in compliance to the directions of Hon'ble NGT (SZ) vide orders dated 25.11.2021 and 22.02.2022 in the above matter.


डॉ. इ. अरोकिया लेनिन/Dr. E. Arockia Lenin
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Ministry of Environment Forest & Climate Change
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Integrated Regional Office, Hyderabad-500 004.

3. That as per the provisions of the EIA Notification, 2006, Environment Clearance for Building and Construction Projects & Township and Area Development Projects are covered under entry 8 (a) & (b) of the Schedule to the EIA Notification, 2006. The entry 8(a) and 8(b) of the Schedule of EIA Notification 2006 are as follows:

“8(a): Building and Construction projects - ≥ 20000 sqm. and < 150000 sqm. of built-up area require EC.

8(b): Townships and Area Development projects - Covering an area ≥ 50 ha. and or built up area >150000 sqm. – require EC. (All projects under Item 8(b) shall be appraised as Category B1).

4. That, the aforementioned entries under item 8(a) and 8(b) are qualified as category ‘B’ projects under the EIA Notification, 2006 and requires appraisal by the State Level Expert Appraisal Committees (SEACs) and approval by the State Level Environment Impact Assessment Authorities (SEIAAs).
5. That as the built-up area of the proposed project is reportedly above 20,000 sqm. but less than 150000 sqm., the project shall require prior EC as per the provision of 8(a) in the schedule of the EIA Notification 2006.
6. That the demolition activity shall be guided as per provisions of Construction and Demolition Waste Management Rules, 2016.

7. The State Government of Telangana vide its reply dated 24.09.2020 has informed that the “The State Wetlands Authority”


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for Telangana State was constituted vide its G.O. dated 15.02.2019 in compliance to the Wetlands (Conservation and Management) Rules, 2017. The Hussain Sagar lake has not been notified as a wetland under these Rules.

8. However, the Hon'ble Supreme Court vide Order dated 04.10.2017 in W.P. (C) No. 230 of 2001 has inter-alia, directed that, *"We make it clear and reiterate that in terms of our order dated 8th February, 2017, 2,01,503 wetlands that have been mapped by the Union of India should continue to remain protected on the same principles as were formulated in Rule 4 of the Wetlands (Conservation and Management) Rules, 2010"*.

This was communicated to all the States and UTs including Telangana vide letter dated 07.11.2017. Hence, the State Wetlands Authority of Telangana is required to take requisite action in the matter.


DEPONENT

डॉ. इ. अरोकिया लेनिन/Dr. E. Arockia Lenin
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VERIFICATION

I, **Dr. E. Arockia Lenin** the above named deponent, do hereby verify on oath on 14th March, 2022 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. Nothing material has been concealed therein and no part of it is false.


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