

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

ORIGINAL APPLICATION No. 3 OF 2021 (SZ)

Tribunal on its own motion

Suo Motu based on the News Item

In the Hindu Newspaper, edition dated.

06.12.2020, under the caption

"Lake encroachment in full swing at Mazid Banda." Applicant(s)

Versus

Union of India & Others

...Respondent(s)

REPORT FILED BY THE 7TH RESPONDENT

The Hon'ble National Green Tribunal, Chennai (SZ) has directed to the District Collector, Ranga Reddy District in Original Application (OA) No.03 of 2021 to submit status report on Mazid Banda Cheruvu.

In this regard it is submitted that, Sri M Raju Yadav & another have filed WP No.11211 of 2019 and the Hon'ble High Court has passes following orders:

"....

8. In the light of the same, the respondents shall consider the objections of the petitioners and finalize the same within a period of 3 months from the date of receipt of the copy of this order.

9. Accordingly, the Writ petition is disposed of. No costs.

Miscellaneous applications, pending if any, shall stand closed."

Further it is submitted that, an application has been filed by private persons before the Hyderabad Metropolitan Development Authorities while informing that the lands in Sy.Nos.123, 124, 125, 128, 143 & 145 of Kondapur village to an extent of Ac.4-00 gts., belongs to them and was purchased patta land and cultivating the lands from decades and further stated that their lands are not falling in FTL & Buffer Zone and requested to remove their lands to an extent of Ac.4-00 gts., in Sy.No.123, 125, 128, 143 & 145 of Kondapur village, Serilingampally Mandal from draft notification No.1404/HMDA/EE (L & P)/2013-14/10, dt:23.07.2014 of Masjid Banda Cheruvu.

In this regard, it is to further submit that the matter has been got enquired by the Additional Mandal Girdawar, Serilingampally Mandal, RR District and records have been verified. As per revenue records i.e., Khasra Pahani the land in Sy.Nos.123 (0-07), 124 (0-23), 125 (1-30), 126 (1-03), 128 (1-13), 130 (0-09), 131 (0-18), 132 (1-15), 133 (1-32), 136 (1-13), 137 (1-7), 138 (2-25), 139 (0-18), 140 (2-19), 141 (1-33), 142 (1-14), 143 (0-15), 144 (0-27) and 145 (0-19) are classified as patta lands, Sy.No.127 (0-02) is classified as Mafi Inam and Sy.No.129 (0-13) is classified as Choutha Inam.

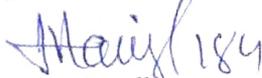
Further it is submitted that, a Joint inspection was conducted along with Irrigation authorities and it is observed that, a surplus course from Kudi Kunta i.e., upstream tank to this location has been obstructed, encroached and diverted along the boundary of subject lands due to construction of a group of apartments along its natural course on downstream. Also, it was observed that the water that got stagnated is due to open sewer drains discharging into the stream. However on the ground there is exist a Nala boundary but are no tank appurtenant components like bund, sluice and weir at that location. Further observed that a huge quantity of gravel is stagnated adjacent to the surplus course passing from Kudi Kunta to Gopi Cheruvu which causes the blockage of free flow of surplus course and further stated that, as per Village Map and revenue records there is no Kunta in the subject lands, but it is notified by HMDA vide lake ID No.3752.

Further it is submitted that, the Revenue Divisional Officer, Rajendranagar Division has addressed a letter to the Zonal Commissioner, West Zone, Serilingampally and Executive Engineer, North Tanks Division, Hyderabad vide Lr.No.D/192/2019 dated:29.01.2019 stating that, RDO has inspected the Maseed Banda Cheruvu, Kondapur village, Serilingampally along with Mandal Surveyor and Revenue Inspector, it is found that on ground Tank is existing and it is notified by HMDA vide Lake No. 3752 and requested to kindly protect the water body as per law.

It is submitted that, Maseed banda lake has been allotted a Lake ID No. 3752 and a preliminary notification was issued by HMDA with regard to Maseed banda Lake on 23.07.2014.

With regards to Hon'ble High court orders Dt: 14.11.2022 a joint inspection was again conducted on 28.01.2023 along with Irrigation authorities and it is noticed that the gravel and boulders are dumped adjacent to the surplus course passing from Kudi Kunta to Gopi Cheruvu which is causes the blockage of free flow of surplus course. Earlier when the Irrigation, GHMC & Revenue authorities jointly taken up clearing of Gravels and Boulders dumped adjacent to the surplus course passing from Kudi Kunta to Gopi Cheruvu and the pattadars of the land falling in the FTL & Buffer Zone of the lake as per the draft notification issued by HMDA have opposed to do so and a police complaint was lodged before Gachibowli police station with FIR No.789/2022 Dt:18.07.2022 in order to initiate criminal prosecution against the culprits who involved in above offence.

In this regard it is submitted that further action can be initiated after finalization of the draft notification and after passing of appropriate orders by the HMDA authorities.


District Collector,
Ranga Reddy District.