

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

Application No. 242 of 2021

1. Tejah Balantrapu
S/o. Hemachandra Balantrapu
202, Grace des res heights
SBI Colony, Baghamberpet
Hyderabad – 500 013, Telangana.
2. Pranay Juvvadi
S/o. J. Praveen Rao
1-10-63/4, Chikoti Gardens, Begumpet
Hyderabad – 500 016, Telangana.
3. Natasha Ramarathnam
D/o. Dr. S.Ramarathnam
504, Samala Royale
Street No.4, Begumpet
Hyderabad – 500 016, Telangana. ... Applicants

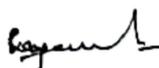
- Vs -

1. Union of India,
Rep. by its Secretary
The Ministry of Environment, Forests and Climate Change
Jorbagh, New Delhi.
2. The National Highways Authority of India
Rep. by its Project Director
No.25A & 28A, ASCI, College Park Campus
Road No.3, Banjara Hills, Hyderabad. Respondents

STATUS REPORT FILED BY THE 2nd RESPONDENT

I, P. Nageswara Rao, s/o Late Shri. P. Choudary, aged about 54 years do hereby solemnly affirm and sincerely state as follows:

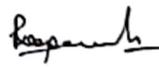
I am holding the post of GM (T) & Project Director, PIU, Hyderabad and I am well acquainted with the facts of the case from the records as such I am competent to swear this status report.


**PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT
HYDERABAD - 500 034.**

1. It is respectfully submitted that the project is for Four laning of NH-163 from Hyderabad (Outer Ring Road near Appa Junction at Km.14+000) to Manneguda (Km.59+500) in the State of Telangana under NH(O) on Hybrid Annuity Mode. It is submitted that the length of bypass is 12 km; length of forest is 7 km and balance length is 27 km and the total length of the project highway is 46.405 km. It is respectfully submitted that the project alignment was approved by the Competent Authority, NHAI in 2017. Subsequently, Land Acquisition Cost has been approved by the Land Acquisition Committee of NHAI Headquarters vide letter no. 222 dt. 27.10.2020. In the alignment, the major types of trees found along the above project highway are Albizia, peltophorum, Gulmohar, Kassod, Neem, Banyan trees, peepal, rain tree, sisso and etc.

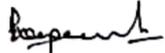
2. It is further submitted that the Standing Finance Committee during its meeting held on 16.09.2021, has approved the construction of "Four laning of NH-163 from Hyderabad (ORR near Appa Junction at Km. 14+000) to Manneguda (Km. 59+500) in the State of Telangana under NH(O) on Hybrid Annuity Mode". The bids for the construction of above project have been invited by NHAI, HQ on 10.09.2021 and bids were opened for evaluation on 22.12.2021. The Bids are still under evaluation and Concessionaire is not yet finalized, therefore, construction works are not yet commenced.

3. It is submitted that this office requested permission for felling of trees from the Forest authorities concerned, which is awaited. The Consultant has explored various alternative alignments. The present alignment is the most feasible one and approved by Competent Authority, NHAI in 2017.


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4. It is submitted that there are about 2500 no's trees (avenue/median) are existing in non-forest locations and 688 number of banyan trees are enumerated in the stretch between Moinabad and Manneguda. During the construction of the project, existing trees may be felled in bare minimum depending upon the site requirement duly considering the Road safety of road commuters. Relocation of trees will be done as much as possible to save trees in the stretch. This option will be examined before start of work by the Concessionaire. Keeping in view of the road safety provisions as per IRC Guidelines. However, bare minimum trees will be proposed for felling during construction as necessitated only. The same will be examined by the expert before start of the work by the Concessionaire.

5. It is submitted that the Stage-I proposal towards forest diversion has been approved by MoEF&CC, GOI vide letter dated 13.12.2018. The PCCF, Hyderabad vide letter dated 24.12.2018 directed the deponent to coordinate with concern Divisional Forest Officers to obtain the demand notice and also to comply the aforesaid conditions of the 1st respondent. Some of the conditions are the State Forest Department shall be carrying out compensatory afforestation, the User Agency shall endeavor to avoid felling of trees existing on the forest land proposed to be utilized. Wherever necessary, the trees should be felled under strict supervision of DFO / FDO concerned, wherever feasible, the State Forest Department shall carry out translocation of trees instead of resorting to filling, at the cost of the User Agency. Roadside cuttings and fillings which required engineering support shall be provided as per the instruction of the DFO concerned so as to

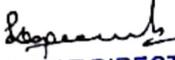

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stabilize the soil. The User Agency shall be arrange to rise strip plantation on either side of the road and also on the central verge at the project cost and maintain the same for 7 to 10 years. The progress of the Compensatory Afforestation under the jurisdiction of Vikarabad and Shamshabad Forest Division shall be monitored by the circle head and copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.

6. It is submitted that pursuant to the conditions stipulated in the above approval, and as per the demand raised by the Divisional Forest Officers, an amounts of Rs.13.41 Crore with Forest Divisional Officer, Shamshabad and Rs.6.95 Crore deposited with District Forest Officer, Vikarabad towards; (i) Construction of Construction of chain link fencing/ see through wall for the diverted forest area (ii) Boundary Pillars (iii) Net Present Value for forest land (iv) for raising plantation in DFL area under Compensatory Afforestation including maintenance of plantation for 10 years including infrastructure for raising of nursery.

7. It is submitted that the Stage-II proposal towards forest diversion has been approved by MoEF&CC, GOI vide letter dated 20.10.2021 subject to certain conditions mentioned therein.

8. It is to inform that plantation will be taken up the Concessionaire and the plantation and maintenance costs will be borne by Concessionaire throughout the concession period. It is also to mention that approximately 53,000 no's (40,000 no's plants will be planted towards avenue plantation &


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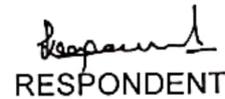
13,000 no's plants towards median plantation) will be planted in the stretch, which will promote green cover in the entire stretch.

9. It is respectfully submitted that the deponent would be meticulously complying the conditions imposed by the 1st respondent and any other order or direction as may be issued by this Hon'ble Tribunal in the facts and circumstances of the case.

For the reasons stated above, it is prayed that the Hon'ble Tribunal may be pleased to dispose of the above application with appropriate order or direction as may be deemed fit and proper in the facts and circumstances of the case and thus render justice.



COUNSEL FOR 2nd RESPONDENT



RESPONDENT

PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT
HYDERABAD - 500 034.

VERIFICATION

I, P. Nageswara Rao, GM (T) & Project Director, PIU, Hyderabad do hereby verify that what is stated above in paras is true to the best of my knowledge and belief, based on official records.

Verified at Chennai on this the 8th day of March, 2022



RESPONDENTS

PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT
HYDERABAD - 500 034.

BEFORE THE NATIONAL GREEN
TRIBUNAL (SZ) CHENNAI

Application No. 242 of 2021

Tejah Balantrapu
and two others. ... Applicants

Vs.

Union of India
Rep. by its Secretary
The Ministry of Environment, Forests
and Climate Change
New Delhi.
and another. ... Respondents

Status Report filed on behalf of
2nd Respondent

Su.SRINIVASAN (475/1993)
Standing Counsel for NHAI
Counsel for 2nd Respondent
8072478564