

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

O.A No. 189 of 2020

Anumula Revanth Reddy  
Member of Parliament  
R/o Plot No. 854-Plaintiff, Road No.44  
Jublee Hills, Hyderabad  
Telangana – 500 033  
Mail: [revanth.reddy@sansad.nic.in](mailto:revanth.reddy@sansad.nic.in)  
Mobile: 8790900009

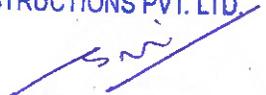
...Applicant

Versus

1. Union of India  
Through its Secretary  
Ministry of Environment, Forest & CC  
Indira Paryavaran Bhavan,  
Jorbagh, New Delhi-110003  
Mail: [secy-moef@nic.in](mailto:secy-moef@nic.in)  
Phone: 011- 24695262, 24695265
2. State Environment Impact Assessment Authority  
Rep. by its Member Secretary  
A-3, Paryavaran Bhavan  
Sanath Nagar Industrial Estate  
Sanat Nagar, Hyderabad-500018  
Mail: [ms-tspcb@telangana.gov.in](mailto:ms-tspcb@telangana.gov.in)  
Mobile: 04023887600
3. State of Telangana  
Rep. by its Principal Secretary, Irrigation  
Secretariat, Hyderabad-500022  
Mail: [secy-irg@telangana.gov.in](mailto:secy-irg@telangana.gov.in)  
Phone No. 04023450436
4. Telangana State Pollution Control Board  
Rep. By its Member Secretary,  
A-3, Paryavaran Bhavan  
Sanath Nagar Industrial Estate  
Sanat Nagar, Hyderabad-500018  
Mail: [ms-tspcb@telangana.gov.in](mailto:ms-tspcb@telangana.gov.in)  
Mobile: 04023887600



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5. Greater Hyderabad Municipal Corporation  
Rep. by its Commissioner  
CC Complex, Lower Tank Bund  
Hyderabad-500063  
Mail: commissioner-ghmc@gov.in  
Mobile:04023224564
6. Hyderabad Metropolitan Water Supply & Sewerage Board  
Rep. by its Managing Director  
Kairatabad, Hyderabad-500004  
Mail: mdhmwssb@hyderabadwater.gov.in  
Phone No: 04023433933
7. District Collector of Rangareddy District  
Collectorate Complex, Lakidikapool  
Khairatabad, Hyderabad  
Mail:collector\_rr@telangana.gov.in  
Phone: 04023235642
8. Hyderabad Lakes and Water Bodies Management Circle.  
Rep. By Its Superintendent Engineer.  
Irrigation Department, Ranga Reddy District.  
Hyderabad, Telangana State.  
Mail: hlwbm2004yahoo.com  
Phone No: 04027536105
9. M/s. DLF Home Developers Ltd  
Rep. by its General Manager  
DLF Building, 8th Floor, Block 3  
Gachibowli, Hyderabad  
Telangana-  
Mail:kumar-vinay@d1f.in  
Mobile: 9985002955
10. M/s. My Home Avatar & My Home Constructions Pvt. Ltd  
Rep. by its Managing Director  
8th Floor, Block 3, My Home Hub  
Madhapur, Hyderabad-500081  
Mail: cc@myhomegroup.in  
Phone: 04066888888

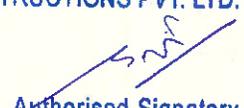
... Respondents

**REPLY FILED BY RESPONDENT NO.10**

I, A. Srinivas, son of A. Dayasagar, aged about 52 years, occupation: employee of My Home Constructions Pvt. Ltd., having office at 8<sup>th</sup> Floor, Block-3, My Home Hub, Madhapur, Hyderabad – 500 081, Telangana, do hereby solemnly affirm and sincerely state as follows:



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1. The address of the Applicant is as provided above for the service of notices and they may also be served through their counsel.
2. The addresses of the other Respondents are given in the cause-title of the Application that is under reply.
3. The address of the 10<sup>th</sup> Respondent is at 8<sup>th</sup> Floor, Block 3, My Home Hub, Madhapur, Hyderabad – 500 081, Telangana and they may also be served through their counsel.
4. This Respondent has perused the above Application filed by the Applicant herein and denies each and every one of the averments and allegations contained therein save those that are specifically admitted herein. At the outset, it is stated that the Application is bereft of any merit and has been filed by a serial litigant, in furtherance of some sort of vested interest in as much as the allegations and issues are a gross misrepresentation of the true facts. The Applicant is deliberately trying to tarnish the reputation of the Answering Respondent and the 9<sup>th</sup> Respondent, by making serious allegations which are entirely false and unsubstantiated, as would be demonstrated in the forthcoming paragraphs.
5. I state that throughout the Application, the Applicant has intentionally described the Answering Respondent and the 9<sup>th</sup> Respondent as “rich and powerful” and “highly influential companies” and the Applicant has also made several malicious averments of serious nature, suggesting collusion between the said Respondents and the other Respondent authorities. Such misleading averments have been made by the Applicant with an aim to portray the Answering Respondent in a poor light and to gain political mileage and publicity using the present proceedings. In fact, the Applicant has been causing the local press and media to report on the ongoing litigation, to create negative public opinion towards the Answering Respondent and the 9<sup>th</sup> Respondent. In effect, the present proceedings are nothing short of a gross abuse of the process of law and deserves to be dismissed *in limine*. The Answering Respondent seeks liberty to file an Application for costs to be imposed on the Applicant for instituting this frivolous and vexatious litigation.



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6. Before dealing with the issues raised in present Application, the Applicant is setting out a brief factual background regarding the residential project which is the subject matter of the Application.

**FACTS IN BRIEF:**

7. The Answering Respondent is a private limited company established in 1992, incorporated under the provisions of Companies Act, 1956. The Answering Respondent is headquartered in Hyderabad and is part of the reputed My Home Group and has more than two decades of experience in the real estate sector in the country. The Answering Respondent has successfully completed 18 residential and commercial projects with over 10.5 million sq.ft of built up area and has several premium projects under construction. Besides real estate, the My Home Group, enjoys market presence in other sectors cement, power, transportation, education and consultancy services. The My Home Group is a responsible corporate citizen and takes its responsibility towards environmental sustainability, very seriously. The projects undertaken by the Answering Respondents, including the project which is the subject matter of the present Application, have been executed after thorough due diligence of the area, topography and strictly as per the conditions imposed under the approvals and permissions granted by several departments.
8. It is submitted that the 9<sup>th</sup> Respondent procured land admeasuring Acres 26-00 Guntas (comprising of Acres 10-06 Guntas in Survey Nos., 217, 218, 219, 220, 221, 222, 223, 224 and 225 of Narsingi Village and Acres 15-34 Guntas in Survey Nos.263, 264, 265, 266, 267, 268, 269 and 270 of Puppalguda Village), Gandipet Mandal (*erstwhile Rajendranagar Mandal*), Ranga Reddy District, Telangana (hereinafter referred to as the “**Land**”), under Sale Deeds, registered as Document Nos.8414 of 2007 dated 23.08.2007, 8513 of 2007 dated 24.08.2007, 8969 of 2007 dated 12.09.2007 and 8379 of 2007 dated 22.08.2007, with the office of Sub Registrar, Rajendranagar, Ranga Reddy District.
9. In the year 2016, the 9<sup>th</sup> Respondent made an application on 06.04.2016 before the Competent Authority and Revenue Divisional Officer, Rajendranagar Division, Ranga Reddy (hereinafter referred to as the “**RDO**”) for conversion of agriculture land to non-



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agriculture land in respect of the Land. In response to the said applications, the RDO has accorded permission for conversion of agriculture land into non-agriculture purpose in favour of the 9<sup>th</sup> Respondent in respect of the Land vide proceeding bearing Nos.C1/2517/2016, C1/2518/2016 dated 19.05.2016.

10. Thereafter, the 9<sup>th</sup> Respondent proposed to set apart an extent of land admeasuring 2-38 Acres out of the aforementioned Land measuring Acres 26-00, for laying of water pipelines and an extent of 0.93 Acres for road widening purpose. The 9<sup>th</sup> Respondent consequently set aside the balance extent of land admeasuring Acres 22-69 Cents to develop a Multi-storied Residential Apartment Complex (hereinafter referred to as the “**Project**”). Accordingly, to develop the balance extent of land measuring Acres 22-69, the 9<sup>th</sup> Respondent entered into and executed a Joint Development Agreement-cum-General Power of Attorney with the Answering Respondent herein *vide* Document No. 1351 dated 25.02.2016 registered with the office of Sub Registrar, Serilingampally.
11. Pursuant thereto, both 9<sup>th</sup> and 10<sup>th</sup> Respondents applied for and were granted the requisite permissions and clearances from the concerned authorities for construction of the Project on the subject land, after necessary review and scrutiny of the Project. The details of which are enlisted hereunder:

**i. Environmental Clearance:**

Environmental Clearance Certificate bearing order No. SEIAA/TS/RRD-71/2015 dated 31.12.2015 issued by the Senior Environmental Engineer (Unit Head-III), State Level Environment Impact Assessment Authority (SEIAA), Hyderabad.

**ii. Telangana State Pollution Control Board (TSPCB):**

Consent order for establishment bearing No. 16012314980 dated 11.07.2016 issued by the Senior Environmental Engineer (Unit-I) and Consent & HOWA order bearing No. 200422352294 dated 24.02.2020 issued by the Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

**iii. Hyderabad Metropolitan Water Supply & Sewerage Board (HMWS&SB):**

No Objection Certificate dated 31.07.2018 issued by Chief General Manager (Engg), Transmission Circle, HMWSSB for construction of Radial Road No.5 at



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Puppalguda and Narsingi Village.

**iv. Hyderabad Metropolitan Development Authority (HMDA):**

Occupancy Certificate bearing No. 6547/MSB/ORRGC/PLG/H/2011 dated 24.05.2019 and 6547/MSB/ORRGC/PLG/H/2011 dated 27.04.2020 issued by HMDA, Hyderabad.

12. It is pertinent to note that the Answering Respondent has commenced and completed the construction only after obtaining the abovementioned permissions, approvals and occupancy certificates. The entire project was completed at an approximate cost of 1700 Crores. The Answering Respondent further states that the Project comprises of 2780 number of flats, which have, after completion, been transferred to various third-party individual purchasers, who have invested their life savings in the project and some have also procured funds through housing loans from banks and financial institutions.
13. It is submitted that the 10<sup>th</sup> Respondent has been fully compliant with the conditions of the consent order and has actively taken steps to prevent any environmental damage. The principal allegation of the Applicant is that the Project has illegally encroached a water body and the construction put up by the 9<sup>th</sup> and the 10<sup>th</sup> Respondents are in violation of (i) G.O Ms. No. 111 dated 08.03.1996; (ii) Clause 3 of the Andhra Pradesh Building Rules, 2012; (iii) MoEF Notification dated 14.11.2018; and (v) Clause 11 of the EIA Notification, 2006. It has also been alleged that the Irrigation Department has accorded permission for the Project without imposing any conditions on the Answering Respondent/10<sup>th</sup> Respondent for such development.

**Re Allegation that the Project is an encroachment on water body:**

14. The said allegation is baseless and far-fetched in as much as the lands acquired by the 10<sup>th</sup> Respondent/Answering Respondent are patta lands and there are no water bodies in the said lands, as sought to be claimed by the Applicant. The Applicant has merely extracted an unverified map, showing the water bodies in the surrounds of the Project and has claimed that the Project of the Answering Respondent has encroached the water body emerging from Narsingi Lake 2, Muskin Cheruvu to Nagireddy Kunta area. The



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Answering Respondent states that it has verified the concerned revenue records in respect of the survey numbers in, and has satisfied itself as to the topography of the area, prior to commencing construction in the Project site. The concerned Survey Nos. 217 (P), 218, 219, 220, 221, 222, 223, 224 and 225 of Narsingi and Survey Nos. 263, 264, 265, 266 and 267 (P) of Puppalguda, both villages fall under Gandipet Revenue Mandal (*erstwhile Rajendranagar Mandal*), Ranga Reddy District, Telangana. The project site is plotted on Survey of India Topographical map covering 2 Km radius. As per the Topo map, an undefined first order stream is starting on the southern side of the project site. The length of the undefined stream in the project site is only 100 (m). The 10<sup>th</sup> Respondent submits that there are no defined / feeder water channels passing through the project site which are connecting Narsingi-2 Lake, Muskin Cheruvu or Nagireddy Kunta. The allegation that the Project is encroaching a water body is therefore, entirely unsubstantiated.

15. The Applicant has further claimed that it is owing to the encroachment on water body that there is water logging in the site of the Project and has further stated that the free flow of the water has been obstructed due to the construction. These allegations are nothing but baseless surmises and speculations by the Applicant and have no merit to it. It is to be noted that the Applicant has photographed the Project during the period of August-September 2020, when Hyderabad and Ranga Reddy District received very heavy rainfall, the first of its kind in the last 100 years. Such water logging is due to monsoon and due to low level of the land on one side of the Project and has nothing to do with the construction of the Project or any alleged encroachment of water body.

**Re Alleged violation of G.O Ms. No. 111 dated 08.03.1996:**

16. It is stated that there is no violation of G.O.Ms. No. 111 dated 08.03.1996 in as much as the Project does not fall within the areas specified in the said notification. In any case, since a raw water channel is passing near the Project, the Answering Respondent is following the condition prescribed and is maintaining a width of 100 ft. from the conduit as buffer zone and the same is treated as part of mandatory open space. The Answering Respondent, has also applied for and obtained a No-Objection Certificate (NOC). It is only on this basis Hyderabad Metropolitan Development Authority (HMDA) has issued



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occupancy certificates. Therefore, there has been no violation on the part of the 9<sup>th</sup> and 10<sup>th</sup> Respondents as has been made out by the Applicant.

**Re Alleged violation of Clause 3 of the Andhra Pradesh Building Rules, 2012:**

17. The Answering Respondent states that the Project is compliant of the Andhra Pradesh Building Rules, 2012 and there has been no violation of the conditions prescribed therein. The building permission for the Project has been issued upon physical inspection of the site of construction. Considering an undefined first order stream is starting on the southern side of the project site, for a length of about 100(m), the Answering Respondent is maintaining the requisite width as buffer zone. Therefore, there is no question of any violation of any rules or regulations as sought to be projected by the Applicant.

**Re alleged violation by Irrigation Department:**

18. The Applicant has alleged that the Project has caused damage to the water body/nala which supplies water to Nagireddy Kunta. The Answering Respondent states that there are no defined / feeder water channels passing through the project site which are connecting Narsingi-2 lake, Muskin Cheruvu or Nagireddy Kunta. It is further submitted that as per the village map and revenue record, there is no stream in existence. The levels of the said water bodies are as put forth hereinbelow:

- a) Nagireddy Kunta is on the other side of the Outer Ring Road which is at the level of 531 m.
- b) Muskin Cheruvu is at the level of 533 m.
- c) Narsing Lake is at the level of 528 m.

19. As per the Topo map, there is no connection between these 3 lakes through any streams. The same can be observed from the Topo map attached herewith. The Answering Respondent states that they have not encroached / obstructed / damaged the flow of natural water from Narsingi Lake -2, Muskin Cheruvu to Nagireddy Kunta or any other water body. It is to be noted that these water bodies are not located close to the project site and there is no water channel connecting these 3 water bodies. The NOC from Irrigation Department is required only in cases where the project site is bounded by any



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water body or any notified / defined water channels / streams passing through the project site. However, this is not so in the present case and as such, the NOC from Irrigation Department is not required. The contention that the Irrigation Department, on the request of HMDA insisted submission of proper details regarding water body and further directed to take proper precautions in another project is not relevant to the present case and ought not be considered.

**Re Alleged violation of MoEF Notification dated 14.11.2018:**

20. The Applicant has merely stated that the Project is in violation of MoEF notification dated 14.11.2018, without demonstrating how the said notification is applicable to the Project. The Notification pertains to the environmental conditions for building and constructions. The condition states that no construction is permitted on wetland, water bodies, check dams, bio-swales, landscape and other sustainable urban drainage systems (SUDS). Such conditions are not applicable to the Project in as much as the Project is not located on any waterbody of any sort. The reliance on the said notification is entirely misplaced and as such the notification has no relevance to the Project.

**Re Alleged violation of Clause 11 of the EIA Notification, 2006:**

21. The Applicant has alleged that there has been a transfer of the Environmental Clearance (EC) from the 9<sup>th</sup> Respondent to the 10<sup>th</sup> Respondent and that such transfer is not valid in the absence of permission from the concerned EC issuing authority. In this regard, it is stated that there has been no violation whatsoever since the 9<sup>th</sup> Respondent is the project proponent at the relevant time, there was no transfer of EC to the 10<sup>th</sup> Respondent. The 9<sup>th</sup> Respondent entered into a Joint Development Agreement with the Answering Respondent for development of the Project as per the statutory permissions accorded to it. The 9<sup>th</sup> Respondent has been the landowner and co-developer of the Project until completion of the Project and has in fact executed sale deeds in favour of the prospective buyers in the capacity of landowner. Considering there is no transfer of the Project from 9<sup>th</sup> Respondent to the 10<sup>th</sup> Respondent, there is no requirement to obtain fresh EC, as there has been no change in ownership of the Project site.



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22. The concerned statutory authorities have inspected the project site and only after satisfaction of the compliances, have they issued building permission under the applicable rules. The Applicant has therefore wrongfully contended violations by the answering Respondent when in fact there have been no such violations.
23. It is stated that the Application is hopelessly barred by limitation in as much as the EC had been obtained in the year 2015 and the Answering Respondent has approached this Hon'ble Tribunal after nearly 5 years and that too after the Project has been completed and flats have been sold to prospective buyers. In any event, the Applicant has not challenged the EC given to the 10<sup>th</sup> Respondent. The present litigation is motivated and vexatious and is being conducted for certain oblique motives.
24. Without prejudice to the above contentions, this Respondent now proceeds to offer its para-wise remarks to the above application.

Paragraph	Response
1 under the Heading "Facts in Brief"	The Answering Respondent has no knowledge of the averments contained therein and the Applicant is put to strict proof of the same.
1 (i)	The Answering Respondent has no knowledge of the averments concerning the Applicant and the Applicant is put to strict proof of the same. However, the averments referring to the Applicant visiting the allegedly encroached Land on the invitation of the local people and consequently averring that there has been a blatant violation of law is denied as false and fictitious and the Applicant is put to strict proof of the same.
2	The contents therein are denied as false and incorrect. The Answering Respondent submits that, as per the village (Revenue) map and Topo sheets of Puppalaguda village, no water canal/channel is passing through the project site situated at the Land in Survey Nos. 217 (P), 218, 219, 220 221, 222, 223, 224 and 225 of Narsingi and Survey Nos. 263, 264, 265, 266 and 267 (P) of Puppalguda, both villages fall under Gandipet Revenue Mandal ( <i>erstwhile Rajendranagar Mandal</i> ), Ranga Reddy District, Telangana. The project site is plotted on Survey of India Topographical map covering 2 Km radius. The 10 <sup>th</sup> Respondent states that this Topo map is the base for all the projects based on which



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	<p>Environmental clearance is issued. As per the Topo map, an undefined first order stream is starting on the southern side of the project site. The length of the undefined stream in the project site is only 100 (m). The 10<sup>th</sup> Respondent submits that there are no defined / feeder water channels passing through the project site which are connecting Narsingi-2 Lake, Muskin Cheruvu or Nagireddy Kunta.</p>
2 (i)	<p>The contents therein are vehemently denied as false and vexatious. It is submitted that the 9<sup>th</sup> and 10<sup>th</sup> Respondents have not encroached / obstructed / damaged the flow of natural water from Narsingi Lake 2, Muskin Cheruvu to Nagireddy Kunta. It is submitted that these water bodies are not located anywhere close to the project site and there is no water channel passing through the project site connecting these aforesaid 3 water bodies. Further, there is no diversion of natural flow from Narsingi Lake 2 and Muskin Cheruvu of Puppalguda village. The Answering Respondent states that entire Hyderabad and Ranga Reddy District were flooded and several colonies filled with water due to heavy rains which occurred for the first time in 100 years during August-September 2020. It must be noted that the Applicant chose this particular period to take photographs of the project site of the Respondent which clearly shows the malafide intention of the Applicant.</p>
2 (ii) under the Heading "Particulars of the Project"	<p>The contents therein, insofar as it pertains to the details of the Project is a matter of record and merits no response. Admittedly, the 9<sup>th</sup> Respondent submitted its proposal along with a detailed report, maps and presentation before the State Level Expert Appraisal Committee ("SEAC") meetings held on 18.08.2015, 17.11.2015 and 09.12.2015 and only after examination of the site position and impact on environment in accordance with EIA Notification, 2006, the SEAC &amp; SEIAA has accorded Environmental Clearance bearing No. SEIAA/TS/RRD-71/2015 dated 31.12.2015 in favour of the 9<sup>th</sup> Respondent for construction of residential complex on the project land.</p>
2 (iii) (a) under the heading "Violations & damage caused to environment by Respondent"	<p>The contents therein are denied in totality. The specific allegation that the 9<sup>th</sup> and 10<sup>th</sup> Respondents are rich and powerful construction companies who have violated the Government Orders issued by State Government and guidelines of Union Ministry of Environment, Forest is false and scandalous. These allegations have been made without an iota of evidence to support them.</p> <p>The Applicant is trying to misrepresent to this Hon'ble Tribunal that the Project comes within the purview of G.O.Ms.No.111, dated 08.03.1996. However, the Answering Respondent submits that the project site does</p>



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No. 9 & 10”	<p>not fall in the areas listed in G.O.Ms.No.111 dated 08.03.1996. Nonetheless, when it was noted that a raw water channel is passing near by the project site (outside of the project site), the Answering Respondent had diligently obtained a No Objection Certificate (“NOC”) from Hyderabad Metropolitan Water Supply and Sewerage Board (hereinafter referred to as “HMWSSB”). In compliance with the NOC issued by HMWSSB, the 10<sup>th</sup> Respondent is maintaining a width of 100 ft. from the conduit as buffer zone and the same is treated as part of mandatory open space. Upon inspection of the project by TSPCB and HMDA, it was observed that the 9<sup>th</sup> Respondent has fulfilled the conditions as laid down by the HMWSSB and other statutory permissions while developing the project site and consequently the HMDA has issued final Occupancy Certificates. Therefore, from the records it is clear that the 9<sup>th</sup> and 10<sup>th</sup> Respondents have not violated the conditions of G.O.Ms.No.111 dated 08.03.1996.</p>
2 (iii) (b)	<p>The contents therein are denied in toto. The Applicant has made bald allegations that the 9<sup>th</sup> and 10<sup>th</sup> Respondents are rich and powerful companies and that as such the Official Respondents have not ventured to take action against the 9<sup>th</sup> and 10<sup>th</sup> Respondents. These allegations are false and malicious and are denied. The Applicant has further contended that the 9<sup>th</sup> and 10<sup>th</sup> Respondents have violated the mandatory provision in clause 3 of the Building Rules of G.O.Ms.No.168 dated 07.04.2012 which prohibits building activity in the vicinity of water bodies.</p> <p>The Answering Respondent states that the Project Site is a patta land and there is no water body situated in the Project Site. The concerned Statutory authorities have inspected the project site and only after satisfaction of the compliances, have they issued building permission under the applicable rules. It is therefore wrong to contend violations by the answering Respondent when in actuality the answering Respondent has violated no provisions.</p>
2 (iii) (c)	<p>The contents therein are denied as false and fictitious. The specific allegation that the Answering Respondent has caused damage to the water body/nala which supplies water to Nagireddy Kunta is denied as incorrect.</p> <p>The Answering Respondent states that the Project site is plotted on Survey of India Topographical map covering a 2 Km radius. This Topo map is the foundation for all the projects, based on which Environmental clearance is issued. The Respondent states that as per the Topo map an undefined first order stream is starting on the southern side of the project site. However, it is to be noted that the length of the undefined stream in</p>



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	<p>the project site is only 100 m. The Answering Respondent states that there are no defined / feeder water channels passing through the project site which are connecting Narsingi-2 lake, Muskin Cheruvu or Nagireddy Kunta. It is further submitted that as per the village map and revenue record, there is no stream in existence. The levels of the said water bodies are as put forth hereinbelow:</p> <ul style="list-style-type: none"><li>a) Nagireddy Kunta is on the other side of the Outer Ring road which is at the level of 531 m.</li><li>b) Muskin Cheruvu is at the level of 533 m.</li><li>c) Narsing Lake is at the level of 528 m.</li></ul> <p>As per the Topo map, there is no connection between these 3 lakes through any streams. The same can be observed from the Topo map attached herewith.</p> <p>The Answering Respondent states that they have not encroached / obstructed / damaged the flow of natural water from Narsingi Lake -2, Muskin Cheruvu to Nagireddy Kunta or any other water body. It is to be noted that these water bodies are not located close to the project site and there is no water channel connecting these 3 water bodies. The NOC from Irrigation Department is required only in cases where the project site is bounded by any water body or any notified / defined water channels / streams passing through the project site. However, this is not so in the present case and as such, the NOC from Irrigation Department is not required. The contention that the Irrigation Department, on the request of HMDA insisted submission of proper details regarding water body and further directed to take proper precautions in another project is not relevant to the present case and must be rejected.</p>
2 (iii) (d)	<p>The contents therein are denied as false. The allegations made therein are bald allegations without a shred of proof. The Answering Respondent has obtained all statutory permissions including EC from TSPCB and implemented the project in strict compliances of all conditions stipulated therein. As such, there is no such violation of any condition of the MoEF Notification dated 14.11.2018 by the Answering Respondent.</p>
2 (iii) (e)	<p>The contents therein are denied as false and frivolous. The 9<sup>th</sup> Respondent entered into a Joint Development Agreement with the Answering Respondent for development of the Project as per the statutory permissions accorded to it. The 9<sup>th</sup> Respondent is the landowner and co-developer of the project till the end of the execution of the project and has also executed sale deeds in favour of the prospective buyers as the landowner of the project. Since there is no</p>



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	transfer of the Project from 9 <sup>th</sup> Respondent to the 10 <sup>th</sup> Respondent, it is not required to obtain fresh EC, as there is no change of ownership of the Project Site. The ownership of the Project Site continues to vest with the 9 <sup>th</sup> Respondent.
3 under the heading "Complaints of the Applicant not redressed"	The contents therein are strongly denied and the Applicant is put to strict proof of the same. It is reiterated that the Project Site is a patta land and there is no water body situated in the Project Site. The 9 <sup>th</sup> and 10 <sup>th</sup> Respondents have obtained permissions/clearances from the various authorities in respect of the project site in a transparent manner and in strict adherence to the relevant conditions, rules and regulations as laid down by the authorities for carrying out construction of the residential complex on the project land.
4	The allegations pertaining to the influence of the Answering Respondent is vehemently denied as false and such allegations have been made with the sole intention to tarnish the reputation of the Answering Respondent. These claims are repeatedly being made without any proof. It suffices to state that the concerned authorities have duly inspected the Project Site and have ascertained the facts on ground and were satisfied of the same. The other claims regarding letters sent are a matter of record and merit no response. However, any allegations against the Answering Respondent within the letters are denied and any claims contrary to facts are denied.
5	The claims and contents of this paragraph are denied as false. It is reiterated that the Answering Respondent has not encroached / obstructed / damaged the flow of natural water from Narsingi Lake -2, Muskin Cheruvu to Nagireddy Kunta. These are not located close to the Project Site and there is no water channel connecting the aforesaid 3 water bodies.
6	The contents merit no response.
7 & 8 (A-H)	The contents therein are denied in toto as false and baseless for reasons already mentioned hereinabove. The same is not repeated herein for the sake of brevity.  Answering Respondent has not made any encroachments in and around the Narsingi Lake-2, Musking Cheruvu and Nagireddy Kunta of Gandipet Mandal, Ranga Reddy District, Telangana or anywhere else.  The concerned local authorities have inspected the Project Site physically and only upon verification of compliance of the conditions of respective approvals, have issued the necessary clearances for occupancy. The 9 <sup>th</sup> and 10 <sup>th</sup> Respondent have not carried out any illegal



For MY HOME CONSTRUCTIONS PVT. LTD.

Authorised Signatory

	<p>activities and have followed the due process of law and obtained permissions/clearances from the various authorities in respect of the Project Site in a transparent manner and in strict adherence to the relevant conditions, rules and regulations as laid down by the authorities. It is reiterated that there is no violation, obstruction or encroachment of water channels observed / identified in the project site. The Answering Respondent has made an application to the HMDA, for building permission for construction of the Multi-storied Residential Apartment Complex and only thereafter has the Answering Respondent commenced the construction of the residential building comprising of Ten Towers. It is submitted that the same was completed and Occupancy Certificates were issued by HMDA vide building permit proceeding bearing Nos. 6547/MSB/ORRGC/PLG/H/2011 dated 24.05.2019 and 6547/MSB/ORRGC/PLG/H/2011 dated 27.04.2020 in favour of the Answering Respondent. Pursuant thereto, the entire portion of the Residential Flats were alienated to the hundreds of customers, who purchased the same by investing their hard earned money and by availing housing loans from several Nationalized Banks and other Financial Institutions and they were in ownership and possession of the purchased areas.</p>
9 & 10	<p>The contents therein are denied for reasons already mentioned hereinabove and the same is not repeated herein for the sake of brevity. The Application is hopelessly barred by limitation in as much as the EC had been obtained in the year 2015 and the Answering Respondent has approached this Hon'ble Tribunal after nearly 5 years and that too after the Project has been completed and flats have been sold to prospective buyers. In any event, the Applicant has not challenged the EC given to the 9<sup>th</sup> Respondent. The present litigation is motivated and vexatious and is being conducted for certain oblique motives.</p>

25. In these circumstances, it is most humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with costs as devoid of merits and passed other or further orders, in the interest of justice.

Dated at Hyderabad on this, the 26<sup>th</sup> day of June 2021.

Counsel for 10<sup>th</sup> Respondent

**ATTESTED**

Authorised Signatory

10<sup>th</sup> Respondent



**K. SUNIL., B.Com., BL**  
**ADVOCATE & NOTARY**  
Appointed By Govt. Of Telangana  
Regn. No:245  
Katpally, Medchal Dist., Telangana  
Commission Expires on 16-4-2022  
Ph: 9440572415

## VERIFICATION

I, A. Srinivas, son of A. Dayasagar, aged about 52 years, employee of My Home Constructions Pvt. Ltd., and having office at 8<sup>th</sup> Floor, Block 3, My Home Hub, Madhapur, Hyderabad – 500 081, Telangana, do affirm that I am the Authorised Signatory of the Answering Respondent and hereby verify that the contents of this reply are true and based on legal advice, and that I have not suppressed any material fact.

For MY HOME CONSTRUCTIONS PVT. LTD.

  
Authorised Signatory

**10<sup>th</sup> Respondent**

Date: 26.06.2021

Place: Hyderabad



**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**O.A No. 189 of 2020**

Anumula Revanth Reddy

...Applicant

Vs.

Union of India & Ors.

...Respondents

**COUNTER OF RESPONDENT NO. 10**

M/s. Rahul Balaji

T. Pranav Rao

Janani Shankar

Rangasaran Mohan

**COUNSEL FOR RESPONDENT NO.10**