

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

Original Application No.154 of 2016

Human Rights & Consumer
Protection Cell Trust & Ors

.....Applicant

--Vs--

State of Telangana & Ors

.....Respondents

REPORT OF THE JOINT COMMITTEE

INDEX

Sl. No.		Particulars	Page Nos
1.		Report of the Joint Committee	1-3
2.	15.04.2021	Line diagram showing pandena vagu & list of encroachments	4-6

Place: Hyderabad

Date:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL –
SOUTHERN ZONE AT CHENNAI**

ORIGINAL APPLICATION NO. 154 OF 2016 (SZ)

BETWEEN

Human Rights & Consumer Protection Cell Trust & ors

... Applicant

AND

CORAM

..... Respondents

**JOINT COMMITTEE INSPECTION REPORT SUBMITTED BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE AT CHENNAI IN PURSUANCE
OF THE ORDERS PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL ON
13.07.2021 & 13.09.2021**

1. It is humbly submitted that the Hon'ble National Green Tribunal in their order Dt 13.07.2021 & 13.09.2021 have issued orders to the Joint Committee to submit the report on following issues.

- (i) Whether the Gram Panchayat has got power to approve the layout plan.
- (ii) Whether Nalas have been encroached upon or not.
- (iii) Nature of the Encroachments with details of survey numbers etc., after conducting proper survey and submitted a report.
- (iv) Whether there was any proper approved layout and whether constructions were made in tune with the approved layout in that area and if any permissions were granted against the provisions of the respective statues, then the committee is also directed to suggest the nature of action to be taken in respect of those unauthorised permissions.

2. In pursuance of the orders passed by the Hon'ble National Green Tribunal following is submitted.

- (i) Local Body (i.e. Gram Panchayath) does not have any power to approve the layout plan. As per HMDA Act 2008 and as per UDA Act,1975. HMDA is the competent authority for approval of any layout plan. After approval of layout plan same will be sent to concerned local body (i.e. Gram Panchayat or Municipality) for release of plans to the layout owner on collection of local body charges.
- (ii) Regarding encroachments of Nalas passing through the layout under reference it is submitted that one nala is passing through the above layout

and number of Buildings have come up all along the Nala and its Buffer area. In this regard HMDA vide Lr.No.1967/MP2/HUDA/1990, Dt. 29.09.2020 & Dt. 21.08.2021 have requested the Irrigation Department and Revenue Department to demarcate the Nala Boundary on the ground to ascertain whether there are any encroachments made in Nala & its Buffer Zone. The Revenue Divisional Officer, Rajendranagar Division has addressed a letter to the Collector R.R. District stating that Joint Inspection was conducted along with Tahsildar Gandipet Mandal, Asst. Executive Engineer I & CADD and Mandal surveyor on 08.04.2021 stating that 9 Mtrs has been taken as buffer Zone on either sides of Pandena Vagu as per G.O.MS.No. 168 MA & UD Dept. Dated 07.04.2012. it was found that some structures (42 Nos in Puppalguda Village & 10 Nos Neknampur Village has been identified which was existing from long back and to this effect they prepared the Line Diagram showing of pandena vagu showing the list of encroachments and the same is submitted before this Hon'ble National Green Tribunal.

3. Regarding unauthorised constructions made in the layout under reference it is humbly submitted that during the inspection it is noticed that some of the buildings are unauthorized Buildings and some were permitted by the then Puppalguda Gram Panchayat on the assumption that the Draft layout approved by HMDA in the year 1990 was subsequently cancelled in 1997 as stated in earlier report Dt. 15.02.2021 thereby layout pattern approved by HMDA with open spaces as submitted was not in force. The Municipal Commissioner, who was present during the inspection was asked to furnish the details of each building and approvals and same are awaited. After receipt of report from Municipal Commissioner, Manikonda Municipality following action be taken against the constructions made in violation of rules and constructions made in Nala and its buffer zone.

- (i) In case of unauthorised Buildings and Building constructed by encroaching Nala and its Buffer Zone, the Municipal Commissioner Manikonda Municipality shall take immediate action for demolition of encroached portion by following due procedure prescribed under Telangana Municipalities Act,2019.
- (ii) In case of Building/s which were permitted by the then Puppalguda Gram Panchayat in the open spaces of HMDA approved draft layout, the Municipal Commissioner, Manikonda Municipality (Since Puppalguda village has now become part of Manikonda Municipality) shall revoke the building permission by issuing show-cause notice to the Building owners

and after revocation of Building permission granted earlier, the Commissioner, Manikonda Municipality shall take further action for demolition of Buildings by following due process of law as per Telangana Municipalities Act-2019.

- (iii) Action on the persons responsible for granting buildings permissions in the layout open spaces and nala / Buffer Zone shall be taken by the District Collector, Ranga Reddy District. Since these buildings have come up during Grampanchayat period

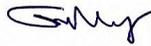
4. The above report is submitted before the Hon'ble National Green Tribunal, Chennai for kind perusal and it is humbly prayed that necessary order or orders may be passed as deemed it.

1.



(State Environment Impact Assessment Authority, Telangana)

2.



(Senior Environment Engineer Telangana State Pollution Control Board)

3.



(Director Planning-I, Hyderabad Metropolitan Development Authority)
[Representative of Metropolitan Commissioner, HMDA]

4.



(Tahsildar, Gandipet Mandal (Representative of District Collector Ranga Reddy District))

GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT

4

From
K. Chandrakala
Revenue Divisional Officer
Rajendranagar Division
Ranga Reddy District

To
The Collector,
Ranga Reddy District

Sir

Lr.No. D/18/2021 dated:15.04.2021

Sub:- Tanks - Ranga Reddy District - Rajendranagar Division - Gandipet Mandal - Puppalguda Village - OA No. 154 of 2016 (SZ) filed Human Rights & Consumer Protection Cell Trust rep by Thakur Raj Kumar Singh & Others Vs State of Telangana & Others - Joint Inspection conducted and report submitted to Hon'ble NGT - Orders passed on dated:16.02.2021 - Specific report in respect of encroachments in NALA (Pandena Vagu) called for - Submitted - Reg.

- Ref:-
1. Member Secretary, Telangana State Pollution Control Board Lr.No. 8/NGT-Chennai/TSPCB/Legal/2020- 179 dated:17.07.2020.
 2. Collector, Ranga Reddy District Lr.No. LP/1488/2020 dated:17.08.2020.
 3. Joint Inspection report submitted by Dy. Ex Engineer & Others dated:29.08.2020.
 4. Orders passed by the Hon'ble NGT in OA No. 154 of 2016 (SZ) Chennai dated:16.02.2021.
 5. Collector, Ranga Reddy District Lr.No. LP/1488/2020 dated:02.03.2021.
 6. Joint Inspection of RDO Rajendranagar Division, AEE Irrigation, Tahsildar Gandipet & Mandal surveyor dated:08.04.2021.

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I invite kind attention to the references cited, wherein it was informed that the Human Rights & Consumer Protection Cell Trust rep by Thakur Raj Kumar Singh & Others have filed OA.No. 154 of 2016 in Hon'ble NGT Chennai for removal of all encroachments in "Pandena Vagu" canal and to restore it to its original size and maintain buffer zone as per Hyderabad Master plan located at Puppalguda Village of Gandipet Mandal.

In this regard, it is submit that Joint Inspection was conducted along with the Tahsildar Gandipet Mandal, Assistant Executive Engineer, I&CADD and Mandal Surveyor, Gandipet Mandal on 08.04.2021 and it was noticed that, as per the Village map "Pandena Vagu" is shown as single line which is passing through the Puppalguda & Nekkampur Villages and connected to the Pedda Cheruvu, Nekkampur Village. Further as per physical condition, width of Pandena Vagu is approximately varying from 10 Mtrs to 13.6 Mtrs,

hence 9 Mtrs width has been taken as buffer zone on either sides of Pandena Vagu as per the GO.Ms.No. 168 MA&UD Dept. dated:07.04.2012. As per the local enquiry, it was found that the some structures (42 no's in Puppalguda Village & 10 no's in Neknampur Village) in the buffer zone of Pandena Vagu at Puppalguda Village & Neknampur Village has been identified which was existing from long back and to this effect prepared the Line Diagram of Pandena Vagu showing the list of encroachments.

The Line diagram showing the encroachments with their names & particulars and Google Maps are enclosed herewith for kind perusal.

This is for favour of kind information.

Yours faithfully

Encl: as above:-

ok
 Revenue Divisional Officer
 Rajedranagar Division
 15/4/2021

Copy to Dy. Executive Engineer, I&CADD for kind information.
 Copy to the Tahsildar, Gandipet Mandal for information.

received
 A. K. Reddy
 (SA-14)
 15/4/21

Office Order D/18/2021
 NGT OA No. 154 of 2016

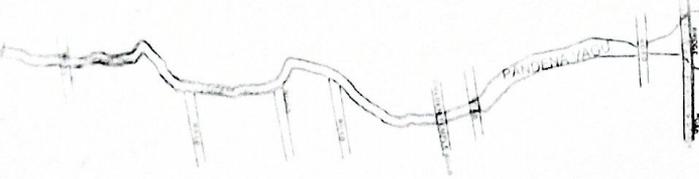
LINE DIAGRAM SHOWING PANDENA VAGU & LIST OF ENCROCHMENTS

Nellikuppam Village (Structures in buffer zone)		Puppattiguda Village (Structures in buffer zone)	
1 Open Land Construction Sheds Mathin - 9705849786	1 G+3 pent house Madhava reddy	1 Sheds Ramu bhair singh	1 Ananda homes Open
2 Open Plot	2 G+5 L&R Constructions Prabhakar reddy 9391023004	2 Open land / plot	
3 Graveyard	3 Open plot	3 Open land / plot	
4 Composite shed of Manikonda Municipality	4 Open plot	ROAD	
5 Open Plot	5 Open plot	4 open	
6 Open Plot	6 Open plot + Construction	5 Althaf jussain (G) Building	
7 Open Plot	7 Open plot	6 S K Ahmed (G) Building	
8 Open Plot	8 Open plot	ROAD	
9 Masjid - back side openland	9 Spectrum laye Breeze villas	7 Open (Masjid beside)	
10 G+5 Masjid - 9248004022		8 Open	
11 Open land with compoud Wall park		ROAD	
		9 BL (Basement Level)	
		10 BL	
		ROAD	
		11 Open with compound wall (Hameed)	
		12 Hyderabad president collage	
		13 Open place	
		ROAD	
		14 Godown (compound wall) 9515734647 (nagesh) 9848094455 (kshna)	
		15 Vaishnavi residency (apartment) (G+4) nageshwar watchmen 9666992304	
		16 open plot	
		17 Open land	
		18 BL with compound wall	
		19 BL under construction	Ananda homes Open
		20 G+3 Building Sudha rani (9908196955) pavitra nivas plot-216	G+5 (under construction) Apt Han prakash reddy (9133407028 7093068351)
		21 G- building	
		22 Open land	
		ROAD	
		23 BL with shed 9848391419 (gumastha)	G+5 -no const.work going on Metro no(9663/3113) s.no 2568066
		24 Building (G)-door lock	
		25 Huts	
		ROAD	
		26 2 Huts + small room Mohan reddy	G+5 -Apt (9010689957) Gopi knshna
		27 Anknidu chowdary(G+1) 9849204988 duplex plot 18	
		28 Plot-17 M. Kameshwar rao (9959734994)G+1 Duplex	
		29 Plot-16 G+3 ramesh gambhir (secretary cly)	
		30 Open	
		31 Open	
		32 Open	
		33 Open	
		34 Indraprastha villas villa (B-4) lane B1,B2,B3,B4 (9863884661)sathyaranayana Golden temple road	vibha residency (beside reliance smart) Hema latha plot-856.1 9885071633 (600 yards)
		35 Open plot	Open plot
		ROAD	
		Govt Land(75) open	Govt Land(75) open
		Dismantil under const building	shed
		ROAD	
		Open	G+5 under construction
		Osman Saigar RAW water Pipelines & Drainage	

PANDENA VAGU CO-ORDINATES

Point	Latitude	Longitude
C1	17°247.82'N	78°22'55.67'E
C2	17°246.89'N	78°22'55.52'E
C3	17°245.67'N	78°22'55.25'E
C4	17°244.23'N	78°22'55.15'E
C5	17°242.68'N	78°22'55.46'E
C6	17°241.55'N	78°22'55.77'E
C7	17°23'59.10'N	78°22'55.60'E
C8	17°23'54.69'N	78°22'54.64'E
C9	17°23'53.50'N	78°22'53.01'E
C10	17°23'51.19'N	78°22'52.45'E
C11	17°23'45.96'N	78°22'51.67'E
C12	17°23'43.47'N	78°22'49.67'E
C13	17°23'38.14'N	78°22'49.50'E
C14	17°23'33.76'N	78°22'46.07'E
C15	17°23'28.92'N	78°22'43.17'E

NOTE COORDINATES OF PANDENAVAGU SHOWN IN ATTACHED GOOGLE IMAGE



P. Suresh
 15/12/2021
 Municipal cell.

A. Anand
 AET/Gandipet

"A. Anand"
 L.K.A. Sa
 RAO 15/9/2021
 RTNR