

JOINT INSPECTION REPORT OF REVENUE, HMDA (LAKE PROTECTION COMMITTEE),
HMDA (PLANNING), IRRIGATION AND MUNICIPAL OFFICIALS WITH REFERENCE TO
THE APPLICATION FILED BEFORE HON' BLE NATIONAL GREEN TRIBUNAL, CHENNAI
WITH APPN. NO. 192/2021.

Date of Inspection:- 01.09.2021 & 02.09.2021

The following officials have attended the Joint Inspection:

- Sri.G. Veera Reddy, Additional Collector, Sangareddy District.
Sri.J. Krishna Rao, Executive Engineer, Lake Protection Committee, HMDA,
Hyderabad.
Sri. P. Madhusudhan Reddy, Executive Engineer, Irrigation Division. No. 1, Sangareddy.
Sri.C.RameshBabu, Revenue Divisional Officer, Sangareddy District.
Sri.D.YadagiriRao, Planning Officer, HMDA, Hyderabad.
Smt.A.Sujatha, Municipal Commissioner, Ameenpur Municipality
Sri. G. UdayaBhaskerRao, Dy. Executive Engineer, IB Sub division No.5, Patancheru.
Sri S.RameshCharan, Assistant Planning Officer, HMDA, Hyderabad
Sri V.Vijay Kumar, Tahsildar, Ameenpur Mandal
Sri.P. Venkat Ram Reddy, Assistant Executive Engineer, Irrigation Section, Ameenpur
Sri. C. Yadaiah, Surveyor, Ameenpur (M).

The Human Rights & Consumer Protection Cell Trust, represented by Sri Thakur Rajkumar Singh and Krishna Brundavan Association represented by Sri K. Ramesh filed the case OA No. 192 of 2021 before the Hon'ble NGT, Chennai for granting Technical Approval by the HMDA to the Respondents No.9 i.e., M/s Lalitha Constructions for construction of (5) Towers / Blocks of Apartments upon the Flood Water Canals (Outlet Nala of Kothacheruvu Tank and Inlet Nala of the Bandamkommu Tank of Ameenpur Village) in Part Sy.Nos.275, 277, 314 & 315 of Ameenpur Village on 24.03.2021 while there is a case pending before the Hon'ble NGT(SZ), Chennai in O.A.No.156 of 2016. Further in the O.A. the Petitioners stated that, the Respondent No.9 completely destroyed and damaged the natural flood water canals Kothacheruvu and Bandamkommu tanks and made deep excavations and started constructions of (5) blocks of multi floor apartments by completely blocking the Natural Flood Water Canals and diverting them to the adjacent colonies causing major flooding and destructions of private properties. Further stated that, despite repeated complaints the HMDA or other officials have not taken any steps to restore the Flood Water Nalas and cancel the technical approval given to the Respondent No.9 i.e., M/s Lalitha Constructions and the outflow of the water from the Kothacheruvu Tank has formed into a stagnant pool and ready to burst into the colonies whenever there is a heavy rain causing severe damage to the life and properties of the colonies. Further in the O.A it is stated that, the Respondent No.10 i.e., Sri Vemulamada Kumara Swamy developed venture with roads, electricity & drainage belonging to the 2nd Applicant and constructed about (150) houses in the layout, but did not construct proper sewerage

system, septic tank and Sewerage Treatment Plant in the colony due to which the Bandamkommu Tank is getting polluted. The Respondent No.10 i.e., M/s Lalitha Constructions had given an undertaking that he will complete the sewerage related works in the writing to the 2nd Applicant, but he did not complete the works till date. Also the Respondent No.10 is going on constructing houses without any permission in the FTL & Buffer zone of the Bandamkommu Tank with support of the Respondent No.7 i.e., The Municipal Commissioner, Ameenpur Municipality who has not taken any action taken to demolish the said illegal constructions and following relief

1. To cancel and quash the Technical approval 038956/SKP/R1/U6/HMDA/ 10092020, Dt: 24.03.2021 issued by 3rd respondent- HMDA with respect to venture of 9th respondent M/S Lalitha Constructions and Developers in SyNo.s 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 & 315 of Ameenpur village.
2. To restore all the flood water Nalas flowing from 1200/34- Kothacheruvu water body down to 1200/43 Bandham Kommu cheruvu water body to their natural path, original size and stop all diversions.
3. To demolish all the constructions in the FTL, Buffer Zone and Nalas between the 1200/34 - Kothacheruvu water body down to 1200/43 -Bandham Kommuchervu water body.
4. To direct the 10th respondent to construct proper drainage system, septic tank and STP for the 2nd Applicant Colony.

The Hon'ble National Green Tribunal (SZ), Chennai taking into consideration, the applications filed by the Petitioners, passed orders in O.A.No. 192 of 2021 dated 27.08.2021 appointing a joint committee comprising of the District Collector, Sangareddy, Senior Officer from not below the rank of Superintending Engineer of irrigation Department, Sangareddy District and Senior Officer from Lake Protection Committee, Hyderabad to ascertain the genuineness of the allegations made in the application by inspecting the area in question and submit a factual as well as action taken report, if there is any violation found. Further the Hon'ble Tribunal directed the committee to ascertain as to

- i) Whether there was any encroachment into the water bodies or Nalas and any construction has been made which is obstructing the flow of water in the Nala, which ultimately reaches the water bodies.
- ii) Whether on account of the obstruction caused to the Nalas and other water canal due to the construction activities alleged to have been construction activities undertaken by the respondents 9 and 10 any inundation of water has been happened in the areas mentioned in the application and what is the nature of action taken by the authorities to rectify the same and what are and the expenses incurred for meeting the situation.
- iii) If there is any damage caused to the environment, the committee is directed to assess the environmental compensation and also the remedial measures for

restoring the Nalas and assess the damages caused to the environment on account of the same and arrive at cost of restoration.

In compliance to the orders of the Hon'ble National Green Tribunal (SZ) Chennai and as per the instructions of the committee, therefore mentioned officials jointly visited the area and inspected the water bodies situated at Ameenpur Village and flood water channel flowing from Kotha Cheruvu to Bandamkommu Cheruvu on 01-09-2021 and 02-09-2021 and marked the flood water stream and buffer area and submitted a report, detailing the survey number wise lands being covered under the flood water stream and buffer area of the Inlet and Outlet channels of Kothacheruvu and Bandamkommu Tanks of Ameenpur Village.

The following are the observations made by the joint inspection team with respect to the directions given by the Hon'ble NGT orders:

- I. (i) The lakes Kothacheruvu and Bandhamkommu Tanks of Ameenpur village are link tanks and as such the flood water channel from Kothacheruvu which is located on the upstream passes to Bandhamkommu Cheruvu which is located at a distance of about 1020 mts on the downstream. During the Joint inspection it is noticed that flood water channel stream from Kothacheruvu is identified as passing in Sy.Nos.319, 318, 317, 316, 315, 343/3, 350, 351, 352, 353, 396, 395, 393, 392, 376 and 375 of Ameenpur village and finally enters into Bandam Kommu Cheruvu. Further, it is noticed that the encroachments and constructions are observed in the flood water stream and its buffer area duly diverting the surplus course by dumping the soils and also reducing the width of the surplus course thereby partially obstructing the flow of water. The alignment of said surplus course is not shown in Revenue village map and in irrigation Department Map. As per the physical inspections and from Google maps extracts it is noticed that the said surplus course is passing through the aforesaid Survey Numbers.
- ii) On physical observation and as per the latest flood data the width of the surplus course is considered as 9.60Mts with 2.0 Mts of buffer zone applicable on either sides as per the conditions stipulated under G.O Ms No 168 of MA & UD Dept, Dt:07.04.2012 and upon demarcation the extent of land affected under the surplus course and buffer zone in Sy no wise are as tabulated below:

Sl. NO	Sy. No	Extent (Ac-Gts)	Length of Nala(in Mts.)	Extent affected under Flood water Nala (Ac- Gts)	Extent affected under the Buffer of Nala (Ac- Gts)	Balance Area (Ac- Gts)	Remarks
1	316	2-08	164.32	0-05	0-02	2-01	Open land
2	315	1-17	55.81	0-01	0-01	1-15	Encroachment made by respondent 9 in

							the surplus stream and buffer Zone and also some constructions like club house are taken up in buffer zone.
3	350	0-38	13.60	0-01	0-00.5	0-36.50	Construction of houses partly taken up in surplus stream/ Buffer Zone by Respondent 10
4	351	0-24	33.24	0-03	0-01	0-20	Construction of houses partly taken up in surplus stream/ Buffer Zone by Respondent 10
5	352	1-04	39.73	0-03.5	0 - 01.5	0-39	Open land
6	353	1-21	114	0-08	0-03	1-10	Perpetual Injunction covered with Court decree in Original Suit No.380 of 2019
7	396	1-21	56.79	0-07.5	0-02	01-11.5	Open land
8	395	0-15	32.06	0-01.5	0-01	0-12.5	Open land
9	393	0-09	14.24	0-00.5	0-00.5	0-08	Open land
10	392	0-39	76.43	0-05	0-02	0-32	Open land
Total	10-36			0-36	0-14.5	9-25.5	

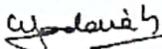
- i) It is also found that, in Sy.No.315 M/s Laltha Constructions has made some construction (like club house) in the alignment of surplus channel and buffer Zone. Further in Sy.Nos.350 & 351 of Ameenpur (V) one Sri.Vemulamada Kumara Swamy has constructed 3 individual residential buildings which are partly affected in surplus channel/Buffer Zone
- ii) During recent rains, due to the obstructions created in the natural water path by dumping of soils and also due to construction activity taken up by the respondents has been resulted in inundation / water logging of nearby colonies

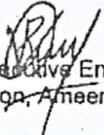
Further in this regard a letter has been addressed to the HMDA Authorities, vide EE Irrigation letter no: EE/ID/SRD/DB/DEE(T)/HD2/305Dt:17-08-2021 to cancel / review the building permissions granted in favour of the Respondent No.9 in part of the subject lands. In pursuance of the same HMDA has kept the building permission in Abeyance and stopped the construction and stated further action will be taken after following due procedure.

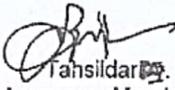
It is also revealed that the Respondent No.10 has got building permission from the then Grampanchayath of Ameenpur. Therefore, the District Panchayath Officer, Sangareddy is directed to take immediate necessary action for cancellation of the permissions issued by the then Grampanchayath of Ameenpur (v).

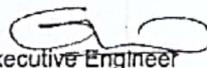
III) It is to submit that, regarding the aspect of the environment it is requested to address the Pollution Control Board authorities to assess if there is any damage to the environment and to assess the environmental compensation and also remedial measures for restoring the flood water channel and to assess the damages caused to the environment on account of the action of the respondents and to arrive the cost for restoration.

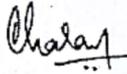
We here by submit the report, in light of the orders of the Hon'ble National Green Tribunal(SZ) Chennai passed in O.A No. 192 of 2021 Dated 27.08.2021 and as per the instructions of the Committee.


Mandal Surveyor,
AmeenpurMandal

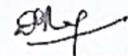

Asst Executive Engineer
IB Section, Ameenpur

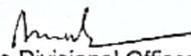

Tahsildar
Ameenpur Mandal

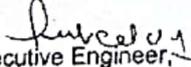

Dy Executive Engineer
Sub-Division.No.5, Patancheru

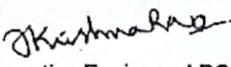

Asst Planning Officer
HMDA, Hyderabad


Municipal Commissioner
Ameenpur, Municipality


Planning Officer
HMDA, Hyderabad


Revenue Divisional Officer
Sangareddy


Executive Engineer,
Irrigation Division No.1, Sangareddy


Executive Engineer, LPC
HMDA Hyderabad

Additional Collector
Sangareddy District

At: 29/10/2021
Sangareddy

H. Yasmeen Ali
Counsel for Telangana.