

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

O.A. No. 189 of 2020

AnumulaRevanth Reddy

....Applicant

-Vs-

Union of India and Ors

....Respondents

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1.	15.04.2021	Reply filed by the fourth Respondent	1
2.	08.03.1996	G.O. Ms. No. 111 issued by the MA & UD Department (Annexure-1)	6
3.	11.07.2016	Consent for Establishment issued by the Board (Annexure-2)	11
4.	24.02.2020	Consent for Operation issued by the Board (Annexure-3)	17

Certified that the above copies are true to that of their respective originals.

Dated at Chennai on this day of 15th of April, 2021



COUNSEL FOR FOURTH RESPONDENT

↑

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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-vs-

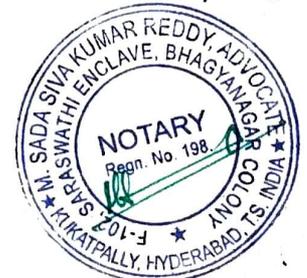
Union of India & others

....Respondents

REPLY FILED BY THE FOURTH RESPONDENT

The fourth respondent states as follows:

1. The fourth respondent hereby denies all the averments, allegations and statements contained in the Application filed by the Applicant herein as false and incorrect excepting those that are specifically mentioned herein.
2. I respectfully submitted that the above application has been filed by the applicant, praying to declare the construction in prohibited natural water body by the respondents 9 & 10 as illegal and against the provisions of Environment (Protection) Act, 1986, Water (Prevention & Control of Pollution) Act 1974, G.O.Ms. No. 111 dated 08.03.1996, G.O.Ms. 168 dated 04.07.2012, notification S.O. 5733 (E) of MoEF dated 14.11.2018 and judgment passed by the Hon'ble Supreme Court of India in A.P. Pollution Control Board -vs- Prof. M.V.Nayudu & others, 2001 (2) SCC 62 and also prayed for directing the committee in O.A. No. 72 of 2020 to conduct detailed study on the allegations raised and to verify and suggest appropriate action if the allegations are found to be true and further prayed to direct the Respondent No. 1 and 2 to take stringent action against the Respondents 9 and 10 for violating Environment (Protection), Act, 1986, Water (Prevention & Control of Pollution) Act 1974, G.O.Ms. No. 111 dated 08.03.1996, G.O.Ms. 168 dated 04.07.2012, notification S.O. 5733 (E) of MoEF dated 14.11.2018 and to direct the respondents 1 to 7 to restore the Nala, natural water body damaged by the 9th and 10th respondents at Rajendranagar Mandal of Rangareddy District of Telangana State and to direct the Respondents 1 to 7 to submit action taken report to this Hon'ble Tribunal on the complaint dated 22.05.2020 made by the applicant.

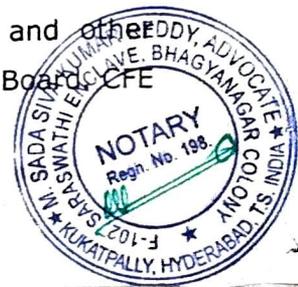


3. I respectfully submit that the 9th and 10th respondents are developers of lands located at Sy. No. 217 (P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) & Sy.Nos. 263, 264, 265, 266, 267 (P) of Puppalaguda (V), Rajendranagar (M), Rangareddy District and the development is a Residential Apartment. The 9th respondent has obtained Environmental clearance from 2nd respondent vide order dated 31.12.2015 for construction of 10 residential Blocks (3B + G+ 30 floors) to accommodate 2780 units; and Amenities Block (G + 4 floors) with parking area to be provided is 1,95,539.2 sq.mt to park about 4365 nos. of four wheelers and 153 nos of two wheelers. The amenities to be provided includes two Sewage Treatment Plants (STPs) of capacity- 2 X 1000 KLD, Community center, MSW Segregation Point D.G. Sets for emergency supply- 20 x 200 KVA & 1 x 100 KVA. This respondent has no remark to be offered in respect of averments in Para-1.

4. As regards the averments contained in para 2 is concerned, this respondent denies the allegations made by the applicant that the alleged construction is in the water body and submits that as per the public record, the construction project is located at Sy. No. 217 (P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) & Sy. Nos. 263, 264, 265, 266, 267 (P) of Puppalaguda (V), Rajendranagar (M) {Presently Gandipet (M)}, Rangareddy District falls within 10 kms radius of Osmansagar and Himayatsagar lakes and downstream of the lakes. But the Villages i.e., Narsingi and Puppalaguda are not listed in the 84 list of villages within 10 km catchment area of Osmansagar and Himayatsagar lakes, as mentioned in the G.O.Ms. No. 111 dated 08.03.1996 issued by the MA&UD Dept., Govt. of AP (Combined state) **(ANNEXURE-1)**.

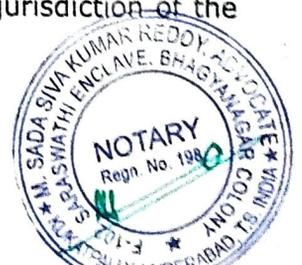
5. I respectfully submit that the 2nd Respondent, the State Level Environment Impact Assessment Authority (SEIAA) Telangana granted Environmental Clearance vide Order dated 31.12.2015.

6. As far as this respondent is concerned, the respondent has issued consent for establishment (CFE) of the Board vide order dated 11.07.2016 from pollution point of view only. Zoning and other regulations do not fall under the purview of this respondent Board CFE



was issued stipulating certain conditions for 10 residential Blocks with (3B + G + 30 floors) to accommodate 2780 units; and Amenities Block (G + 4 floors) with parking area to park about 4365 nos. of four wheelers and 153 nos of two wheelers. The amenities to be provided STP, Community center, MSW Segregation point & DG sets with Total area- 96,529.8 Sq.m; Built up area- 6,05,719.24 Sq.m; Green Belt area- 12, 208.6 Sq.m & Parking area- 1,95,539.2 sq.mt (**ANNEXURE-2**).

7. I respectfully submit that this respondent issued Consent for Operation (CFO) to the 9th respondent in a phased manner. In phase-I, the proponent has obtained CFO vide order dated 25.04.2019 for 5 Residential Blocks with (3B + G+ 30 floors) to accommodate 1390 units; and Amenities Block (G + 4 floors) with parking area to park about 98769.6 Sq.mtrs; Amenities; STP, community Center, MSW Segregation point & DG Sets with total built- up area 202803.8 Sq. mtrs; Green Belt area- 4569.0 Sq.mtrs & Parking area- 98769.6 Sq.m. with a validity period upto 31.03.2023. In phase-II, vide order dated 24.02.2020, CFO was issued for 5 Residential Blocks with (3B + G+ 30 floors) to accommodate 1390 units; and Amenities Block (G + 4 floors) with parking area to park about 98769.6 Sq.mtrs; Amenities; STP, community Center, MSW Segregation point & DG Sets with total built-up area 402915.44 Sq. mtrs and Green Belt area- 7639.6 Sq.mtrs, with a validity period upto 31.03.2023 (**Annexure-3**).
8. I submit that the 9th and 10th respondents have taken necessary steps and action in respect to the construction of the building. The proponent has constructed rain water harvesting structures and have provided 150 KWH solar power and 1500 kg/day of organic converter for converting the organic waste into manure. The treated STP water is recycled for flushing and gardening purpose. The proponent is disposing municipal non organic waste to the municipality for further disposal. The proponent has installed 21 x 200 KVA DG sets with acoustic enclosures.
9. It is submitted that as per the averments in para 3 to 7, as far this respondent is concerned the applicant issued a letter dated 12.06.2020 for cancellation of Environmental Clearance and since granting of Environmental Clearance falls within the jurisdiction of the



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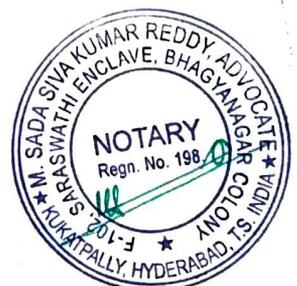
State Level Expert Appraisal Committee and the second respondent who are independent authorities, the same was communicated to the applicant on 14.07.2020. The above said Consent for Operation Orders were issued only after proper scrutiny and after verifying the compliance of the specific conditions stipulated at the time of grant of Consent for Establishment.

10. It is respectfully submitted that none of the grounds raised by the applicant merits any acceptance by this Hon'ble NGT and the Judgment of the Hon'ble Supreme Court as mentioned in the grounds and in limitations of the applicant is not applicable in the facts and circumstances of the present case and thus the application deserves to be dismissed in limini.
11. This respondent has traversed such allegations pertaining to its role in issuing the CFE and CFO and this reply is confined to those aspects.
12. Therefore, it is most humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application and pass such further or other orders and thus render justice.

Dated at Hyderabad on this the 15th day of April, 2021.


Counsel for 4th Respondent


4th Respondent
4/7 MEMBER SECRETARY
T.S. Pollution Control Board
Paryavaran Bhavan, A-3, I.E.,
Sanathnagar, Hyderabad-18.



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VERIFICATION

I, Neetu Kumari Prasad, I.A.S., Member-Secretary of the 4th Respondent Board, i.e., Telangana Pollution Control Board, do hereby verify that what are all stated above are true and correct to the best of my knowledge as per records available in the office.

Verified at Hyderabad on this the 5th day of April, 2021.


15.4.
RESPONDENT
MEMBER SECRETARY
T.S. Pollution Control Board
Paryavaran Bhavan, A-3, I.E.,
Sanathnagar, Hyderabad-18.



ATTESTED 

M. SADA SIVA KUMAR REDDY, B.Com., B.L.
ADVOCATE & NOTARY
Appointed by Govt., India
G.O. Ms No. 198, Rev (Regn-II), dt. 11.04.2000
102, Saraswathi Enclave, Bhagyanagar Colony,
Kukatpally, Hyderabad, T.S., India (Ph 98480 44395)

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

H.M.W.S. & S.B - Protection of catchment Areas of Himayatsagar and Osmansagar Lakes - Recommendations of the Committee Constituted by the H.M.W.S. & S.B - Amendment to G.O.Ms.No.192, M.A., Dt.31.3.1994 - Orders - Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (II) DEPARTMENT

G.O.Ms.No.111, M.A.

Dated the 8th March, 1996.

Read the following:-

1. G.O.Ms.No.192, M.A, dated 31.3.1994.
2. From the Vice Chairman, HUDA, letter No.3811/P8/94, dated 6.6.94.
3. From the Director, Town and Country Planning, Hyderabad letter Roc.No.11914/94/P1, dated 9.8.94.
4. From Managing Director, H.M.W.S. & S. Board, letter No.1220/CE/T1-S1/92/2030; dated 3.1.95 and 21.4.95.
5. Govt. D.O. Lr.No.31222/11/95-1, M.A, Dt. 25.10.95 and 4.11.1995
6. From the Managing Director, H.M.W.S & Board, Hyderabad, D.O.Lr.No.MDP/HMWS&SB/ 95-1637, dated 26.12.1995.

ORDER:

1. In the G.O., 1st read above, orders were issued prohibiting various developments within 10 km radius of Himayatsagar and Osmansagar lake areas which are main sources of drinking water supply as per the recommendation of the Expert Committee constituted by Hyderabad Metropolitan Water Supply and Sewerage Board to suggest ways and means to monitor the quality of water in these reservoirs.
2. In the D.O. Letter 6th read above, the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board has furnished second interim report of the committee prepared after detailed discussions and field visit to Osmansagar pipelines, making certain recommendations for the protection of the lakes.
3. Government after careful examination of the recommendations of the Committee, have decided to issue the following orders in modification of the earlier orders issued in G.O.Ms.No.192, M.A., dated 31.3.1994.

- 7
-
- (i) To prohibit polluting industries, major hotels, residential colonies or other establishments that generate pollution, in the catchment of the lakes upto 10 kms from full tank level of the lakes as per list in Annexure -I.

However, residential developments in residential use zone may be permitted. The following measures shall be taken to protect water flowing into the lakes.

- (a) 60% of the total area shall be kept as open space and roads in all layouts in the villages of catchment area.
- (b) The land use of about 90% of the area is classified as recreational and conservation use in the Master Plan. The Hyderabad Urban Development Authority should take action for the classification of this 90% of the area as agriculture which is inclusive of horticulture and floriculture.
- (c) To restrict the F.S.I to 1:0.5 in the catchment area. This measure will ensure that 90% of the area remains under agriculture as is the practice now and ensure protection of the lakes.
- (d) To monitor periodically the level of difference pesticides, fertilizer residues carried into the lakes. The Hyderabad Metropolitan Water Supply and Sewerage Board shall conduct such studies through J.N.T.U/ Central University or any other reputed agency at regular intervals and review the results once in 6 months.
- (e) To prohibit polluting industries within 10 kms radius (i.e. both on upstream and down stream side of the lakes) to prevent acidification of lakes due to air pollution.
- (f) There shall be total prohibition of location of industries in the prohibited zone.
- (g) Andhra Pradesh Pollution Control Board shall make further study of the existing industries in the upstream and down stream of the lakes and take action under their Act.
- (ii) For the protection of raw water channel from Osmansagar to Asifnagar no layout or building permission should be granted by Municipal Corporation of Hyderabad / Hyderabad Urban Development Authority / Director of Town and Country Planning up to a maximum of 100 ft from the conduit site boundary. While approving the layouts along the conduit, a minimum of 9 mtrs wide road plus green belt to a maximum width of 100ft should be insisted to act as buffer on either side of conduit and the green belt shall be accounted as part of mandatory open space to be left the layout. Drainage pipe lines must be laid parallel to the conduit and no sewerage/sullage water discharged shall be allowed from the layouts towards the conduit.
- (iii) Orders issued in G.O.Ms.No.50, M.A., dated 18.1.1989 shall be effectively implemented by concerned Departments i.e., (1) Zilla Parishad Ranga Reddy, Mahabubnagar and Medak districts. (2) Panchayat Raj Department (3) Irrigation Department (4) Social Welfare Department are directed not to takeup any building works / check dams / lift irrigation works / storage reservoirs across vagus flowing in the catchment areas.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C. ARJUN RAO
Principal Secretary to Government

To
The Managing Director, Hyderabad Metro Water Supply & Sewerage Board, Hyderabad.
The A.P. Pollution Control Board, Hyderabad.
The Vice-Chairman, Hyderabad Urban Development Authority, Hyderabad.
The Director of Town and Country Planning, Hyderabad.
The Panchayat Raj and Rural Development Dept.
The Industries and Commerce Department
The Energy, Science and Technology Department
The Collector, Mahabubnagar / Rangareddy / Medak / Hyderabad district.

Copy to:
Secretary to C. M.
P.S. to M (MA) / C.S.
A/W Section, MA & UD Department.

// forwarded by order//

Sd/-
SECTION OFFICER

ANNEXURE -I**VILLAGES FALLING WITHIN 10 KMS CATCHMENT AREA OF
OSMANSAGAR AND HIMAYATSAGAR.**

Sl.No.	Name of the Village	Sl .in the Mandal	Name of the Mandal
(1)	(2)	(3)	(4)
1.	Aziznagar	8	Moinabad
2.	Yenkatpally	9	"
3.	Mumtazguda	10	"
4.	Sajjanpalli	13	"
5.	Surgangal	19	"
6.	Naebnagar	20	"
7.	Bangallaguda	2	"
8.	Nagireddiguda	22	"
9.	Bakaramjagir	23	"
10.	Andapur	24	"
11.	Dargatdrula	25	"
12.	Venkatpuram	26	"
13.	Malkaram	3	Shamshabad
14.	Kolbawatidoddi	4	"
15.	Sultanpalli	5	"
16.	Yacharam	6	"
17.	Rayangudda	7	"
18.	Chowdariguda	10	"
19.	Markhudda	11	"
20.	Amapelli	12	"
21.	Harrigudda	13	"
22.	Kotwalguda	14	"
23.	Shamshabad	20	"
24.	Kishanguda	21	"
25.	Ottapalli	22	"
26.	Tondapalli	23	"
27.	Devatabowli	24	"
28.	Talkatta	14/2	"
29.	Etbarpalli	15	"
30.	Makanpally	16	"
31.	Kattireddypally	17	"
32.	Yenkamadi	18	"
33.	Ramangipur	1	"
34.	Kevatriguda	2	"
35.	Mangipur	8	"
36.	Jukal	9	"
37.	Gandigudda	24	"
38.	Peddashapur	26	"
39.	Madanpally	27	"
40.	Palmakula	28	"

Sl.No.	Name of the Village	Sl. in the Mandal	Name of the Mandal
(1)	(2)	(3)	(4)
41.	Gangiraiguda	31	Shamshabad
42.	Cherlaguda	32	"
43.	Hameedullanagar	33	"
44.	Osettiguda	34	"
45.	Gowlapallykand	35	"
46.	Rashidguda	36	"
47.	Syedguda	37	"
48.	Gollapallekalan	38	"
49.	Bahadurguda	39	"
50.	Golkondakhur	40	"
51.	Shakerpur	41	"
52.	Sangiguda	42	"
53.	Golkondakalan	43	"
54.	Sollipet	8	Shabad
55.	Maddur	9	"
56.	Gudur	5	Kothur
57.	Himayat Nagar	7	Moinabad
58.	Chikoor	6	"
59.	Chanda Nagar	5	"
60.	Medipally	1	"
61.	Chinna Mangalaram	2	"
62.	Mothukupally	3	"
63.	Reddypally	4	"
64.	Pedda Mangalaram	11	"
65.	Khanpur	2	Rajendranagar
66.	Gunugurthy	3	"
67.	Vatti Nagulapally	1	"
68.	Janwada	9	Shankerpally
69.	Dhatampally	8	Shamshabad
70.	Maharajpet	10	"
71.	Gopularam	11	"
72.	Poddutur	12	"
73.	Chinna Shapur	12	"
74.	Tol Matta	14	"
75.	Yenkapally	12	Chevella
76.	Yerlapally	13	"
77.	Kanmeta	14	"
78.	Gollapally	15	"
79.	Raviapally	16	"
80.	Mudimyal	17	"
81.	Mumera	18	Rajendranagar
82.	Malakpur	34	"
83.	Tankutur	13	Shankarpally
84.	Bulkapur	5	"

SECTION OFFICER

ANNEXURE-2



TELANGANA STATE POLLUTION CONTROL BOARD

REGD. POST WITH ACK.DUE

CONSENT ORDER FOR ESTABLISHMENT

ORDER NO. 16012314980 - 952

DATED: 11/07/2016.

Sub: TSPCB - Consent for Establishment - Proposed Residential Complex Construction Project by **M/s. DLF Home Developers Limited at Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225 of Narsingi (V), & 263, 264, 265, 266, 267(P) of Puppalguda (V), Rajendranagar (M), Rangareddy District - Consent for Establishment of the Board under Sec.25 of Water (Prevention & Control of Pollution) Act, 1974 and Under Sec.21 of Air (Prevention & Control of Pollution) Act, 1981 - Issued - Reg.**

Ref:

1. E.C order dt.31.12.2015 issued by SEIAA.
2. Proponent's CFE Application No. 314980 Dt. 18.05.2016.
3. R.O's verification report dt. 16.06.2016.
4. CFE Committee meeting held on 25.06.2016.

1. In the reference 2nd cited, an application was submitted to the Board seeking Consent for Establishment (CFE) of the Board for the proposed Residential Complex Construction Project with a project cost of Rs. 850 Crores.

S.No.	Product	Capacity	Unit
1	10 Residential Blocks with (3B+G+30 floors) to accommodate 2780 units and Amenities Block (G+4 floors), Parking area to park about 4365 4-wheelers and 153 2-wheelers; Amenities: STP, Community Center, MSW segregation point & DG sets.	Total area - 96,529.8 Sq.m; Built up area - 6,05,719.24 Sq.m; Greenbelt area -12,208.6 Sq. m; Parking area- 1,95,539.2 Sq.m	Sq.m.

2. As per the application, proposed project is to be located at Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225 of Narsingi (V), & 263, 264, 265, 266, 267(P) of Puppalguda (V), Rajendranagar (M), Rangareddy District.

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3. The above site was inspected by the Environmental Engineer, Regional office, Rangareddy-I, T.S Pollution Control Board and observed that the site is surrounded by

NORTH	Road
SOUTH	Open land
EAST	Residential Houses
WEST	Road

4. The Board, after careful scrutiny of the application and verification report of Regional Officer, EC dt: 31.12.2015 and after examining in CFE Committee meeting held on 25.06.2016, hereby issues CONSENT FOR ESTABLISHMENT to your project Under Section 25 of Water (Prevention & Control of Pollution) Act 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and the rules made there under. THIS ORDER IS ISSUED TO ACTIVITY AS MENTIONED AT PARA (1) & (2) ONLY.
5. This Consent Order now issued is subject to the conditions mentioned in Schedule 'A' and Schedule 'B'.
6. This order is issued from pollution control point of view only. Zoning and other regulations are not considered.

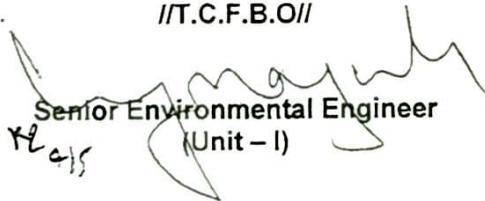
Sd/-
MEMBER SECRETARY

To
M/s. DLF Home Developers Limited,
6-3-1090, Ground floor, C-Block,
TSR Towers, Rajbhavan Road,
Somajiguda, Hyderabad – 500 082.

Copy to:

1. The JCEE, TSPCB, Z.O., Hyderabad for information.
2. The E.E., TSPCB, R.O, Rangareddy-I for information and necessary action.

//T.C.F.B.O//


Senior Environmental Engineer
(Unit – I)
K2 4/15

SCHEDULE – A

1. Separate energy meters shall be provided for Sewage Treatment Plant (STP) to record energy consumed.
2. The proponent shall obtain Consent for Operation (CFO) from TSPCB, as required Under Sec.25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under sec. 21/22 of the Air (Prevention and Control of Pollution) Act, 1981, before commencement of the activity.
3. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves its right and power Under Sec. 27(2) of Water (Prevention and Control of Pollution) Act, 1974 and Under Sec.21(4) of Air (Prevention and Control of Pollution) Act, 1981 to review any or all the conditions imposed herein and to make such modifications as deemed fit and stipulate any additional conditions by the Board.
4. The consent of the Board shall be exhibited in the project premises at a conspicuous place for the information of the inspecting officers of different departments.
5. Compensation is to be paid for any environmental damage caused by it, as fixed by the Collector and District Magistrate as civil liability.
6. Good housekeeping shall be maintained. All pipe valves, sewers, drains shall be leak proof.
7. Rain Water Harvesting (RWH) structure (s) shall be established on the project site. Effluent shall not enter the RWH structures.
8. Half yearly progress report on project implementation shall be submitted to the RO, TSPCB.
9. The rules and regulations notified by Ministry of Law and Justice, GOI, regarding the Public Liability Insurance Act, 1991 shall be followed.
10. This order is valid for period of 5 years from the date of issue.

SCHEDULE – B

Water:

1. The source of water is HMWS & SB. The maximum water consumption shall not exceed the following:

S. No.	Purpose	Quantity
1	Domestic	2167 KLD

(Fresh water – 1493 KLD, Treated wastewater - 674 KLD)

2. The maximum waste water generation shall not exceed the following:

S.No.	Source	Quantity
1	Domestic	1841 KLD

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3. Treatment & Disposal:

The proponent shall provide 2 STPs of capacity 1000 KLD each consisting of Raw Sewage Screening, Oil & Grease Trap Sewage Collection cum Equalization tank, MBB Reactor, Tube Settler, Sludge Drying Bed/ Sludge Collection tank, Surge Tank, Disinfection, Pressure Sand Filter, Activated Carbon Filter, Final collection.

The treated wastewater shall be recycled for toilet flushing and greenbelt development. Excess treated wastewater is to be discharged into public sewer line.

4. The Sewage Treatment Plants of 2x1000 KLD capacity shall be constructed and commissioned along with the commissioning of the activity. All the units of the STP shall be impervious to prevent ground water pollution. STP shall be operated in a closed circuit so as to avoid smell nuisance.
5. Treated effluents (i.e. outlet of STP) shall comply with inland surface water discharge standards. Wastewater shall be treated to achieve BOD level of 10 mg/l.
6. Proponent shall obtain necessary permission from the municipal authority for discharge of excess treated wastewater into public sewer line.
7. During construction stage septic tank followed by soak pit shall be constructed to the temporary toilets / kitchen provided for the construction labour and shall be removed after completion of the project.
8. Rain water harvesting for roof run-off and surface run-off should be implemented. Before recharging the surface run off, pre-treatment must be done to remove, suspended matter, oil and grease.
9. Separate meters with necessary pipe-line shall be provided for assessing the quantity of water used for Domestic, flushing and greenbelt purposes.

Air:

10. Air pollution Control equipment shall be installed along with the commissioning of the activity and shall comply with the following for controlling air pollution.

Source	Control equipment
D.G. Sets – 20 X 200 KVA, 1 X 100 KVA.	Acoustic enclosures & stack.

11. Diesel generators shall be installed in a closed area with silencers and suitable noise absorption systems. The ambient noise level shall not exceed 55 dB(A) during day time and 45 dB(A) during night time.
12. The fuel used for the diesel generator sets should be low sulphur diesel and should conform to the E (P) Rules prescribed for air and noise emission standards.
13. Ambient noise levels should conform to the residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by the CPCB.

- 14. Vehicles hired to bring construction material to the site should be in a good condition and should conform to ambient air and noise standards and should be operated only during non peak hours.
- 15. Necessary provisions should be made by providing tarpaulin / GI Sheets around the construction site to reduce the fugitive emissions to the surrounding area.

Solid / Hazardous Waste:

16. The proponent shall comply with the following :

S.No	Solid waste	Quantity	Proposed Mode of Disposal
1.	Garbage	7000 kg/day	MSW dump site.
2.	STP sludge	172 kg/day	Used as manure
3.	Waste oil	2500 LPA	Authorized re-processors.
4.	E-Waste	---	Authorized recycling unit.
5.	Used batteries	---	Authorized recycling unit/ returned to supplier.

- 17. The solid waste generated shall be properly collected and segregated before disposal to the municipal facility. Waste paper, cartons, thermocol, plastic waste, glass etc., shall be disposed to recycling units. E-waste shall be disposed to authorized recycling units. The organic waste shall be composted.
- 18. All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- 19. Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and shall be disposed taking the necessary precautions for general safety and health aspects of people, and it shall be disposed only in approved sites with the approval of competent authority.
- 20. The following rules and regulations notified by the MoE&F, GoI shall be implemented.
 - a) Municipal Solid Waste (Management and Handling) Rules, 2000.
 - b) Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016.
 - c) Batteries (Management & Handling) Amendment Rules, 2010.
 - d) E-Waste (Management & Handling) Rules, 2011

Other Conditions:

- 21. The proponent shall pay balance CFE fee of Rs. 4, 25,000/- within one month, as the proposed project with effluent generation more than 100 KLD, falls under Red Category.
- 22. The proponent shall develop green belt as stipulated in EC.
- 23. Proponent shall utilize solar power wherever feasible such as illumination of common areas, gardens, street lighting, solar water heaters, etc.



ANNEXURE - 3
CONSENT & HWA ORDER (FRESH)

Consent Order No: 200422352294

Date: 24.02.2020

(Consent Order for Existing/New or altered discharge of sewage and/or trade effluents/outlet under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof, Operation of the plant under section 21/22 of Air (Prevention & Control of Pollution) Act 1981 and amendments thereof and Authorisation / Renewal of Authorisation under Rule 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2016 & Amendments thereof.

CONSENT is hereby granted under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974, under section 21/22 of Air (Prevention & Control of Pollution) Act 1981 and amendments thereof, and Authorisation under the provisions of HW (MH & TM) Rules, 2008 (hereinafter referred to as 'the Acts', 'the Rules') and amendments thereof and the rules and orders made there under to **M/s. DLF Home Developers Limited, Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) & Sy.Nos. 263, 264, 265, 266, 267(P) of Puppalaguda (V), Rajendranagar (M), Rangareddy District** (hereinafter referred to as 'the Applicant / Project') and the project is authorized to operate and to discharge the Effluents and the quantity of Emissions from the chimneys, by operating pollution control equipment, as detailed below,

i) Out lets for discharge of Effluents (Phase – II):

Outlet No.	Outlet Description	Max Daily Discharge (KLD)	Point of Disposal
1.	Domestic	920.5	After treatment in STPs of (2 x 750 KLD) shall be reused for toilet flushing & gardening purpose after meeting the standards stipulated at Schedule –B.

ii) HWA Authorisation No. 200422352294

Date: 24.02.2020

**HAZARDOUS WASTE AUTHORISATION
(FORM – II)
[See Rule 6 (2)]**

M/s. DLF Home Developers Limited, Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) & Sy.Nos. 263, 264, 265, 266, 267(P) of Puppalaguda (V), Rajendranagar (M), Rangareddy District is hereby granted an authorisation to operate a facility for collection, reception, storage, transport and disposal wastes.

• HAZARDOUS WASTES WITH DISPOSAL / RECYCLING OPTION :

S. No	Name of the Hazardous Waste	Stream	Quantity	Disposal option
1.	Used Lubricant Oil	5.1 of Schedule -I	1200 Liters/year	Shall be disposed to Authorized Reprocessors / Recyclers

This Consent Order is valid for the activities (Phase -II) mentioned below only:

S.No.	Line of activity
1.	The project consists of 5 Residential Blocks (i.e., 6 to 10) with (3B+G+30 Floors) to accommodate 1390 units with Parking area about 96769.6 Sq.mtrs; Built up area - 402915.44Sq.mtrs; Green Belt area – 7639.6 Sq.mtrs;

This order is subject to the provisions of 'the Acts' and the Rules' and orders made there under and further subject to the terms and conditions incorporated in the schedule A, B & C enclosed to this order.

This order of consent & Hazardous Waste Authorisation should be valid for a period ending with the 31st March, 2023.

Sd/-
MEMBER SECRETARY

To
M/s. DLF Home Developers Limited,
Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) &
Sy.Nos. 263, 264, 265, 266, 267(P) of Puppalaguda (V),
Rajendranagar (M), Rangareddy District

///T.C.F.B.O///


ENVIRONMENTAL ENGINEER

SCHEDULE - A

1. The applicant should make application through online for renewal of Consent (under Water and Air Acts) and Authorization under HWM Rules **at least 120 days before the date of expiry of this order**, along with prescribed fee under Water and Air Acts for obtaining Consent & HW Authorization of the Board.
2. This order is issued in line with Board's CFE order dated 11.07.2016. Concealing the factual data or submission of false information/ fabricated data and failure to comply with any of the conditions mentioned in this order may result in withdrawal of this order and attract action under the provisions of relevant pollution control Acts. The industry shall comply with Board's CFE order dated 11.07.2016 is still applicable.
3. The project occupier should immediately submit the revised application for consent to this Board in the event of any change in the building and site specifications, quantity of trade effluents & quantity of emissions etc.
4. The applicant should not change or alter either the quality or the quantity or the rate of the discharge or the route of discharge and should not change or alter either the prescribed quality or the rate of emission without the previous written permission of the Board.
5. The applicant should, not later than 30 days from the date of issue of this consent order, certify in writing to the Board that the applicant has installed or provided for an alternative electric power source sufficient to operate all facilities installed by the applicant, to comply with the terms and conditions of this consent. In absence of alternative electric power source sufficient to operate all facilities installed by the applicant, to comply with the terms and conditions of this consent, production should be stopped.
6. Any up-set condition in the project, which results in increased effluent discharge and/ or violation of standards stipulated in this order or the emission of any Air Pollutant into the environment in excess of the standards laid down by the Board occurs or is apprehended to occur due to accident, or other unforeseen act or event, the person-in-charge of the premises, from where such discharge / emission occurs or is apprehended to occur should forthwith intimate the fact of such occurrence or the apprehension of such occurrence to this Board, by fax / email under intimation to the Collector and District Magistrate.
7. In case of such episodal discharges / emissions mentioned in item 5 above, the project should take immediate action to bring down the discharge / emission below the limits prescribed in this order.
8. A good housekeeping should be maintained in the premises. All hoods, pipes, valves, sewers and drains should be leak proof. Floor washings should be admitted into the effluent collection system only and should not be allowed to find their way into storm drains or open areas.
9.
 - a) The project should carryout analysis of waste water discharges or emissions through chimneys, for the parameters mentioned in Schedule - B of this Order at regular intervals.
 - b) The project should maintain following records for access to the Board, whenever required.
 1. Analysis reports of waste water/ emissions.
 2. Log book for operation of pollution control systems.
 3. Inspection book
10. Separate power connection with energy meter should be provided for the Pollution Control Equipments and record of power consumption and chemicals consumption for the operation of pollution control equipment should be maintained separately.
11. The applicant should comply with the directives/orders issued by the Board in this order and at all subsequent times without any negligence on his part. The applicant should be liable for such legal action against him as per provisions of the Law/Act in case of non-compliance of any order/directive issued at any time and/or violation of the terms and conditions of this consent order.

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12. The project is liable to pay compensation for any environmental damage caused by it, as fixed by the Collector and District Magistrate as Civil liability.
13. All the rules & regulations notified by Ministry of Environment and Forests, Government of India in respect of management, handling, transportation and storage of hazardous chemicals and wastes should be followed.
14. All the rules & regulations notified by Ministry of Law and Justice, Government of India regarding Public Liability Insurance Act, 1991 should be followed.
15. The occupier should educate the workers and nearby public of possible accidents and remedial measures.
16. For any accident or spillage of hazardous wastes causing damage to the Environment, the occupier or the transporter as the case should be held responsible.
17. The occupier should prepare/update Emergency preparedness plan for safe handling of hazardous waste from time to time and submit the same to TSPCB. Emergency preparedness plan must be implemented immediately whenever there is fire, explosion or release of hazardous waste or hazardous waste constituents, which could endanger to human health or environment.
18. Packaging, labeling and transportation of Hazardous Wastes should be in accordance with the provisions of the rules issued by the Central Govt. under the Motor Vehicles Act, 1988 and other guidelines issued from time to time. The packaging and labeling should be based on the composition and hazardous constituent of the waste, however all Hazardous Waste containers should be provided with a general label.
19. The driver who transports Hazardous Waste should be well acquainted about the procedure to be followed in case of an emergency during transit. The transporter should carry a Transport Emergency (TREM) Card (as given in the guidelines for management and handling of hazardous wastes) duly filled by the Hazardous Waste generator.
20. No Hazardous Wastes should be mixed with any other wastes or should be discharged to a common, other internal, external sewerage or other drainage system without prior approval of TSPCB.
21. If MS/HDPE bags or drums are used for storing Hazardous Wastes, these drums / bags should be ensured that they are perfectly sealed.
22. The project should comply with the provisions of Batteries (Management & Handling) Rules, 2001.
23. The project should put up two sign boards (6x4 ft. each) at publicly visible places at the main gate. The first sign board should provide information on specific conditions of CFO and Hazardous Waste Authorisation. The second sign board should display waste water, air emissions and solid waste generated within the factory premises.
24. The applicant should exhibit the Consent & HW Authorisation order of the Board in the factory premises at a prominent place for the information of the inspecting officers of the different departments.
25. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves the right and powers under Section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and its amendments thereof and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and its amendments thereof to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.
26. The authorisation issued under Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2016 and its amendments thereof, should comply with the provision of the Environment (Protection) Act, 1986.

SCHEDULE - B

1. Total Water Consumption shall not exceed 1083.5 KLD (for Phase –II)

S. No	Purpose	Quantity (KLD)
1.	Domestic	1083.5 KLD (Fresh water – 746.5 KLD + treated wastewater – 337 KLD)

2. The Treated Effluent Discharged shall not exceed the following prescribed standards.

Outlet No.	Parameter	Standards
1	pH	6.0 – 9.0
	Oil & Grease	10 mg/l
	Biochemical Oxygen Demand (BOD)	<10 mg/l
	Chemical Oxygen Demand (COD)	250 mg/l
	Ammonical Nitrogen	50 mg/l
	Arsenic	0.2 mg/l
	Mercury	0.01 mg/l
	Lead	1.0 mg/l
	Cadmium	1.0 mg/l
	Hexavalent Chromium	2.0 mg/l
	Total Chromium	2.0 mg/l
	Zinc	15 mg/l
	Copper	3.0 mg/l
	Turbidity NTU	< 2 mg/l
	E.coli (MPN count /100 ml)	None
Residual chlorine	Preferably in the range of 1 mg/lit – 3 mg/lit	

3. The project shall not carryout any new activity without obtaining prior Consent for Establishment (CFE) and Consent for Operation (CFO) of the Board.
4. The project should comply with emission limits for DG sets upto 800 KW as per the Notification G.S.R.520 (E), dated 01.07.2003 under the Environment (Protection) Amendment Rules, 2003 and G.S.R.448(E), dated 12.07.2004 under the Environment (Protection) Second Amendment Rules, 2004. In case of DG sets more than 800 KW should comply with emission limits as per the Notification G.S.R.489 (E), dated 09.07.2002 at serial no 96, under the Environment (Protection) Act, 1986.
5. The project shall comply with Noise level Standards as mentioned in the National Ambient Air Quality Standards CPCB Notification No.B-29016/20/90/PCI-I, dated 18.11.2009.
- Noise Levels: Day time - (6 AM to 10 PM) - 55 dB (A)
Night time - (10 PM to 6 AM) - 45 dB (A).
6. The Board issued CFO & HWA for 5 Residential Blocks (1 – 5) (Phase-I) vide order dt. 25.04.2019 which is valid upto 31.3.2023. The project shall also comply with all the conditions stipulated in the order dt. 25.04.2019.
7. The project has paid CFO & HWA fee upto 31.01.2022 at RO, RR-I.
8. The Industries/ Projects paying annual Consent fee shall pay balance consent fee annually as per rates notified in G.O.Ms.No.22.The payment of annual consent fee shall be made at the concerned RO for every financial year (i.e., April to March) within the stipulated time period i.e., 1st quarter of every financial year (April to June) is mandatory for the industry / project, failing which, the validity of the Consent Order automatically stands cancelled and operation industry / project without valid consent attracts penal action under the provision of Water Act, Air Act & Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016".

9. The industries / Projects either paying annual fee or total fee for Consented period, shall pay the balance fee as per the revised rates as applicable from time to time.
10. The Builder / Developer of the project shall be responsible for obtaining renewal of CFO & HWA of the Board under Water & Air Acts and HWA Rules and compliance of the conditions stipulated in the consent order.
11. In case Builder / Developer proposes to transfer the responsibility of obtaining renewal of CFO & HWA of the Board including maintenance of STP and compliance of CFO conditions to the Association / Occupants of the project, the Builder / Developer shall enter into agreement with the Association / Occupants clearly mentioning the responsibilities of the Association on renewal and compliance of CFO & HWA of the Board. A copy of the agreement shall be submitted to the Board, failing which the Builder / Developer shall be responsible for compliance of conditions stipulated in CFO & HWA order. In case non-compliance / violations of CFO conditions, the Builder / Developer of the Association / Occupants whoever further taken responsibility will be liable for action under the provisions of Water, Air Acts & HWA Rules.
12. The Project shall install and maintain separate water meters for recording water consumption for various purposes and also maintain proper daily records.
13. The Project shall operate STP for treatment of domestic effluent. The treated domestic effluent shall be recycled for Toilet flushing and Gardening purpose and the project shall comply with recyclable waste water standards ($BOD \leq 10$ mg/l)
14. As per the project commitment letter dated 20.02.2020 the project proponent shall enter into agreement with HMDA for usage of excess treated water for maintenance of greenbelt and plantation across the Outer Ring Road.
15. The Project shall maintain flow meters at inlet & outlet of STP and maintain log book for operation of STP.
16. The project shall install and maintain CO sensors provided in the basement to monitor CO levels and maintain records.
17. The project shall maintain solar panels for street lighting and solar water heaters.
18. The project shall install Organic waste converter within two months and operate the same regularly for treatment and disposal of 100 % bio-degradable waste as per SWM Rules and maintain records of waste converter operations & disposal of compost generated.
19. The Project shall maintain green belt as per the norms.
20. The project should not cause any stagnation of wastewater / solid waste in the surroundings.
21. The project should maintain adequate Rain Water Harvesting (RWH) structures within the premises.
22. The Storm water management plan should be designed in such a manner that the storm water is discharged through an existing dedicated Storm water outfall only. The design should conform to the existing drainage scheme of the surrounding locality.
23. Noise barriers should be provided at appropriate locations so as to ensure that the noise levels do not exceed the prescribed standards. DG sets should be provided with necessary acoustic enclosures as per Central Pollution Control Board norms.
24. The plastic wastes should be segregated and disposed through recyclers.

- 25. The Solid wastes shall be properly disposed / used to avoid pollution problems. The Bio-degradable waste shall be processed, treated and disposed off through composting or bio-methonisation within the premises as far as possible as per the Rule 4 (7) of Solid Waste Management Rules, 2016.
 - a) STP sludge (86 kg/day) shall be used as manure in horticulture (for Phase-II)
 - b) Garbage (3.5 TPD). The bio-degradable waste shall be treated in organic waste convertor and non bio-degradable waste shall be sent to municipal solid waste disposal site.
- 26. The applicant shall submit Environment statement in Form V to the Regional office before 30th September of every year as per Rule No.14 of E(P) Rules, 1986 & amendments thereof.
- 27. The conditions stipulated in this order are without any prejudice to rights and contentions of this Board in any Hon'ble court of Law.

SCHEDULE - C
[see rule 6(2)]

[CONDITIONS OF AUTHORISATION FOR OCCUPIER OR OPERATOR HANDLING HAZARDOUS WASTES]

- 1. The construction project should give top priority for waste minimization and cleaner production practices.
- 2. The project should not store hazardous waste for more than 180 days as per the Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 and amendments thereof.
- 3. The project should store Used / Waste Oil and Used Lead Acid Batteries in a secured way in their premises till its disposal.
- 4. The project should not dispose Waste oils to the traders and the same should be disposed to the authorized Reprocessors/ Recyclers.
- 5. The project should dispose Used Lead Acid Batteries to the manufacturers / dealers on buyback basis.
- 6. The project should take necessary practical steps for prevention of oil spillages and carryover of oil from the premises.
- 7. The project should maintain good housekeeping & maintain proper records for Hazardous Wastes stated in Authorisation.
- 8. The project should dispose the e-waste to authorised recyclers / reprocessors only.
- 9. The project should submit the condition wise compliance report of the conditions stipulated in Schedule B & C of this Order on half yearly basis to Board Office, Hyderabad and concerned Regional Office.

Sd/-
MEMBER SECRETARY

To
M/s. DLF Home Developers Limited,
Sy.No.217(P), 218, 219, 220, 221, 222, 223, 224, 225, Narsingi (V) &
Sy.Nos. 263, 264, 265, 266, 267(P) of Puppalaguda (V),
Rajendranagar (M), Rangareddy District

///T.C.F.B.O///


ENVIRONMENTAL ENGINEER

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

O.A. No.: 189 of 2020

Anumula Revanth Reddy
.....Applicant

-Vs-

Union of India and Ors
.....Respondents

**REPLY FILED BY THE FOURTH
RESPONDENT**

M/s. T.SAI KRISHNAN
Counsel for Fourth Respondent