

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

O.A No. 14 OF 2022

TUMKUNTA NARSA REDDY

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

REPLY FILED BY THE 4TH RESPONDENT

I, Sri. K. Shyam Sunder, S/o. Sri. K. Rama Krishna, aged about 58 years working as Chief Engineer in Telangana State Industrial Infrastructure Corporation Limited, having its Office at Basheerbagh, Hyderabad, do hereby solemnly declare and affirm as follows:

1. I am the Chief Engineer and I am filing this reply affidavit based on the available records and I am well aware of the facts and circumstances of the case. I deny all allegations made by the applicant except those that are specifically admitted herein.
2. I submit that Telangana State Industrial Infrastructure Corporation Limited (herein after referred as 'TSIIC') is a Government Company, registered under the Companies Act, 2013. TSIIC is a Telangana State Government initiative for providing infrastructure through development of Industrial areas. It was established in the year 2014 for identifying and developing potential growth centers in the Telangana State fully equipped with developed plots, sheds, roads, drainage, water, power and other infrastructural facilities, providing social infrastructure, like housing for workers near Industrial zones, coordinating with the agencies concerned for providing communication, transport and other facilities. TSIIC also has active projects in the Public-Private-Partnership Mode.
3. I submit that the TSIIC is the executing agency, which assign contracts for construction / development/ implementation work to Contractors/ Concessionaries. TSIIC does not undertake any construction work on its

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own accord and only gets the projects executed by the Contractors/ Agencies.

PRELIMINARY SUBMISSIONS:

- a) Telangana State Industrial Infrastructure Corporation Limited (TSIIC) with an intention to develop an Industrial Park/ Industrial Cluster has identified land feasible for establishment of Industrial Park at Wargal Village and Mandal of Siddipet District.
 - b) Accordingly, requisition proposals were filed with the District Collector, Siddipet on 28.01.2020 for acquisition of Government/ Assigned land to a total extent of Acs. 972-05 Gts. in parts of Sy.No. 845 (Acs. 114-23 Gts.), 1209 (Acs. 248-36 Gts.), 1495 (Acs. 304-10 Gts.) & Sy.No. 1510 (Acs. 304-16 Gts.) of Wargal Village and Mandal, Siddipet District.
 - c) Revenue Department following their due procedure for acquisition of land took necessary steps and accordingly, necessary proceedings were issued by the District Collector, Siddipet.
 - d) Possession of the lands were handed over to the TSIIC by the Revenue Department under cover of Panchanama.
 - e) TSIIC has initiated the process of Environmental Clearance and Terms of Reference (TOR) is issued by State Environment Assessment Committee (SEAC) vide Minutes of meeting dated 26.02.2022.
 - f) TSIIC abiding by the instructions of Government of Telangana, has taken up development of the Food processing park. TSIIC has not made any allotments to the Industrial Units and no Industrial unit is currently functioning. Only after obtaining all statutory permission like Environmental clearances, TSIIC would allot lands to the prospective entrepreneurs for establishing the Industrial Units.
4. It is submitted the main allegation made by the applicant in Para.3 that the Telangana State Industrial Infrastructure Corporation Limited (TSIIC)



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has started Industrial Park without obtaining the prior Environment clearance from the Ministry of Environment, Forest and Climate Change under the Category "A" of Item 7(c) "Industrial Estates/Park/Complex" of the Schedule to the EIA Notification, 2006 is completely denied. TSIIC has not taken any construction activity nor allotted lands so far to any Industrial Unit. TSIIC out of the land handed over has started basic feasible study. It is pertinent to mention that, the proposed Food Processing Zone would be in large scale, that will facilitate and cater the needs of existing and prospective Entrepreneurs directly and farmers indirectly.

5. It is submitted, reply to para 4 of the application is that the TSIIC would not interfere nor damage nor take any coercive steps on the existing/notified Irrigation tanks. TSIIC in co-ordination with 3rd Respondent would inspect the site and if there are any notified irrigation tanks, the same would be maintained/ preserved and TSIIC solemnly affirms that no construction activity would be carried out on notified irrigation tanks as and when suggested by the 3rd Respondent.
6. It is submitted, reply to para 5 of the application is that, the land acquired by TSIIC was only the assigned land, which was assigned to the landless poor farmers. The assignment does not confer any rights on the land to the assignees and can be taken back by the Government as and when it is necessary or required by the Government for any projects. In the instant case, the Government through TSIIC has paid an amount of Rs. 10.00 Lakhs per Acre and also handed over the house sites as per their eligibility to the assignees. Some of the Assignees in their assigned land, have raised some structures, erected borewell connections, pipelines. In this connection, 6th Respondent the Revenue Divisional Officer, Gajwel to avoid any monetary loss to the farmers/ assignees has issued paper notification, Dated: 12.10.2021, wherein he has directed to remove the structures such as Bore Motors, Pipe lines and Trees which were existing in the said lands. Accordingly most of the farmers/ assignees have themselves removed the structures, Bore Motors and felled the trees for the purpose of cooking cane. The TSIIC is neither involved in the removal of any structures such as Bore Motors, pipe lines and felling of trees except a few, which were in the midst of proposed road.

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7. It is submit, reply to para 6 and 7 of the application are vehemently denied, since there is no alteration of the site. The site of the project will be intact and no coercive steps would be taken for felling of the trees by TSIIC unless it is very much required that too with the consent and approval of Forest Department. It is most humbly and respectfully submitted that the Respondent Corporation will not take any coercive steps, which would include felling of trees by TSIIC.
8. I submit that the present application filed by the Applicant is nothing but a motivated one and is filled with a malafide intention without any basis by knowingly making false and incorrect statements and in utter disregard of facts and is just an attempt to mislead this Hon'ble Tribunal by presenting the fact in a distorted manner and to cause prejudice against the Respondent herein as also the work on the project being carried out by respondent and the complaint is liable to be dismissed.

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the above application as devoid of merits with exemplary costs and thus render Justice.


DEPONENT
CHIEF ENGINEER
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VERIFICATION

I, Sri. K. Shyam Sunder, S/o. Sri. K. Rama Krishna, aged about 58 years working as Chief Engineer in Telangana State Industrial Infrastructure Corporation Limited, State of Telangana, do hereby verify and declare that what are all stated above are true and correct to the best of my knowledge and belief.

Verified at Hyderabad, on this the 21st day of April, 2022


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H.Yasmeen Ali
Counsel for the 4th Respondent

